

SECTION J: STUDENTS

Section J of the NEPN/NSBA classification system contains policies, regulations, and exhibits on students — admissions, attendance, rights and responsibilities, conduct, discipline, health and welfare, and school-related activities.

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JLD Guidance and Counseling
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JLDA Confidentiality of Student Communications
JLDAB Referral of Students to Other Agencies
JLDAC Screening/Testing of Students
JLDB At-Risk Student Behaviors
JLDBA Self-Esteem Promotion/Suicide Prevention
JLDBB Identification, Interventions, and Postvention Procedures for Student Problems
JLDBC Substance Abuse Counseling
JLDBD Child Abuse/Neglect Counseling
JLDBE Peer Counseling
JLDBF Mentor Teacher/Caring Adult Program
JLDC Career Counseling
JLE Student Social Services
JLEA Home Visits
JLF Reporting Child Abuse/Child Protection
JLG Homeless Students
JLH Missing Students
JLI Student Safety
JLIA Supervision of Students
JLIB Student Dismissal Precautions
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JLID Student Bicycle Use
JLIE Student Automobile Use and Parking

JM Student Awards, Honors, and Scholarships

JN Student Volunteers for School and Community Service

JO Employment of Students

JP Student Donations and Gifts

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JR Student Information
JRA Student Records
JRB Student Lists
JRC Release of Information on Students
JRD Student Photographs

Equal Educational Opportunities

Every student of the charter school shall have equal educational opportunities regardless of race, color, creed, sex, marital status, national origin, or handicap.

Further, no student shall on the basis of sex be excluded from participating in, be denied the benefits of, or be subject to discrimination under any educational program or activity conducted by the school.

More specifically, as prescribed by legal requirements, the charter school shall treat its students without discrimination on the basis of sex as this pertains to access to and participation in course offerings, athletics, counseling, employment assistance, and extracurricular activities.

LEGAL REFS: Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d
Title IX of the Education Amendments of 1972, 20 U.S.C. §1681
29 U.S.C. §701 *et seq.*, (Section 504 of the Rehabilitation Act of 1973)
Equal Educational Opportunities Act of 1974, 20 U.S.C. §§1701-1758

CROSS REFS: ACA, Nondiscrimination of the Basis of Sex
ACE, Nondiscrimination on the Basis of Handicap/Disability

First Reading Date: 8-5-2003

Adoption Date: 9-2-2003

Lake George Charter School

**Nondiscrimination on the Basis of Sex
(Compliance with Title IX)**

1. Designation of responsible employee

The charter school board shall designate an individual as the responsible employee to coordinate charter school compliance with Title IX. The designee, the charter school's Title IX compliance officer, shall be responsible for continuing surveillance of charter school educational programs and activities with regard to compliance with Title IX and its administrative regulations, including the development of all necessary procedures and regulations. The Title IX compliance officer shall annually notify all students of the charter school regarding the charter school's policy and grievance procedure and of his or her name or title, office, address and telephone number. Notification shall be by posting and/or other means sufficient to reasonably advise all students.

2. Grievance procedure

All students shall have a ready means of resolving any claim of discrimination on the basis of sex in the educational programs or activities of the charter school. The complaint and compliance process is set forth in AC-R. All complaints regarding sexual discrimination and/or harassment shall be filed with the Title IX compliance officer. A complaint may also be made to the Office of Civil Rights at any time before or during the charter school's grievance procedures at:

The Office of Civil Rights
U.S. Department of Education
1244 Speer Boulevard, Suite 310
Denver, Colorado, 80204-3582.

3. Dissemination of policy

The administrator shall notify applicants for admission, students, parents/guardians, sources of referral of applicants for admission, employees and applicants for employment that it does not discriminate on the basis of sex in the educational programs or activities which it operates and that it is required by Title IX and its administrative regulations not to discriminate in such a manner. The notification shall be made in the form and manner required by law or regulation. See AC-E-1.

LEGAL REFS.: 20 U.S.C. §1681 et seq. (Title IX of the Education Amendments of 1972)
34 C.F.R. Part 106 (Title IX of the Education Amendments of 1972)

CROSS REF.: AC, Nondiscrimination/Equal Opportunity

First Reading: 5-5-2015

Adoption Date: 6-2-2015

**Nondiscrimination on the Basis of Sex
(Compliance Officer)**

The charter school's Title IX compliance officer is:

Administrator
38874 US Hwy 24
PO Box 420
Lake George, CO 80827
719-748-3911

First Reading: 5-5-2015

Adoption Date: 6-2-2015

Lake George Charter School

SEXUAL HARASSMENT

Sexual harassment is recognized as a form of sex discrimination and thus a violation of the laws which prohibit sex discrimination.

A learning environment that is free from sexual harassment shall be maintained. It shall be a violation of policy for any staff member to harass students, or for students to harass other students, or for a student to harass a staff member, through conduct or communications of a sexual nature.

Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature may constitute sexual harassment when:

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

Sexual harassment as defined above may include but is not limited to:

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

Students may file a formal grievance of sexual harassment through use of the accompanying grievance procedure. If the alleged harasser is the administrator with whom a grievance routinely would be filed, the student may file the grievance with an alternate staff member.

All matters involving sexual harassment complaints shall remain confidential to the extent possible.

Filing of a grievance or otherwise reporting sexual harassment shall not reflect upon the individual's status or affect grades.

Notice of this policy shall be circulated throughout the charter school and incorporated in student handbooks.

Define 'educational environment': Any area, physical or virtual, that is associated with any school activity or function.

LEGAL REFS.: Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e *et seq.*
Title IX of the Education Amendments of 1972, U.S.C. §1681 *et seq.*

CROSS REFS: AC, Nondiscrimination/Equal Opportunity

First Reading Date: 9-13-2016

Adoption Date: 10-11-2016

Lake George Charter School

SEXUAL HARASSMENT
(Grievance Procedure)

1. Students who believe they have been subject to sexual harassment will report the incident to any teacher, counselor or administrator in their school building or to the administrator, who will be referred to as the grievance officer. All reports received by teachers, counselors, administrator or other school employees will be forwarded to the grievance officer. If the alleged harasser is the person designated as the grievance officer, an alternate grievance officer will be appointed by the administrator to investigate the matter.
2. Upon receiving a report, the grievance officer will confer with the student who has allegedly been harassed as soon as is reasonably possible, but in no event more than 2 school days from receiving the report, in order to obtain a clear understanding of the basis of the complaint and to discuss what action the student is seeking. The student's parents/guardians will also be contacted and kept informed regarding progress of the investigation.
3. At the initial meeting with the student, the grievance officer will explain the avenues for informal and formal action and provide a description of the grievance procedure. The grievance officer will also explain that whether or not the student files a formal grievance or otherwise requests action, the charter school 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 grievance officer will also explain to the student that any request for confidentiality will be honored so long as doing so does not preclude the school from responding effectively to the harassment and preventing future harassment.
4. Following the initial meeting with the student, the grievance officer will attempt to meet with the alleged harasser and his or her parents/guardians in order to obtain a response to the reported harassment and will investigate the matter in accordance with policy JBB*. The grievance officer will complete the investigation within 14 school days of the initial meeting with the student.
5. Within 7 school days of completing the investigation, the grievance officer will determine whether the matter should proceed formally or informally. On the basis of the grievance officer's investigation and if the student requests that the matter be resolved in an informal manner and the grievance officer agrees that the matter is suitable for such resolution, the grievance officer may attempt to resolve the matter informally through conciliation.

6. If the student requests a formal grievance process, the grievance officer will transfer the record to the administrator or designee for formal resolution within 7 school days of completing the investigation, and so notify the parties by certified mail.
7. After reviewing the record made by the grievance officer, the administrator or designee may gather additional evidence necessary to decide the case. Within 14 school days of receiving the record, the administrator or designee will announce any sanctions or other action deemed appropriate, including recommendations to the Board for disciplinary or other action.
8. Whether or not a formal grievance was filed, the charter school will take all reasonable steps necessary to end the harassment, to make the victim whole by restoring lost educational opportunities, to prevent harassment from recurring and to prevent retaliation against anyone that reports sexual harassment or participates in a harassment investigation.
9. All parties, including the parents/guardians of all students involved, will be notified by the administrator of the final outcome of the investigation and all steps taken by the charter school.
10. At any time, the student making a report of sexual harassment may request an end to the informal process and begin the formal grievance process.

First Reading Date: 2-14-2017

Adoption Date: 6-13-2017

Lake George Charter School

School Attendance Areas

Attendance areas for each elementary, junior high and high school of the district shall be drawn up by the administration and approved by the Board, based on geography and student population projections.

In establishing school boundaries, consideration shall be given to the densities of students in an area in relation to the relative capacities of the schools, the equalization of enrollments in classrooms and efficient use of transportation facilities.

A student's designated attendance area shall be based on the legal residence of the parents/guardian.

Adopted March 13, 1978

Revised to conform with practice: date of manual revision

LEGAL REF.: C.R.S. 22-32-110 (1)(m)

CROSS REF.: JFBA, Intra-District Choice/Open Enrollment

Compulsory Attendance Ages

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

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

LEGAL REFS.: C.R.S. 22-32-110(1)(mm) (*board may authorize school employee to represent school district in judicial proceedings to enforce compulsory attendance*)
 C.R.S. 22-33-104 (*compulsory school attendance ages*)
 C.R.S. 22-33-104.5 (*home-based education*)
 C.R.S. 22-33-107 (*enforcement of school attendance laws*)
 C.R.S. 22-33-108 (*judicial proceedings to enforce school attendance laws*)

NOTE: On or after July 1, 2008, a parent of a five or six year old child who is attending preschool or kindergarten may notify the child's school of the parent's wish that the child not advance to first grade in the following school year. The school shall not advance the child to first grade after receiving this notice from the parent.

First Reading Date: 2-12-19

Adoption Date: 5-14-19

Lake George Charter School

Entrance Age Requirements

A child may enter kindergarten if five years old on or before October 1 the year of enrollment. Younger students who do not meet the charter school entrance age requirement for kindergarten but who are five years old after October 1 may be accepted if transferring from another kindergarten program if the administrator or designee determines that placement of the student in kindergarten is appropriate.

Students enrolling in the first grade may enter if they are six years old on or before October 1 of the year of enrollment. A student who is at least six years old after October 1 shall be permitted to enroll in first grade if the student attended at least 120 days of kindergarten in another state.

A legal birth certificate or other acceptable record shall be required for enrollment age certification.

LEGAL REFS.: C.R.S. 22-1-115
C.R.S. 22-32-119
C.R.S. 22-54-103(10) (*sets October 1 date*)
1 CCR 301-8, 2220-R-12.00 (*highly advanced gifted children*)

CROSS REF.: JEA, Compulsory Attendance Ages

First Reading Date: 2-12-19

Adoption Date: 5-14-19

Lake George Charter School

ADMISSION AND DENIAL OF ADMISSION

Admission

All persons age 5 through 20 who reside within the boundaries of this charter school may be permitted to attend public schools without payment of tuition. In addition, persons who do not reside in the district may be admitted under Board policies relating to nonresident students or by specific action of the Board.

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

All students new to the district including kindergarten students and first graders shall be urged to have a physical examination and to submit a report from the examining physician on a form provided by the school.

The Board of Education may establish fees for evening high school, summer school, adult education or community education.

Denial of admission

The Board of Education or the administrator may deny admission to the schools of the district for cause. The grounds for denial of admission shall be those established by law. (See Exhibit JF-E)

Students who were expelled from any school district during the preceding 12 months or whose behavior during the preceding 12 months in another school district was detrimental to the welfare or safety of other student or personnel may be denied admission.

Pursuant to Colorado law, 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 charter school has no actual knowledge of the name of the victim, the expelled student shall be prohibited from enrolling or re-enrolling only upon the request of the victim or a member of the victim's immediate family.

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.

Note: In any district that has only one school in which the expelled student can enroll, the district shall either prohibit the student from enrolling or design a schedule that, to the extent possible, avoids contact between the expelled student and the victim or victim's family.

LEGAL REFS: C.R.S. 22-1-102 (defines "resident")

C.R.S. 22-1-102.5 (defines "homeless child")

C.R.S. 22-1-115 (School age is between 6 and 20 years)

C.R.S. 22-32-115 (tuition to another school district)

C.R.S. 22-33-103 through 22-33-110 (school attendance law)

CROSS REFS: JLCB, Immunization of students

JHD, Exemptions from School Attendance

JKD/JKE, Suspension/Expulsion of Students

First Reading Date: 5-8-01

Second Reading Date: 6-5-01

Adoption Date: 8-15-01

Lake George Charter School

ADMISSION AND DENIAL OF ADMISSION

According to the Colorado Revised Statutes 22-33-106(2), subject to the district's responsibilities under The Exceptional Children's Education Act (see policy JK-2, Discipline of Students with Disabilities), the following shall be grounds for expulsion from or denial of admission to a public school or diversion to an appropriate alternate program.

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

According to C.R.S. 22-33-106(3)(a-f), the following shall 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 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) or 32 (exclusion of non-residents).
5. Failure to comply with the provisions of Part 9, Article 4, Title 25, C.R.S. (Immunization requirements). Any suspension, expulsion or 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. 22-23-106(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 the request of the victim or a member of the victim's family.

First Reading Date: 5-8-01

Second Reading Date: 6-5-01

Adoption Date: 8-15-01

Lake George Charter School

(Revised: 2-26-2002)

Admission of Nonresident Students/Tuition Charges

The parents/guardians of Colorado students who are not residents of this school district shall not be charged tuition and shall be admitted in accordance with the policy on inter-district choice/open enrollment.

The district may enter into a written agreement with any student's district of residence under which the district of residence agrees to pay tuition to allow the student to attend school within the district.

When a nonresident student with a disability enrolls and attends school in this district, the student's district of residence shall be responsible for paying the tuition charge for educating the student in accordance with state laws and regulations. The amount of the tuition shall be determined pursuant to the guidelines developed by the Colorado Department of Education.

Out-of-state students who wish to attend school in this district shall be charged tuition in accordance with the rates adopted by the Board on an annual basis.

The superintendent shall present to the Board for its consideration any request from parents/guardians for exceptions to this policy.

(Adoption date)

LEGAL REFS.: C.R.S. 15-14-104 (*delegation of custodial power*)
C.R.S. 22-1-102 (2)
C.R.S. 22-20-109
C.R.S. 22-23-105 (*residence of migrant children*)
C.R.S. 22-32-113 (1)(b),(c)
C.R.S. 22-32-115
C.R.S. 22-32-116
C.R.S. 22-33-103
C.R.S. 22-33-106 (3)
C.R.S. 24-54-109

CROSS REF.: JFABD, Admission of Homeless Students
JFBB, Inter-District Choice/Open Enrollment

Admission of Non-immigrant Foreign Students

The district recognizes the educational and cultural value of international exchange programs and foreign exchange students and authorizes the admission of a limited number of non-immigrant foreign exchange students to the regular educational programs offered in the district's schools. To protect the interests of the district, its schools and students, only foreign exchange students from approved exchange programs and students privately sponsored by district residents shall be admitted.

Approved exchange programs are those designated by the United States Information Agency. Foreign exchange students admitted as part of an approved program are considered wards of the families with whom they reside.

Privately sponsored foreign exchange students may be enrolled if an adult resident of the district has been given temporary guardianship and the student lives in the home of that guardian and if the student meets all legal requirements for a student visa.

This policy and the accompanying regulation apply to non-immigrant foreign students who temporarily reside within the district's boundaries without their parents/legal guardians for the purpose of attending school. These students are those who qualify for a J-1 visa or an F-1 visa under the regulations of the United States Department of Justice, Immigration and Naturalization. This policy and accompanying regulation do not apply to resident aliens, political exiles, or students from other countries residing within the district's boundaries with their parents/legal guardians. Students in the United States on a visitor visa are not entitled to enroll in the schools of this district.

Foreign students on an F-1 visa shall only attend secondary schools within the district and are required by law to pay the district for the full, unsubsidized per capita cost to the district for providing education to the student for the period of his or her attendance. The period of attendance may not exceed 12 months.

Foreign students on a J-1 visa are not required by law to pay tuition.

(Adoption date)

File: JFABB

LEGAL REF.: 8 USC 1184
8 USC 1101(a)(15)(F)(i)

CROSS REF.: JFAB, Admission of Nonresident Students/Tuition Charges

Admission of Non-immigrant Foreign Students

Academic Requirements

No student will be admitted who has already graduated from the equivalent of the twelfth grade or who will reach the age of twenty-one years on or before September 15 of that school year.

The student must have average or above-average grades in school at home and must not require special education services in order to function in the regular academic program.

The student must have sufficient knowledge of the English language to enable effective oral and written communication and to function in a regular educational setting without special assistance. If a student's English proficiency is found to be insufficient to function in the regular instructional program without special assistance, the exchange program or private sponsor must provide a tutor or make other educational arrangements for the student at their expense. If the program or sponsor fail to do so, the student will be withdrawn and INS will be notified.

The district will not provide foreign students with admission to special education programs, English as a Second Language programs, post secondary options or other special programs.

Students are expected to take five classes per term including one language arts or English class and one American history or government class and are expected to maintain passing grades in all classes.

General requirements

Foreign students will be treated as regular students. They are responsible for complying with all district policies and regulations.

Foreign students are expected to pay for all lunches, books, athletic and student activity fees and other fees, yearbook costs, and all other expenses normally borne by students in the district. Foreign students are not entitled to free or reduced prices for lunches.

The eligibility requirements of the Colorado High School Activities Association will be followed. Accordingly, foreign students sponsored by an approved program may participate in organized sports, while those sponsored by a private sponsor may not.

The sponsor, host family and local program representative must maintain personal contact with the school, must be available and willing to meet with school personnel when problems or circumstances require and must assume full and final responsibility for resolving problems including the early return of the student if personal, family or school difficulties cannot be resolved.

If a student's grades, attendance, conduct or discipline are deemed unsatisfactory by the school, the student may be withdrawn and INS will be notified.

Admissions process

Approvals for admission must be obtained from the district between April 15th and July 31st for the following school year or between October 15th and December 15th for the second semester, except under unusual circumstances.

All applications will be screened by the superintendent or designee before they are forwarded for review and approval of the principal of the school where admission is being requested.

The student must attend the school in the attendance area in which the host family or sponsor lives, unless an appropriate transfer is approved by the district. Should a large number of foreign students be scheduled for a particular school, a transfer to another school may be recommended by the district in order to create a balance in foreign student enrollment.

Upon the student's arrival in the district, the adult sponsor (host family and/or local representative of the exchange program) and student must come to the school to complete the enrollment process. Students must arrive in sufficient time for attendance on the first day of school.

Students requesting admission must submit:

1. Birth certificate or other proof of age
2. Recent official transcript with English translation reflecting courses taken and grades earned
3. Records showing required immunizations
4. Evidence of medical insurance that will cover the student while residing in the district

5. A letter of application written in English by the student that provides pertinent information about the student, including student's name, age, birth date, home address and phone number, level of education, reasons for wanting to attend school in the district and the projected duration of enrollment
6. The names, addresses and phone numbers of the exchange student's own parents/guardians, the host family and the local exchange program representative
7. Proof of English proficiency, including evidence that the student has successfully completed a minimum of three years of instruction in English and a letter of recommendation from the English language teacher documenting the level of proficiency or evidence that the student has passed a test of English language proficiency, such as the SLEP, TOEFL or FSI
8. A notarized temporary custody agreement between the student's parents and the host family and/or exchange program

Private sponsors must submit:

- a. Proof of residence; or
- b. Affidavit of support, including the following supporting evidence:
 - A statement from an officer of a bank or other financial institution in which deposits are recorded giving details regarding the date the account was opened, the total amount deposited during the past year and the present balance
 - A statement from the employer on letterhead stationery showing the date and nature of employment, the salary paid and whether the position is temporary or permanent
 - If self-employed, a copy of the last income tax return filed

Foreign students sponsored by an approved program (J-1 Visa)

Only programs designated by the United States Information Agency will be considered for placement of foreign students on J-1 visas.

The program must have a local representative residing in or near the district who will meet with the student, host family, and school personnel on a regular basis.

Orientation, both pre-departure and upon arrival in the United States, must be provided to help foreign students adjust to a new culture. Ongoing contact and support from the local representative of the exchange program must also be provided.

Orientation must be provided to the host family in advance of the foreign student's arrival. The family should be acquainted with the needs and requirements of housing a visitor for a long period of time, advised of potential problems in hosting a foreign student and provided with suggestions for coping with these problems. Ongoing contact and support from the local representative of the exchange program must also be provided.

Foreign students on J-1 visas are not subject to tuition.

Foreign students sponsored by relatives or friends (F-1 Visa)

Pursuant to federal law, only high school students are eligible for F-1 visas. A student may receive F-1 status for no more than twelve months in a public school system. The student must have reimbursed the school district in advance for the full, unsubsidized cost of educating the student. This amount will be determined annually by the superintendent or designee.

Payment of tuition must be in a certified or cashier's check in U.S. currency payable to the district. Should a student not be able to obtain a visa or not attend for some other reason, the tuition will be refunded in full. Should a student attend for less than a full school year, tuition will only be refunded if a true hardship situation is demonstrated.

The private sponsor assumes parental responsibility including financial obligations while the foreign student is in attendance. The sponsor must demonstrate the ability to support the student prior to issuance of the I-20.

(Approval date)

Admission of Homeless Students

Students defined in state law as homeless children shall be admitted without payment of tuition.

Transportation for homeless students who enroll in the district shall be furnished by the district if such transportation is necessary in compliance with federal law.

Each homeless child shall be provided services for which the child is eligible comparable to services provided to other students in the school selected regardless of residency.

Homeless children shall be provided access to education and other services that such children need to insure that they have an opportunity to meet the same student performance standards to which all students are held.

Current practice codified October 1996

Adopted: date of manual revision

LEGAL REFS.: 42 U.S.C. §11431 and §11432 (McKinney Homeless Assistance Act)
C.R.S. 22-1-102.5
C.R.S. 22-33-103.5

Homeless Students

It is the Board's intent to remove barriers to the enrollment and retention of homeless students in school in accordance with state and federal law. The district shall take reasonable steps to ensure that homeless students are not segregated or stigmatized and that decisions are made in the best interests of the student.

Each homeless student shall be provided services for which the student is eligible, comparable to services provided to other students in the school, regardless of residency, including transportation services, education services, career and technical education programs, gifted **education** and ~~talented~~ programs, and school nutrition programs.

Homeless students shall be provided access to education and other services that they need to ensure that they have an opportunity to meet the same student performance standards to which all students are held. All educational decisions shall be made in the best interests of the student.

The district shall coordinate with other districts and with local social services agencies and other agencies or programs providing services to homeless students as needed.

The superintendent shall designate at least one staff member in the district to serve as the homeless liaison and fulfill the duties set forth in state and federal law.

Decisions on enrollment and transportation for homeless students shall be made in accordance with this policy's accompanying regulation.

Note 1: The term "homeless children" is defined in federal law to include the following:

Individuals who lack a fixed, regular and adequate nighttime residence, including:

- *children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;*
- *children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;*
- *children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and*
- *migratory children who are living in circumstances described above.*

Note 2: While the definition of homeless children in Colorado law closely tracks the definition in federal law, the federal law contains the following language which is NOT found in the Colorado law:

- *“sharing the housing of other persons due to lack of housing, economic hardship or a similar reason”*
- *“trailer parks”*
- *“substandard housing”*

Colorado school districts that receive federal funds are required to follow the more inclusive federal definition.

LEGAL REFS.: 42 U.S.C. 11431 et seq. (McKinney-Vento Homeless Assistance Act –
Education for Homeless Children and Youth
C.R.S. 22-1-102.5 (definition of homeless child)
C.R.S. 22-32-109 (1)(dd) (duty to adopt/revise policies to remove barriers
to access and success in schools for homeless children)
C.R.S. 22-33-103.5 (attendance of homeless children)
C.R.S. 26-5.7-101 et seq. (Homeless Youth Act)

First Reading: _____

Adoption Date: _____

Homeless Students

Homeless student liaison

The liaison appointed by the administrator shall work to identify homeless children and facilitate each homeless child's access to and success in school. By October 1 of each year, the liaison shall report the number of homeless students enrolled in the charter school to the Colorado Department of Education.

The primary functions of the liaison shall be to mediate disputes concerning school enrollment, assist in making transportation arrangements, assist in requesting the student's records, provide information and give referrals on services and opportunities, and assist any homeless child who is not in the custody of a parent or guardian with enrollment decisions.

Enrollment

A homeless student is deemed to reside, and may enroll and attend school in:

- The district where the child is presently located, or
- The district in which the student attended school previous to becoming homeless

Enrollment shall be immediate even if the student lacks records routinely required prior to enrollment. The charter school shall make arrangements to obtain any necessary records and to have the student receive any necessary immunizations. When feasible the charter school shall seek immunization through no- or low-cost health care providers. If an expense is incurred, the charter school shall seek reimbursement through Medicaid if possible.

If a homeless student becomes permanently housed outside the district during the school year, the student shall no longer be considered homeless and may only continue enrollment in the district for the remainder of the school year.

Tuition

Students defined in state and federal law as homeless children shall be admitted without payment of tuition.

Enrollment determination

1. Scenario One
 - Student enrolled in this district
 - Becomes homeless
 - Remains located in this school district

If a district student becomes homeless, but remains located in this school district, the student shall continue to attend the charter school.

2. Scenario Two

- Student enrolled in another school district
- Becomes homeless
- Is presently located in this school district
- Seeks to enroll in the district previously attended

If a student becomes homeless and is presently located in this school district, but seeks to enroll in the district he or she previously attended, the previous school district shall determine enrollment.

If this school district has knowledge that a homeless student is presently located in this school district but seeks to enroll in the school district he or she previously attended, this district's homeless student liaison shall assist the student in accessing enrollment in the previous school district, work with the homeless student liaison in the previous school district to mediate disputes concerning enrollment, assist in making transportation arrangements, assist in requesting/sending the student's records, provide information and give referrals on services and opportunities, and assist any homeless student who is not in the custody of a parent or guardian with enrollment decisions.

3. Scenario Three

- Student who previously attended school in this district
- Becomes homeless
- Is presently located outside of this school district
- Seeks to enroll in this school district

If a student who previously attended school in this district becomes homeless and is presently located outside of this school district, but seeks to enroll in this school district, the administrator (or designee) shall make a reasonable determination as to whether the student should be enrolled in this district or the district where the student is presently located.

In making the reasonable determination, the administrator (or designee) shall consult with:

- The homeless student, or the homeless student's parent/guardian if the student is in the custody of a parent/guardian, and
- The homeless student liaison for this district and the liaison for the district where the student is presently located

The administrator (or designee) shall consider all relevant factors in making the reasonable determination including but not limited to:

- The best interest of the homeless student
- To the extent feasible, keeping the homeless student in this district
- The wishes of the student and the student's parent/guardian if the student is in custody of a parent/guardian
- The student's transportation needs related to various enrollment options (the district where the student is located and the district where the student will attend school must either agree on a method to apportion cost and responsibility for the student's transportation or share the cost and responsibility equally)
- Which school district can best meet the student's educational and other services needs

4. Scenario Four

- Student who has never attended school in this district
- Becomes homeless
- Is presently located in this school district
- Seeks to enroll in this district

If a student who has never attended school in this district becomes homeless and is presently located in this school district and seeks to enroll in this district, the student shall be enrolled. This district's liaison shall meet with the student and the student's parent/guardian, if the student is in the custody of the parent/guardian, to determine which district school would best meet the student's educational and other services needs, taking into account the wishes of the student and the parent/guardian, and the student's transportation needs related to various enrollment options.

Notice of determination and appeal

The superintendent (or designee) shall hand deliver to the student a written notice of the district's determination and of the right to appeal, and provide a copy to the liaison. If the superintendent (or designee) determines that the homeless student shall attend a school other than the student's previous school or a school other than the one requested by the student's parent or guardian, the superintendent (or designee) shall also provide written explanation regarding that decision to the parent/guardian and provide a copy to the liaison.

Enrollment disputes

If an enrollment dispute arises between the student's custodial parent/guardian (or the student not in custody of a parent/guardian) and the district, the student shall be immediately enrolled in the school selected by the parent/guardian or student until the dispute is resolved.

The parent/guardian (or student, if applicable) may appeal an enrollment determination made by this district to the district's homeless student liaison within 10 calendar days after receiving the written determination and notice of right-to- appeal.

The liaison shall issue a written decision on the dispute within 10 calendar days of the receipt of the appeal and hand deliver a written decision and notice of right-to-appeal to the Board of Education to the parent/guardian (or student, if applicable.)

Within 30 calendar days of delivery of the liaison's decision and right-to-appeal notice, the parent/guardian (or student, if applicable) may appeal the decision to the Charter Board.

The Charter Board shall issue a written decision on the dispute within 10 calendar days of the receipt of the appeal and hand deliver the written decision and notice of right-of-appeal to the State Coordinator for the Education of Homeless Children and Youths to the parents/guardian (or student, if applicable.) The decision of the State Coordinator shall be final.

Transportation

Subsequent to a determination that the student shall attend a school in this district, a request for transportation may be made by the student, or by the student's custodial parent/guardian.

If the student is located in the district, the district shall provide or arrange for the student's transportation to and from school in accordance with district transportation policies. All transportation services shall be comparable to those provided for other students in the district.

If the student is located outside of the district but a determination has been made that the student shall attend school in the district, both this district and the district where the student is located must either agree on a method to apportion cost and responsibility for the student's transportation or share the cost and responsibility equally.

First Reading Date: _____

Second Reading Date: _____

Adoption Date: _____

Lake George Charter School

(Revised: 7-1-2006)

Intra-District Choice/Open Enrollment

The Park County School District Re-2 endorses the neighborhood school concept and makes many decisions based on student population within the attendance areas of residence. The district recognizes, however, that resident students may wish to attend a school or participate in a program located in an area other than that of their assigned school. Therefore, students shall be allowed to attend any school or participate in any program of their choice on a space available, first-come, first-served basis. Those students exercising choice under the federal No Child Left Behind Act (NCLB) have priority over other students in the exercise of open enrollment under this policy.

In implementing the open enrollment program, the district is not required to:

1. Make alterations in the structure of a requested school or make alterations to the arrangement or function of rooms within a requested school.
2. Establish and offer any particular program in a school if such program is not offered currently in such school.
3. Alter or waive any established eligibility criteria for participation in a particular program including age requirements, course prerequisites and required levels of performance.

Notwithstanding the provisions of this policy, a student may be assigned outside the attendance area by mutual agreement of the principals in the special interest of the student and/or school.

Open enrollment and transfers

Resident students and their parents/guardians shall be notified on an annual basis of the options available through open enrollment in sufficient time to apply. Students, including home-schooled students desiring to take classes on a part-time basis, within designated attendance areas shall have priority in registering in that school. Students may apply for open enrollment in a school outside their attendance area and such applications shall be approved if there is space available in the requested school and the application has been submitted on or before March 1st of the preceding school year in accordance with the regulations accompanying this policy.

Parents and/or students who desire a change of school after March 1st, of the preceding school year must submit a letter together with the required form requesting a transfer. The request shall be reviewed and acted upon in accordance with the regulations accompanying this policy.

Open enrollment and transfer students attending a school outside their attendance area shall be granted admission on a year-to-year basis. In the event the population of the attendance area increases to fill the building with attendance area residents or student from outside the attendance area who have a right to attend the school under the NCLB choice option, transfer students may be asked to enroll in another school.

Students granted permission to attend a school other than the school in their assigned attendance area shall have the same curricular and extracurricular status as all other students attending the school, limited only by rules of the Colorado High School Activities Association.

Any student enrolled pursuant to this policy shall be allowed to remain enrolled in the school or program through the end of the school year unless overcrowding or other undesirable conditions develop, as described in the accompanying regulation. In addition, students from outside the attendance area who enrolled under the NCLB choice option may remain in the school until they complete the highest grade available in the school subject to capacity constraints related to health and safety issues.

Transportation

Transportation for students granted permission to attend school outside their attendance area must be furnished by their parents unless space is available in district buses without disruption of regular routes and loading areas. Homeless and disabled students shall be transported, as necessary, in accordance with state and federal law. See policy JFABD, Homeless Students. Students attending under the NCLB choice option shall be provided transportation at district expense to the extent required by law.

Nondiscrimination

The Board, the superintendent, other administrators and teachers shall not make any distinction on account of race, sex, ethnic group, religion or disability of any student who may be in attendance or who seeks admission to any school maintained by the district in the determination or recommendation of action under this policy.

However, the Board

LEGAL REFS: C.R.S. 22-1-102 (defines "resident")

C.R.S. 22-1-102.5 (defines "homeless child")

C.R.S. 22-1-115 (School age is between 6 and 20 years)

C.R.S. 22-32-115 (tuition to another school district)

C.R.S. 22-33-103 through 22-33-110 (school attendance law)

CROSS REFS: JLCB, Immunization of students

JHD, Exemptions from School Attendance

JKD/JKE, Suspension/Expulsion of Students

First Reading Date: 5-8-01

Second Reading Date: 6-5-01

Adoption Date: 8-15-01

Lake George Charter School

Inter-District Choice/Open Enrollment

The Board recognizes that students may benefit from having a choice of schools to attend within the public school system that is not limited by school district boundaries.

Nonresident students from other school districts within the state who apply pursuant to the regulations approved by the Board may enroll in particular programs or schools within this district on a space available basis without payment of tuition, except as otherwise provided by law.

In providing for admission of nonresident students, the school district shall not:

1. Make alternations in the structure of the requested school or to the arrangement or function of rooms within a requested school to accommodate the enrollment request
2. Establish and offer any particular program in a school if such program is not currently offered in such school
3. Alter or waive any established eligibility criteria for participation in a particular program, including age requirements, course prerequisites and required levels of performance
4. Enroll any nonresident student in any program or school after October 1

Before considering requests for admission from nonresidents, priority shall be given to resident students who apply under the district's open enrollment/transfer plan.

Students who were expelled from another school district during the preceding 12 months or whose behavior in another school district during the preceding 12 months was detrimental to the welfare or safety of other students or school personnel may be denied admission.

An elementary student who becomes a nonresident after enrollment or between school years shall be allowed to remain enrolled in or to re-enroll in elementary school in the district in accordance with state law and Board regulations. Secondary students who become nonresidents during the school year may complete the semester or other term for credit. Seniors who become nonresidents during the school year shall be allowed to finish the school year as residents.

The Board reserves the right to rescind and/or amend any enrollment of nonresident students if, in its opinion, overcrowding of facilities or other undesirable conditions develop.

Transportation

Transportation for nonresident students who enroll in the district shall be furnished by the parents unless it is determined that transportation is necessary for the district to comply with state and federal law requirements for homeless and disabled students.

Nondiscrimination

The Board, the superintendent, other administrators and teachers shall not make any distinction on account of race, sex, ethnic group, religion or disability of any student who may be in attendance or who seeks admission to any school maintained by the district in the determination or recommendation of action under this policy.

However, the Board reserves the right to restrict enrollment requests if such requests begin to significantly affect the ethnic balance of a school.

Special education

Requests from the parents of special education students for admission shall be considered in accordance with applicable state and federal laws. The student's current Individual Education Plan (IEP) shall be used to determine if the requested school or program can meet the student's needs. Once the student is admitted, the district shall conduct a staffing to update the IEP.

Waiver requests

The superintendent shall present to the Board for its consideration any request from parents or legal guardians for exceptions to this policy.

Adopted August 29, 1994

Revised to conform with practice: date of manual revision

LEGAL REFS.: C.R.S. 15-14-104 (delegation of custodial power)
C.R.S. 22-1-102 (2)
C.R.S. 22-20-109
C.R.S. 22-32-113 (1)(c)
C.R.S. 22-32-115
C.R.S. 22-32-116
C.R.S. 22-33-103
C.R.S. 22-33-106 (3)
C.R.S. 22-36-101 *et seq.*
C.R.S. 22-54-103 (10)
1 CCR 301-1, Rule 2202-R-3.10 (2)

**CROSS REFS: IIB, Class Size
JFAB/JFABB, Admission of Nonresident Students/Tuition Charges
JFABD, Enrollment of Homeless Students
JFBA, Intra-District Choice/Open Enrollment**

**Inter-District Choice/Open Enrollment
(Guffey and Lake George Enrollment Policy)**

Administrative procedures regarding Guffey and Lake George Elementary Schools and the enrollment of Teller County students are as follows:

1. Priority will be given to Park County Re-2 students for education in their home school district.
2. As space allows, Teller County students will be admitted to Lake George Elementary Schools up to the count date of October 1 each year, under the following conditions:
 - a. Priority I is for students who attend Guffey or Lake George Elementary Schools during the 1996-97 school year. This includes pre-school program students who are moving to kindergarten and children from Hartsel who attend Lake George Elementary School.
 - b. Priority II is for siblings of the students in the Priority I group. This is to minimize disruption of the family where one youngster would attend one school and one sibling attend another school.
 - c. Priority III is for students from Teller County who have no siblings in Guffey or Lake George Elementary Schools, but want to attend school in Guffey or Lake George.
 - d. Final decision on whether to admit a student rests with the principal of each school and the superintendent. These two administrators will consult with a committee of teachers who are currently instructing a multi-age combination class arrangement for student grade assignment.
 - e. Special needs students will be admitted according to these procedures.
 - f. Once enrolled, the family of a student or students from Teller County will be assured that their students may finish the sixth grade at Guffey or Lake George Elementary Schools. Students will not be told in third or fourth grade that they will be dismissed from attendance at Guffey or Lake George.

Approved June 12, 1995

Revised to conform with practice: date of manual revision

Park County School District Re-2, Fairplay, Colorado

Assignment of New Students to Classes and Grade Levels

New students entering from public schools and private schools accredited by the Colorado Department of Education shall be placed in grades and classes on the basis of their grade placement/credits in the school from which they are transferring.

The district administration, through academic achievement tests and other evaluation measures as found necessary, shall determine the appropriate grade level/credit status of students transferring from home schools or private schools that have not been accredited by the Colorado Department of Education.

Current practice codified October 1996
Adopted: date of manual revision

LEGAL REF.: C.R.S. 22-33-104.5 (4)

CROSS REF.: IHBG, Home Schooling

**Assignment of New Students to Classes and Grade Levels
(And Recognition of Transfer Credit from Non-Accredited Schools)**

Students transferring from non-accredited educational institutions may or may not meet the standards established for satisfactory progress and graduation. When a high school student from a non-accredited school including a home-based educational program applies for admission, the following process will be used to determine placement and credit status.

1. Standardized tests and criterion-referenced tests as available will be administered to the student in the areas of math, science, social studies and English.
2. The coordinators in each of the content areas will interview the student. The coordinators then will make a placement recommendation. This recommendation will be based on but not necessarily limited to:
 - a. The coordinator's perceptions of the student's performance level
 - b. Examples of past work
 - c. The student's self-appraisal
3. The student will submit information about former schooling. This information will include but not be limited to:
 - a. Curriculum
 - b. Teacher qualifications
 - c. Materials and textbooks
4. The student's academic progress will be reviewed for a minimum of one semester.

After the above data have been gathered, the principal or designee will determine proper placement of the student and will grant appropriate credit waivers as partial fulfillment of the requirements for a diploma.

Current practice codified October 1996
Approved: date of manual revision

Student Absences and Excuses

One criteria of a student's success in school is regular and punctual attendance. Frequent absences may lead to poor academic work, lack of social development and possible academic failure. Regular attendance is of utmost importance for school interest, social adjustment, and scholastic achievement. No single factor may interfere with a student's progress more quickly than frequent tardiness or absence.

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

Each year the Board establishes the school attendance period by adopting a school calendar. Secondary students are required to have actual teacher-pupil instruction and contact time of 1,056 hours for secondary students and 968 hours for elementary students during each school year.

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, which is why the Board believes that a student must satisfy two basic requirements in order to earn full class credit: (1) satisfy all academic requirements and (2) exhibit good attendance habits as stated in this policy.

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 on a prearranged basis. The school must be notified and the absence must be approved a week in advance for prearranged absences, of the dates the child will be absent.
2. A student who is absent for an extended period due to physical, mental, or emotional disability.
3. A student who is attending any school-sponsored activity or activities of an educational nature with advance approval by the administration.
4. A student who is out for a family emergency, car trouble, transportation issues, weather conditions, medical appointments, and prearranged absences.

The charter school may require suitable proof regarding the above exceptions, including written statements from medical sources.

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 charter school of the unexcused absence.

In accordance with law, the charter school may impose academic penalties which relate directly to classes missed while unexcused. The administration shall develop regulations to implement appropriate penalties. Students and parents/guardians may petition the Board of Education for exceptions to this policy or the accompanying regulations provided that no exception shall be sustained if the student fails to abide by all requirements imposed by the Board as conditions for granting any such exception.

The maximum number of unexcused absences a student may incur before judicial proceedings are initiated to enforce compulsory attendance is 10 days during any calendar year or school year.

Any student who has been absent from class for six consecutive weeks or more in any one school year, except for reasons of expulsion, excused long term illness, or death, is considered a "dropout" and shall be reported to the Department of Education by the school district. However, if the student is in attendance at the end of the school year, or enrolled in another school, home study course, or on-line program, such student is not considered a dropout and shall not be reported.

Make-up work

Make-up work shall be provided for any class in which a student has an excused absence unless otherwise determined by the building administrator. It is the responsibility of the student to pick up any make-up assignments permitted on the day returning to class. There shall be 1 day allowed for make-up work for each day of absence. Make-up work shall be allowed following an unexcused absence with the goal of providing the student an opportunity to keep up with the class and an incentive to attend school. However, this work may receive only partial credit, which is the consequence for an unexcused absence.

Tardiness

Tardiness is defined as the appearance of a student with or without proper excuse after the scheduled time that a class begins. Tardiness has a detrimental effect upon the rights of the non-tardy student to uninterrupted learning. Parents/guardians shall be notified when tardiness becomes excessive.

In an unavoidable situation, a student detained by another teacher or administrator shall not be considered tardy provided that the teacher or administrator gives the student a pass to enter his 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 charter school, including those above and below the age for compulsory attendance as required by law.

Excessive excused or unexcused absences will be reviewed by the administrator on a case by case basis, with a penalty up to and including retention.

LEGAL REFS.: C.R.S. 22-2-114.1 (3)(a) (definition of "dropout" student)
C.R.S. 22-32-109 (1)(n) (length of school year, instruction, & contact time)
C.R.S. 22-32-109.1 (2)(a) (conduct and discipline code)
C.R.S. 22-33-101 *et seq.* (School Attendance Law of 1963)

CROSS REFS.: IC/ICA, School Year/School Calendar
JEA, Compulsory Attendance Ages
JHB, Truancy
JK, Student Discipline
JKD/JKE, Suspension/Expulsion of Students
JLIB, Student Dismissal Precautions

First Reading Date: 11-8-2016

Adoption Date: 12-13-2016

Lake George Charter School

(Rev. 12-7-16)

Truancy

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

In order to reduce the incidents of truancy, parents/guardians of all students shall be notified in writing at the beginning of each school year of their obligation to insure 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 charter school with a telephone number or other means of contacting them during the school day.

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

The plan shall also include strategies to address the reasons for the truancy. When practicable, the child's parent, guardian or legal custodian shall participate with charter school personnel during the development of the plan. Appropriate charter school personnel shall make all reasonable efforts to meet with the parent, guardian or legal custodian to review and evaluate the reasons for the students's truancy.

Penalties

Academic penalties, out-of-school suspensions or expulsion shall not be imposed for any truancy.

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

LEGAL REF.: C.R.S. 22-14-101 et seq. (*dropout prevention and student re-engagement*)
C.R.S. 22-33-104 (*compulsory school attendance*)
C.R.S. 22-33-105 (*suspension/expulsion*)
C.R.S. 22-33-107 (*enforcement of compulsory school attendance*)
C.R.S. 22-33-108 (*judicial proceedings to enforce school attendance laws*)
1 CCR 301-78 Rules 1.00 et seq. (*standardized calculation for counting student attendance and truancy*)

CROSS REF.: IHBG, Home Schooling
JEA, Compulsory Attendance Ages
JFC, Student Withdrawal from School/Dropouts
JH, Student Absences and Excuses

First Reading Date: 4-19-22

Adoption Date: 5-17-22

Lake George Charter School

(Prev. Rev.: 9-3-2003)
(Rev.: 4-30-22)

Exclusions and exemptions from School Attendance

Denial of Admission

The Charter Board or the administrator may deny admission to the charter school for cause. The grounds for denial of admission shall be those established by law. (See Exhibit JHD-E-Rev.)

Students who were expelled from any school district during the preceding 12 months or whose behavior during the preceding 12 months in another school district was detrimental to the welfare or safety of other students or school personnel may be denied admission.

The Charter 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.

Exemptions from Attendance

A child may be exempt from school attendance as allowed by law.

LEGAL REF.: C.R.S. 22-33-104 through 22-33-109

CROSS REFS.: IHBA, Special Education/Programs for Handicapped/Disabled Exceptional Students
JEA, Compulsory Attendance Ages
JEB, Entrance Age Requirements
JK-2, Discipline of Students with Disabilities
JLC, Student Health Services and Requirements
JLCB, Immunization of Students

First Reading Date: 3-9-01

Second Reading Date: 4-24-01

Adoption Date: 5-8-2001

(Revised: 5-9-2001)

Exclusions and Exemptions from School Attendance

According to the Colorado Revised Statutes 22-33-106 (2), subject to the district's responsibilities under The Exceptional Children's Education Act (see policy JK-2, Discipline of Students with Disabilities), the following shall be grounds for expulsion from or denial of admission to a public school or diversion to an appropriate alternate program.

1. a. Physical or mental disability such that the child cannot reasonably benefit from the programs available.
- b. 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 shall constitute additional grounds for denial of admission to a public school:

2. a. Graduating from the 12th grade of any school or receipt of any document evidencing completion of the equivalent of a secondary education.
- b. Failure to meet age requirements.
- c. Having been expelled from any school district during the preceding 12 months.
- d. Not being a resident of the district unless otherwise entitled to attend under C.R.S. 22, Articles 23 or 32.
- e. Failure to comply with the provisions of Part 9, Article 4, Title 25, C.R.S. (immunization requirements). Any suspension, expulsion or 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.
- f. 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.

Student Involvement in Decision Making

Students are in a unique position to make positive contributions to the improvement of the educational program and to the operation of a more effective school system.

Therefore, it is the Board's belief that students, in keeping with their level of maturity, should be encouraged to participate in the development of policies, regulations and procedures which affect them. Their participation in decisionmaking shall be considered part of the educational process.

As appropriate to the age of students, class or school organizations and school government organizations such as student councils and a student board of education may be formed to offer practice in self-government and to serve as channels for the expression of student ideas and opinions.

The Board shall take into consideration student opinions in establishing policies which directly affect student programs, activities, privileges and other areas of student sensitivity.

Students shall be welcomed at Board meetings and granted privileges of speaking in line with such privileges extended the general public.

Adopted March 13, 1978

Revised to conform with practice: date of manual revision

STUDENT CONDUCT

It is the intention of the Board of Education that the charter school 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 state law shall adopt 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 shall emphasize that certain behavior, especially behavior that disrupts the classroom, is unacceptable and may result in disciplinary action. The code shall be enforced uniformly, fairly and consistently for all students.

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

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

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

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

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

LEGAL REFS.: C.R.S. 22-32-109.1 (2)(a) (policy required as part of a safe schools plan)
C.R.S. 22-33-106 (1)(a-e) (grounds for suspension, expulsion and denial of admission)

CROSS REFS.: GBGB, Staff Personal Security and Safety
JIC subcodes (all pertain to student conduct)
JK, Student Discipline, and subcodes

1st reading 3-9-01

2nd reading 4-24-01

Adoption date 5-8-01

(Rev. 5-9-01)

Student Dress Code

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

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

If the student cannot promptly obtain appropriate clothing, the student shall be given a reminder and an administrator shall notify the student's parents/guardians.

Unacceptable Items

The following items are not acceptable in school buildings, on school grounds, or at school activities:

1. Shorts, dresses, skirts, or other similar clothing shorter than mid-thigh length.
2. Sunglasses and/or hats worn inside the building.
3. Inappropriately sheer, tight, or low-cut clothing (e.g., midriffs, halter tops, backless clothing, tube tops, garments made of fishnet, mesh, or similar material, muscle tops, etc.) that bare or expose traditionally private parts of the body including, but not limited to, the stomach, buttocks, back, and breasts.
4. Tank tops or other similar clothing with straps narrower than 1.5 inches in width.
5. Any clothing, paraphernalia, grooming, jewelry, hair coloring, accessories, or body adornments that are or contain any advertisement, symbols, words, slogans, patches, or pictures that:
 - Refer to drugs, tobacco, alcohol, or weapons
 - Are of a sexual nature
 - By virtue of color, arrangement, trademark, or other attribute denote membership in gangs which advocate drug use, violence, or disruptive behavior
 - Are obscene, profane, vulgar, lewd, or legally libelous
 - Threaten the safety or welfare of any person
 - Promote any activity prohibited by the student code of conduct
 - Otherwise disrupt the teaching-learning process
6. Make-up must not be worn to school. Face painting, costume make-up, etc. can be used on specific events that are set aside for that, such as Halloween parties. During those specific events, the costume make-up or face-painting must not be offensive.

7. Hairstyles are the jurisdiction of the individual student. However, if an offensive symbol is shaved into a student's scalp, the student will not be allowed to come on the campus.

Any areas that are not covered in the policy and raise the concern of staff members, will be addressed by meeting with the student, administrator, and parent (if necessary) to determine as a team whether or not the dress is appropriate.

Exceptions

Appropriate athletic clothing may be worn in physical education classes. Clothing normally worn when participating in school-sponsored extra curricular or sports activities (such as cheerleading uniforms and the like) may be worn to school when approved by the sponsor or coach.

The administrator, in conjunction with the school accountability committee, may develop and adopt school-specific dress codes that are consistent with this policy.

LEGAL REFS.: C.R.S. 22-32-109.1 (2)(a)(IX) (boards duty to adopt student dress code)

CROSS REFS.: JBB, Sexual Harassment
JIC, Student Conduct
JICDA, Code of Conduct
JICF, Secret Societies/Gang Activity
JICH, Drug and Alcohol Use by Students
JICI, Weapons in School
JK, Student Discipline
JKD/JKE, Suspension/Expulsion of Students
JLI, Student Safety

First Reading Date: 10-10-17

Adoption Date: 11-14-17

(Revised: 11-14-17)

Student Conduct on Buses

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

The driver of a school bus shall be responsible for safety of the students on the bus, both during the ride and while students are entering or leaving the vehicle. Therefore, it is the bus driver's duty to notify the supervisor of transportation and the administrator of the school if any student persists in violating the established rules of conduct.

After due warning has been given to the student and to parents/guardians, the administrator may withhold from the student the privilege of riding the school bus. The student also may be denied admission to school, suspended, or expelled, in accordance with established policies including discipline of habitually disruptive students, for flagrant violation of school bus rider conduct regulations or conduct detrimental to the safe operation of the bus.

LEGAL REF.: C.R.S. 22-32-109.1 (2)(a)(III) (discipline of habitually disruptive students is required part of safe schools plan.)

CROSS REFS.: JIC, Student Conduct
 JK, Student Discipline

First Reading Date: 3-9-01

Second Reading Date: 4-24-01

Adoption Date: 5-8-2001

(Revised: 5-9-2001)

Code of Conduct

The administrator may suspend or recommend expulsion of a student who engages in one or more of the following activities while in school buildings, on school grounds, when being transported in school vehicles, or during a school-sponsored activity or event and in certain cases when the behavior occurs off of school property or after school hours but has a reasonable connection to the charter school.

1. Causing or attempting to cause damage to school property or stealing or attempting to steal school property of value.
2. Causing or attempting to cause damage to private property or stealing or attempting to steal private property.
3. Commission of any act which if committed by an adult would be robbery or assault as defined by state law. Expulsion shall be mandatory in accordance with state law except for commission of third degree assault.
4. Violation of criminal law which has an immediate effect on the school or on the general safety or welfare of students or staff.
5. Violation of charter school policy or building regulations.
6. Violation of the charter school's policy on dangerous weapons in the schools. Expulsion shall be mandatory for carrying, bringing, using or possessing a dangerous weapon without the authorization of the school or school district, unless the student has delivered the firearm or weapon to a teacher, administrator, or other authorized person in the district as soon as possible upon discovering it, in accordance with state law.
7. Violation of the charter school's alcohol use/drug abuse policy. Expulsion shall be mandatory for sale of drugs or controlled substances, in accordance with state law.
8. Violation of the charter school's violent and aggressive behavior policy.
9. Violation of the charter school's tobacco-free schools policy.
10. Violation of the charter school's policy on sexual harassment.
11. Violation of the charter school's policy on nondiscrimination.
12. Throwing objects, unless part of a supervised school activity, that can cause bodily injury or damage property.
13. Directing profanity, vulgar language, or obscene gestures toward other students, school personnel or visitors to the school.
14. Engaging in verbal abuse, i.e., name calling, ethnic or racial slurs, or derogatory statements addressed publicly to others that precipitate disruption of the school program or incite violence.
15. Committing extortion, coercion, or blackmail, i.e., obtaining money or other objects of value from an unwilling person or forcing an individual to act through the use of force or threat of force.
16. Lying or giving false information, either verbally or in writing, to a school employee.
17. Scholastic dishonesty which includes but is not limited to cheating on a test, plagiarism, or unauthorized collaboration with another person in preparing written work.
18. Continued willful disobedience or open and persistent defiance of proper authority including deliberate refusal to obey a member of the school staff.

19. Behavior on or off school property which is detrimental to the welfare or safety of other students or school personnel.
20. Repeated interference with the school's ability to provide educational opportunities to other students.
21. Engaging in "hazing" activities, i.e., forcing prolonged physical activity, forcing excessive consumption of any substance, forcing prolonged deprivation of sleep, food, or drink, or any other behavior which recklessly endangers the health or safety of an individual for purposes of initiation into any student group.
22. Violation of the charter school's dress code policy.
23. Making a false accusation of criminal activity against a charter school employee to law enforcement or the school.

The administrator shall post a copy of these rules in a prominent place in the school and shall distribute a copy to each student in the handbook. Copies also shall be available to any member of the public upon request.

LEGAL REFS.: C.R.S. 12-22-303 (7) (definition of controlled substance)

C.R.S. 18-3-202 *et seq.* (offenses against person)

C.R.S. 18-4-301 *et seq.* (offenses against property)

C.R.S. 18-9-124 (2)(a) (prohibition of hazing)

C.R.S. 22-12-105 (3) (authority to suspend or expel for false accusations)

C.R.S. 22-32-109.1 (2)(a)(I) (duty to adopt to policies on student conduct, safety, and welfare)

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

C.R.S. 22-32-109.1 (9) (immunity provisions in safe schools law)

C.R.S. 22-33-106 (1) (a-e) (grounds for suspension, expulsion, denial of admission)

CROSS REFS.: AC, Nondiscrimination/Equal Opportunity
ADC, Tobacco-Free Schools
ADD, Safe Schools
ECAC, Vandalism
GBGB, Staff personal Security and Safety
JBB*, Sexual Harassment
JIC, Student Conduct
JICA, Student Dress Code
JICC, Student Conduct on School Buses
JICDD*, Violent and Aggressive Behavior
JICF, Secret Societies/Gang Activity
JICH, Drug and Alcohol Use by Students
JICI, Weapons in School
JK, Student Discipline
JKD/JKE, Suspension/Expulsion of Students

First Reading Date: 11-13-18

Adoption Date: 12-11-18

Lake George Charter School

(Rev.: 12-6-18)

Violent and Aggressive Behavior

The Charter Board recognizes there are certain behaviors that, if tolerated, would compromise the learning environment to which the students and staff of the charter school 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 Charter Board policy concerning student suspensions, expulsions, and other disciplinary interventions. As appropriate and in accordance with applicable law and Charter Board policy, students may also be referred to law enforcement authorities. At the charter school's discretion and when appropriate, the students may receive appropriate intervention designed to address the problem behavior. The charter school may also conduct a threat 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 and aggression shall notify the administrator or designee as soon as possible.

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

The administrator may suspend or recommend expulsion of a student who engages in one or more of the following activities while in school buildings, on school grounds, when being transported in school vehicles, or during a school-sponsored activity or event and in certain cases when the behavior occurs off of school property or after school hours but has a reasonable connection to the charter school.

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

1. Possession, threat with or use of a weapon-as described in Weapons Policy: JICIC.
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 group, occurring on or off of school property or after school hours but has a reasonable connection to the charter school..
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 for others.
6. Bullying as described in the charter school's Bullying Prevention and Education Policy JICDE.

7. Gang Activity-as described in the charter school's Secret Societies/Gang Activity Policy JICF.
8. Sexual Harassment or other forms of harassment-as described in the charter school's Sexual Harassment Policy JBB.
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.

LEGAL REF.: C.R.S. 22-32-109.1(1)(b) (*definition of bullying*)

CROSS REFS.: AC, Nondiscrimination/Equal Opportunity
 JBB, Sexual Harassment
 JICDA, Code of Conduct
 JICDE, Bullying Prevention and Education
 JICF, Secret Societies/Gang Activity
 JICI, Weapons in School

First Reading Date: 11-13-18

Adoption Date: 12-11-18

Lake George Charter School

Bullying Prevention and Education

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

Bullying is the use of coercion or intimidation to obtain control over another person or to cause physical, mental or emotional harm to another person. Bullying can occur through written, verbal or electronically transmitted expression or by means of a physical act or gesture. Bullying can occur while in school buildings, on school grounds, when being transported in school vehicles, or during a school-sponsored activity or event and in certain cases when the behavior occurs off of school property or after school hours but has a reasonable connection to the charter school. Bullying is prohibited against any student for any reason, including but not limited to any such behavior that is directed toward a student on the basis of his or her academic performance or any basis protected by federal and state law, including disability, race, creed, color, sex, sexual orientation (which includes transgender), national origin, religion, ancestry, or the need for special education services, whether such characteristic(s) is actual or perceived.

Bullying is prohibited on Charter School property, at school-sanctioned activities and events, when students are being transported in any vehicle dispatched by the Charter School, or off property when such conduct has a nexus to the Charter School or any curricular or non-curricular activity or event.

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

The administrator or designee shall develop a comprehensive program to address bullying. The program shall be aimed toward accomplishing the following goals:

1. To send a clear message to students, staff, parents, and community members that bullying and retaliation against a student who reports bullying will not be tolerated.
2. To train staff and students in taking pro-active steps to prevent bullying from occurring.
3. To implement procedures for intervention, investigation, and confrontation of students engaged in bullying behavior.
4. To initiate efforts to change the behavior of students engaged in bullying behaviors through re-education on acceptable behavior, discussions, counseling, and appropriate negative consequences.
5. To foster a productive partnership with parents and community members in order to help maintain a bully-free environment.

- 6. To support victims of bullying by means of individual and peer counseling.
- 7. To help develop peer support networks, social skills, and confidence for all students.
- 8. To recognize and praise positive, supportive behaviors of students toward one another on a regular basis.

Note: State law establishes a school bullying prevention and education grant program in the Department of Education. Under the program, a school or group of schools may apply for a grant to fund efforts to reduce the frequency of bullying incidents.

Pursuant to the State Board of Education’s rules for the grant program, districts that apply for the grant must adopt specific policies that include: provisions for adequate due processes and safeguards for students accused of engaging in bullying behavior; provisions for the administration of surveys of students’ impressions of the severity of bullying in their schools; and the designation of a team of persons at the charter school who advise the school administration concerning the severity and frequency of bullying incidents. ICCR 301-99, Rule 3.03.5.

Note: For school’s applying for a bullying prevention and education grant pursuant to the State Board rules, the following language is required. If the school does not intend to apply for this grant, the Charter Board may adopt all some, or none of the following policy language.

The charter school’s comprehensive program to address bullying shall incorporate provisions for adequate due processes and safeguards for students accused of bullying behaviors, in accordance with applicable law and Charter Board policy.

The charter school shall administer surveys of students’ impressions of the severity of bullying in their school. Such surveys shall be conducted in accordance with applicable law and Charter Board policy. Students’ survey responses shall be confidential. Participation in the surveys shall not be required and students shall voluntarily “opt in” to participate in the survey.

When included in a bullying prevention and education grant, the charter school shall appoint a team of persons to advise the administration concerning the severity and frequency of bullying incidents. The team may include, but need not be limited to; counselor, teachers, administrator, parents, students, law enforcement officials, social workers, prosecutors, health professionals, and mental health professionals.

LEGAL REF.: C.R.S. 22-32-109.1 (2)(a)(X) *(policy required as part of safe schools plan)*

CROSS REFS.:	AC	Nondiscrimination/Equal Opportunity
	JB	Equal Educational Opportunities
	JBB	Sexual Harassment
	JICDA	Code of Conduct
	JICDD	Violent and Aggressive Behavior
	JICJ	Student Use of Electronic Communication Devices
	JK	Student Discipline
	JKD/JKE	Suspension/Expulsion of Students (and other disciplinary interventions)
	JLDAC	Screening/Testing of Students (and treatment of Mental Disorders)

First Reading Date: 11-13-18

Adoption Date: 12-11-18

School-Related Student Publications

School-sponsored publications are a public forum for students as well as an educational activity through which students can gain experience in reporting, writing, editing, and understanding responsible journalism. Because the Board recognizes creative student expression as an educational benefit of the school experience, it encourages freedom of comment, both oral and written, in a school setting with a degree of order in which proper learning can take place.

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

Student editors of school-sponsored publications shall be responsible for determining the news, opinion, and advertising content of their publications subject to the limitations of this policy and state 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.

All school-sponsored publications shall contain a disclaimer that expression made by students in the exercise of freedom of speech or freedom of the press is not an expression of Board policy. The school district and employees are provided immunity from civil or criminal penalties for any expression made or published by students.

The administrator shall develop, for approval by the Board, a written official school publications code which shall include:

1. A statement of the purposes of official school publications.
2. Responsibilities of official school publications' advisors and student editors.
3. A list of prohibited materials.
4. Reasonable provisions for the time, place, and manner of distributing school-sponsored student publications within the school district's jurisdiction.
5. Procedures for resolving differences.

The publications code shall be distributed to all students and teachers at the beginning of each school year.

LEGAL REFS.: C.R.S. 22-1-120 (rights of free expression for public school students)
C.R.S. 22-1-122 (5)(e) (state law does not prevent a student who is working under the supervision of a journalism teacher or sponsor from preparing or participating in a survey, analysis, or evaluation without obtaining written parental consent as long as participation is not prohibited by federal law)
C.R.S. 22-32-110 (1)(r) (power to exclude materials that are immoral or pernicious)

CROSS REFS.: JICED*, Student Expression Rights
JLDAC, Screening/Testing of Students

First Reading Date: 1-9-2001

Second Reading Date: 2-6-2001

Adoption Date: 3-13-2001

(Revised: 3-14-01)

School-Related Student Publications

(School Publications Code)

1. Purpose

As stated in Board policy, school-sponsored publications are a public forum for students as well as an educational activity through which students can gain experience in reporting, writing, editing, and understanding responsible journalism. Content of school publications should reflect all areas of student interest, including topics about which there may be dissent or controversy.

2. Responsibilities of student journalists

In addition to the responsibilities set forth in the accompanying Board policy students who work on official student publications will:

- a) Rewrite material, as required by the faculty advisers to improve sentence structure, grammar, spelling, and punctuation.
- b) Check and verify all facts and verify the accuracy of all quotations.
- c) In the case of editorials or letters to the editor concerning controversial issues, provide space for rebuttal comments and opinions.

If the Board determines that advertising is allowed in the publication, the student editor will determine the content of any advertisements.

3. Responsibilities of publication advisors

In addition to the responsibilities set forth in the accompanying Board policy, the publication advisor will exercise general supervision over all activities to create a proper learning environment.

4. Prohibited materials

- a) Students may not publish or distribute material that is obscene. "Obscene" means:
 - (1) The average person applying contemporary community standards finds that the publication, taken as a whole, appeals to a minor's prurient interest in sex.
 - (2) 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.
 - (3) 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.

- 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.

Under the “fair comment rule,” a student is free to express an opinion on matters of public interest. Specifically, a student enjoys a privilege to criticize the performance of teachers, administrators, school officials, and other school employees.

- d) Expression which presents a clear and present danger of the commission of unlawful acts, violation of lawful school regulations, or 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. Undifferentiated fear or apprehension of disturbance is not enough; school administrators must be able to show affirmatively substantial facts that reasonably support a forecast of likely disruption. Material that stimulates heated discussion or debate does not constitute the type of disruption that is prohibited.

5. Time, place and manner restrictions

The administrator 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 or school-sponsored publications.

6. Procedures for resolving differences

Student editors will work first with the publications advisor to resolve any differences. If the problem can not be resolved at this level, the student editors and/or the publications advisor may work with the administrator to resolve any problems. If the problem is not resolved at the administrative level, the student editors and/or the publications advisor may work with the Charter Board. If the problem is not resolved at the Board level, the student editors and/or publications advisor may seek relief through the judicial system.

7. Legal advice

- a) If in the opinion of the student editor, student editorial staff, or faculty advisor, material proposed for publication may be “obscene,” “libelous,” or “cause a substantial disruption of school activities,” the legal opinion of the school district’s attorney should be sought if authorized by the administrator.
- b) Legal fees charged in connection with this consultation will be paid by the Charter Board.
- c) The final decision of whether the material is to be published will be left to the student editor.

First Reading Date: 1-9-2001

Adoption Date: 3-13-2001

Second Reading Date: 2-6-2001

(Revised: 3-14-2001)

Student Distribution of Noncurricular Materials

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 responsibility to maintain an orderly and safe school environment which respects the rights of all students on school grounds and during school-sponsored activities.

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

Any material in any media containing expression which is obscene, libelous, slanderous, or defamatory shall be prohibited. Students shall not distribute any material which advocates commission of unlawful acts or violation of Board or charter school and/or regulations, violates another person's right to privacy, causes a material and substantial disruption of the orderly operation of the school, or threatens violence to property or persons.

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

School equipment and supplies shall not be used for publication of such material unless authorized as a school-sponsored activity.

This policy and the accompanying regulations shall be made available to all students and teachers at the beginning of each school year and included in all student handbooks.

LEGAL REF.: C.R.S. 22-1-120 (*rights of free expression for public school students*)
C.R.S. 22-32-110 (1)(r) (*power to exclude materials that are immoral or pernicious*)

CROSS REFS.: JICEA, School-Related Student Publications
JICED, Student Expression Rights
JK, Student Discipline, and subcodes
KHC, Distribution/Posting of Promotional Materials

First Reading Date: 8-5-2003

Adoption Date: 9-2-2003

Parent/Guardian Permission Form

Sponsoring parent or guardian:

As the parent or guardian of (student's name) _____, I have read the Internet Acceptable Use Policy. I understand that this is designed for educational purposes and that Lake George Charter school has taken reasonable precautions to protect users from controversial material. I also recognize, however, that it is impossible for LGCS to restrict access to all controversial materials, and I will not hold the school responsible for materials acquired on the network. Further, I accept full responsibility for supervision of my child when my child's use of the Internet is not in a school setting. I hereby give permission for (student's name) _____ to access the Internet and World Wide Web.

Sponsoring parent or guardian name (please print)

Signature

Date: _____

Student User:

I understand and will abide by the Internet Acceptable Use Policy. I understand that any violations of the regulations is unethical and may be illegal. If I commit any violation my access privileges may be revoked and school disciplinary action and/or appropriate legal action may be taken.

Student User's Signature: _____

Date: _____

Student Distribution of Noncurricular Materials

Students who wish to distribute noncurricular printed materials on school property or in conjunction with a school activity must notify the principal a minimum of one day in advance so that details may be worked out regarding the time, place and manner of distribution.

Students do not have to produce an advance copy of the materials that will be distributed for the principal's review. However, materials which are distributed on school grounds containing information prohibited by Board policy and/or materials that create a significant or substantial disruption or damage to persons or property in the judgment of school officials may subject the responsible students to disciplinary action following distribution.

The following restrictions will apply to all requests for distribution of noncurricular materials by students:

1. Place

Distribution of printed 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 items discarded in school or on school grounds must be removed by the persons distributing such materials.

4. Manner

No student may in any way be compelled or coerced to accept any materials being distributed by any person distributing such materials or by any school official. In the alternative, no school official or student may interfere with the distribution of approved materials.

File: JICEC*-R

Violation of any of these regulations will be sufficient cause for denial of the privilege to distribute materials at future dates and for disciplinary action.

Current practice codified October 1996
Approved: date of manual revision

Student Expression Rights

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 learning environment.

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

Students shall not turn in, present, publish, or distribute expression that is disruptive to the classroom environment or to the maintenance of a safe and orderly school, as follows:

1. Obscene
2. Libelous, slanderous, defamatory, or otherwise unlawful under state law.
3. Profane or vulgar
4. False as to any person who is not a public figure or involved in a matter of public concern.
5. 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.
6. Violates the rights of others to privacy.
7. Threatens violence to property or persons.
8. Attacks any person because of race, color, sex, age, religion, national background, disability or handicap.
9. Tends to create hostility or otherwise disrupt the orderly operation of the educational process.
10. Advocates illegal acts of any kind, including the use of illegal drugs, tobacco, or alcohol.

Violation of this policy shall result in disciplinary action against the student consistent with charter school student discipline policies.

LEGAL REFS.: C.R.S. 22-1-120 (Rights of free expression for public school students)
C.R.S. 22-32-110 (1)(r) (Power to exclude materials that are immoral or pernicious)

CROSS REFS.: JICDA, Code of Conduct
JICDD*, Violent and Aggressive Behavior
JICEC*, Student Distribution of Noncurricular Materials
JK, Student Discipline

First Reading Date: 2-6-2001

Adoption Date: 4-24-2001

Second Reading Date: 3-9-2001

(Revised: 4-26-2001)

Secret Societies/Gang Activity

The Board of Education desires to keep the charter school and students free from the threats or harmful influence of any groups or gangs which advocate drug use, violence, or disruptive behavior. The administrator or designee shall maintain continual, visible supervision of school premises, school vehicles, and school-related activities to deter gang intimidation of students and confrontations between members of different gangs.

The administrator or designee shall establish open lines of communication with local law enforcement authorities so as to share information and provide mutual support in this effort.

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

Gang symbols

The Board prohibits the presence on school premises, in school vehicles, and at school-related activities of any apparel, jewelry, accessory, notebook, or manner of grooming which by virtue of its color, arrangement, trademark, or any other attribute denotes membership in gangs which advocate drug use, violence, or disruptive behavior. This policy shall be applied at the administrator's discretion as the need for it arises.

Prevention education

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

LEGAL REFS.: C.R.S. 22-1-120 (8)
C.R.S. 22-32-109.1 (2)(a)(VI) (policy required as part of safe schools plan)

CROSS REFS.: IHACA*, Law-Related Education
JICA, Student Dress Code

Note: All Board policies with codes containing the letter "JIC" are considered part of the legally-mandated code of conduct and discipline.

First Reading Date: 2-6-2001

Adoption Date: 4-24-2001

Second Reading Date: 3-9-2001

(Revised: 4-26-2001)

Secret Societies/Gang Activity

Gangs

At the principal's discretion, staff members may use the following techniques to discourage the influence of gangs:

1. Any student wearing or carrying overt gang paraphernalia or making gestures that symbolize gang members will be referred to the principal or designee. The student's parents/guardian will be contacted and the student sent home to change clothes if necessary.
2. Any gang graffiti on school premises will be quietly removed, washed down or painted over as soon as discovered.
3. Staff members may promote membership in authorized student organizations which can provide students companionship, safety and a sense of purpose and belonging.

Gang prevention education

Any gang prevention instruction offered in the schools may:

1. Explain the dangers of gang membership
2. Include lessons or role-playing workshops in nonviolent conflict resolution and gang avoidance skills
3. Promote constructive activities available in the community
4. Involve students in structured, goal-oriented community service projects
5. Encourage positive school behavior

Gang prevention lessons may be taught jointly by teachers and law enforcement officers.

Current practice codified October 1996
Approved: date of manual revision

Use of Tobacco by Students

In order to promote the general health, welfare and well-being of students and staff, smoking, chewing or any other use of any tobacco products and the conspicuous possession of tobacco products by students while in or on school properties, or under the school's jurisdiction during school hours, or while participating in a school-sponsored event is prohibited.

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

1. "School property" shall mean all property owned, leased, rented or otherwise used by a school including but not limited to the following:
 - a. All interior portions of any building or other structure used for instruction, administration, support services, maintenance or storage. .
 - b. All school grounds over which the school exercises control including areas surrounding any building, playgrounds, athletic fields, recreation areas and parking areas.
 - c. All vehicles used by the district for transporting students, staff, visitors or other persons.
2. "Tobacco" shall include cigarettes, cigars, pipe tobacco, snuff, chewing tobacco and all other kinds and forms of tobacco prepared in such manner as to be suitable for chewing; smoking or both. "Tobacco" shall include cloves or any other product packaged for smoking.
3. "Use" shall mean lighting, chewing, inhaling or smoking any tobacco product.

Students who violate this policy shall receive an automatic three-day suspension from school. Repeated violations may result in additional suspension from school. In accordance with state law, no student shall be expelled solely for tobacco use.

Exemptions

The Board shall consider requests for exemptions from this policy which demonstrate that extraordinary circumstances exist to warrant such an exemption and which do not violate federal law.

Requests for exemptions from students or staff members on behalf of students shall be submitted to the building principal. The request shall include steps that will be taken by the school within the next year to work toward compliance with the district's

tobacco-free policy. The building level accountability committee shall review the request and make a recommendation to the building principal. The administrator's recommendation shall be forwarded to the Board for final decision.

Adopted March 13, 1978

Revised to conform with practice: date of manual revision

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

C.R.S. 18-13-121

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

C.R.S. 25-14-103.5

6 CCR 1010-6, Rule 5-306

CROSS REFS.: ADC, Tobacco-Free Schools

IHAMA, Teaching about Drugs, Alcohol and Tobacco

JKD/JKE, Suspension/Expulsion of Students

Drug and Alcohol Use by Students

Lake George Charter School 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 school, parents/guardians, community, and its agencies.

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

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

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

This policy shall apply to any student on charter school property, being transported in vehicles dispatched by the charter school, during a school-sponsored activity or event, off school property when the conduct has a reasonable connection to the charter school or any curricular or non-curricular event, or whose conduct at any-time or place interferes with the operations of the charter school 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 Charter Board policy concerning student suspensions, expulsions, and other disciplinary interventions.

Situations in which a student seeks counseling or information from a professional staff member for the purpose of overcoming substance abuse shall be handled on an individual basis depending upon the nature and particulars of the case.

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

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

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

LEGAL REFS.: 20 U.S.C. §7101 (Safe & Drug-Free Schools and Communities Act of 1994)
21 U.S.C. 812 (definition of "controlled substance")
C.R.S. 18-18-407 (2), (crime to sell, distribute, or possess controlled substance on or near school grounds or school bus)
C.R.S. 22-1-110, (instruction related to alcohol and drugs)
C.R.S. 22-1-119.3 (3)(c)(d) (no student possession or self-administration of medical marijuana, but school districts must permit the student's primary caregiver to administer medical marijuana to the student on school grounds, on a school bus, or at a school-sponsored event)
C.R.S. 22-32-109.1 (2)(a) (I)(G) (policy required as part of safe schools plan)
C.R.S. 25-1.5-106 (12)(b) (possession or use of medical marijuana in or on school grounds or in a school bus is prohibited)
C.R.S. 25-14-103.5 (boards of education must adopt policies prohibiting use of retail marijuana on school property)

CROSS REFS.: IHAMA, Teaching about Drugs, Alcohol, and Tobacco
JIH Student Interrogations, Searches, and Arrests
JK*-2 Discipline of Students with Disabilities
JKD/JKE Suspension/Expulsion of Students (and Other Disciplinary Interventions)
JLCD Administering Medications to Students

First Reading Date: 11-8-2016

Adoption Date: 12-13-2016

Lake George Charter School

Drug and Alcohol Use by Students

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

Use

1. When a student is suspected of use, the person having the suspicion should notify the principal or designee. Notification must include reasons for such suspicion (observed use, unusual behavior, etc.). The principal or designee will conduct a check of the suspected student and collect data. This action must comply with the Board policy on interrogations and searches.
 - a. If information is not sufficient to warrant further action, the principal or designee may have a personal conference with the student expressing awareness and concern.
 - b. If information warrants, the parent/guardian will be requested to attend a conference at school. The conference may include sharing the data collected, explaining consequences of involvement with drugs/alcohol, developing a plan of action, and offering the parent or guardian general information and resources related to substance abuse.
2. When necessary, emergency health and safety care will be provided and any procedural or disciplinary issues postponed until the student's immediate needs are treated. While waiting for the parent/guardian or further medical aid, the student will not be left alone but placed in a quiet situation where he will remain under observation.

Possession

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

1. A staff member who comes in contact with evidence and/or contraband must notify the principal or designee immediately.
2. A staff member who has reasonable cause to believe that a student possesses alcohol, any controlled substance or drug-containing paraphernalia in violation of Board policy will request that the student accompany him to the principal or designee. If the student refuses, the staff member will notify the principal or designee immediately.

3. The principal or designee will attempt to obtain evidence by requesting it directly from the student or through search procedures as outlined in Board policy.
4. The principal or designee will place any evidence in an envelope or alternative container as necessary which will be sealed, dated and initialed by the individual who originally obtained the materials and by the principal or designee. The evidence then will be placed in the school safe.
5. The principal or designee will call appropriate law enforcement officials in each instance of possession or sale of controlled substances by a student. A mutual decision will be made as to retention of the contraband by the school or testing by the authorities.
6. When there is evidence of a student possessing illegal drugs, the student will be suspended and the parent/guardian notified.

First Offense for Use and/or Possession

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

Second Offense for Use and/or Possession

1. The student will be suspended from school for four days.
2. Information concerning voluntary drug or alcohol treatment programs will be given to the student and the parent/guardian. The principal or designee will require evidence of the student's enrollment and/or participation in a voluntary program prior to the student's readmittance to school

3. Appropriate law enforcement officials will be notified.

Third Offense for Use and/or Possession

The student will be recommended for expulsion.

Distribution

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

1. If an employee witnesses an act in which alcohol, drugs, other controlled substances or drug-containing paraphernalia are being transferred from one student to another, the staff member will immediately attempt to detain the student and request that the student accompany him or her to the principal or designee. If the student refuses, the staff member will notify the principal or designee immediately.
2. The principal or designee will attempt to obtain evidence by requesting it directly from the student or through search procedures in accordance with Board policy.
3. Any student who distributes, trades, exchanges or sells controlled substances will be expelled.

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

December 11, 2000

Adoption Date

CROSS REFS.: JIH, Student Interrogations, Searches and Arrests
JKD/JKE, Suspension/Expulsion of Students

Weapons in School

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

Dangerous weapons

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

Mandatory expulsion in accordance with state and federal law

Carrying, bringing, using, or possessing a dangerous weapon in any school building, on school grounds, in any school vehicle, or at any school-sponsored activity without the authorization of the charter school is prohibited. An exception to this policy may be made for students participating in an authorized extracurricular activity or team involving the use of firearms.

If a student discovers that he or she has carried or brought, or is in the possession of a dangerous weapon and the student notified a teacher, administrator, or other authorized person in the charter school, and as soon as possible delivers the dangerous weapon to that person, expulsion shall not be mandatory and such action shall be considered when determining appropriate disciplinary action, if any.

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

- a. A firearm, whether loaded or unloaded, or a firearm facsimile that could reasonably be mistaken for an actual firearm.
- b. Any pellet, BB gun, or other device, whether operational or not, designed to propel projectiles by spring action or compressed air.
- c. A fixed blade knife with a blade that exceeds three inches in length.
- d. A spring-loaded knife or a pocket knife with a blade exceeding three and one-half inches in length.
- e. Any object, device, instrument, material, or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury including, but not limited to slingshot, bludgeon, nun-chucks, brass knuckles, or artificial knuckles of any kind.
- f. Any explosive, insidious, or poisonous gas.

Students who use, possess, or threaten to use a dangerous weapon in violation of this policy may be subject to disciplinary action in accordance with Charter 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 administrator 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 charter school property, when being transported in vehicles dispatched by the charter school during a school-sponsored or district-sponsored activity or event, and off school property when such conduct has a reasonable connection to the charter school or any district curricular or non-curricular event without the authorization of the charter school 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 the Charter Board policy concerning student suspensions, expulsions and other disciplinary interventions.

A student may seek prior authorization from the administrator 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 Charter Board policy concerning student suspensions, expulsions and other disciplinary interventions. The administrator'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.

The administrator 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 Charter Board 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 charter school property, when being transported in vehicles dispatched to a school-sponsored activity or event, and off charter school property when the conduct has a reasonable connection to the charter school or any district curricular or non-curricular event without authorization of the charter school is prohibited. Students who violate this policy provision shall be subject to disciplinary action, including suspension and/or expulsion, in accordance with Charter Board policy concerning suspensions, expulsions, and other disciplinary interventions.

Threatening the safety or security of any student, staff, or the physical building, by a student, even without a weapon, can be subject to suspension, expulsion or any other disciplinary action, on a case-by-case basis.

Recordkeeping

The charter school 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, charter school personnel shall refer any student who brings a firearm or weapon to school without authorization of the charter school to law enforcement.

LEGAL REFS.: 18 U.S.C. §921 (a)(3) (*federal definition of "firearm"*)
20 U.S.C. §7151 (*Gun-Free Schools Act*)
20 U.S.C. §7151 (h) (*requiring schools to have policies requiring referral to law enforcement*)
C.R.S. 22-32-109.1 (2)(a)(I)(G) (*policy required as part of safe schools plan*)
C.R.S. 22-33-102 (4) (*definition of a dangerous weapon*)
C.R.S. 22-33-106 (1) (*grounds for suspension, expulsion, denial of admission*)
C.R.S. 22-33-106 (1)(f) (*must adopt a policy regarding firearm facsimiles*)

CROSS REFS.: JK*-2, Discipline of Students with Disabilities
JKD/JKE, Suspension/Expulsion of Students
KFA, Public Conduct on School Property
KLG, Relations with Law Enforcement Agencies

NOTE: The fact that a situation is not covered by this policy does not prevent discipline from being imposed or recommended under policy JKD/JKE.

First Reading Date: 11-17-21

Adoption Date: 1-19-22

Lake George Charter School

(Prev. Rev.: 5-9-2001)
(Rev.: 1-17-22)

Student Use of Electronic Communication Devices

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

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

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

It is the student's responsibility to ensure that the device is turned off and out of sight during unauthorized times. Violation of this policy and/or use that violates any other charter board policy shall result in disciplinary measures and confiscation of the electronic communication device.

Confiscated devices shall be returned to the student only after a conference with the parent/guardian, student and charter school personnel. The administrator may also refer the matter to law enforcement, as appropriate.

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

CROSS REFS.: JIC Student Conduct
JIH Student Interrogations, Searches and Arrests
JK Student Discipline

First Reading: 10-10-17

Adoption Date: 11-14-17

Lake George Charter School

Pregnant Students

The pregnancy of students shall not affect their rights to receive a public education nor their privileges as students in the district nor their opportunities to take part in extracurricular activities or honors offered by the school. Therefore, the following shall apply:

- The district shall not apply any rule concerning a student's actual or potential parental or family status which treats students differently on the basis of sex.
- The district shall not discriminate against any student or exclude any student from its education programs or activities including any class or extracurricular activity on the basis of a student's pregnancy or recovery therefrom unless the student voluntarily requests to participate in an alternative program which may be available.
- Girls who are pregnant may continue in school so long as it is physically advisable as determined by the girl's physician in consultation with the school administration. When it is deemed advisable to discontinue attending regular classes, the student shall meet with the counselor and special education and/or related services personnel to arrange for continuation of study and completion of credits.

Adopted March 13, 1978

Revised to conform with practice: date of manual revision

LEGAL REFS.: 20 U.S.C. §§1681, 1682 (Title IX)
34 C.F.R. 21 (c)(2)

Married Students

The marital status of students shall not affect their rights to receive a public education nor their privileges as students in the district nor their opportunities to take part in extracurricular activities or honors offered by the school. Therefore, the following shall apply:

- The district shall not apply any rule concerning a student's actual or potential marital status which treats such students differently.
- The district shall not discriminate against any student or exclude any student from its education programs or activities including any class or extracurricular activity on the basis of a student's marriage unless the student voluntarily requests to participate in an alternative program which may be available.

Adopted March 13, 1978

Revised to conform with practice: date of manual revision

LEGAL REFS.: 20 U.S.C. §§1681, 1682 (Title IX)
34 C.F.R. 21 (c)(2)

Student Interrogations, Searches and Arrests

The charter school 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 charter school policy or school rules occurs, the administrator or designee may question potential student victims and witnesses without prior consent of the student's parent/guardian. If a charter school official is investigating a report of child abuse, and the suspected perpetrator is a member of the student's family, no contact with the student's family will be made.

Interrogations by school administrators

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

Searches conducted by school personnel

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

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

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

Search of school property

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

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

Search of the student's person

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

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

Search of the person shall be limited to the student's pockets, any object in the student's possession such as a purse, backpack, book bag, or briefcase, and a "pat down" of the exterior of the student's clothing.

The extent of the search of a student's person or personal effects, as well as the means to conduct the search, must be reasonably related to the objectives of the search and the nature of the suspected violation. Additionally, school officials conducting the search shall be respectful of privacy considerations, in light of the sex and age of the student.

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

Searches of a student's person and/or personal effects may be conducted without the prior consent of the student's parent/guardian. However, the 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 Charter 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 administrator 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.

Appeals

Within 10 school days after a search, the student may appeal the search decision to the Charter Board who shall investigate the reason(s) and circumstances of the search. The Charter Board shall issue written finding within five school days after receiving the appeal. The Charter Board's decision shall constitute the final charter school determination.

Law enforcement officers' involvement Interrogation and interviews

When law enforcement officials request permission to question students when students are in school or participating in school activities, the administrator 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.

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, charter school officials shall make an effort to notify the student's parent/guardian, except in cases involving investigation of reported child abuse where the suspected perpetrator is a member of the student's family, when law enforcement has a court order directing that the student's parent/guardian not be notified, or when an emergency or other exigent circumstances exist. However, whether or not to postpone the interview or interrogation until the parent/guardian arrives is the law enforcement officer's decision.

Search and seizure

The administrator 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 but a member of our Security Team may observe. 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, charter school staff is not responsible for an officer's legal compliance when arresting a student.

LEGAL REFS.: C.R.S. 19-2-511 *et seq.*
C.R.S. 22-32-109.1 (2)(a)(VII) (policy required as part of safe schools plan)

CROSS REFS.: JIHB, Parking Lot Searches
JK, Student Discipline, and subcodes (See our policy on Discipline)

First Reading Date: 4-9-18

Adoption Date: 5-8-18

Lake George Charter School

Use of Metal Detectors

When the administrator/security or designated personnel have reasonable cause to believe that weapons are in the possession of students, staff, parents, or visitors or when violence involving weapons has occurred at the school or at school sponsored events, the administrator/security or designated personnel shall be authorized to use stationary or mobile metal detectors in accordance with procedures approved by the charter school. Any search of a student's, staff, parents, or visitor's person as a result of the activation of the detector shall be conducted in private in accordance with the policy on personal searches.

LEGAL REFS.: C.R.S. 18-12-214(4) (*person with valid concealed handgun permit may not carry the gun beyond any security screening*)
C.R.S. 22-32-109.1(2)(a)(VIII)

CROSS REF.: KLG, Relations with Law Enforcement Authorities

First Reading Date: 4-9-18

Adoption Date: 5-8-18

Lake George Charter School

Student Concerns, Complaints and Grievances

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

Grievance procedures shall be available for students to receive prompt and equitable resolution of allegations of discriminatory actions on the basis of race, color, national origin, sex and handicap which students are encouraged to report.

Current practice codified October 1996

Adopted: date of manual revision

CROSS REFS.: ACA, Nondiscrimination on the Basis of Sex (Compliance with Title IX)
ACE, Nondiscrimination on the Basis of Handicap/Disability (Compliance with Section 504)
IHCDA, Postsecondary Options/Concurrent Enrollment
JB, Equal Educational Opportunities
JBB*, Sexual Harassment
JICEA, School-Related Student Publications
JICEC*, Student Distribution of Noncurricular Materials

Student Concerns, Complaints and Grievances

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

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

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

1. Conduct of an individual: immediate supervisor of the individual. The building principal is the supervisor of the teachers; the appropriate director is the supervisor of the principal or support staff members.
2. Departmental procedures: Building principal.
3. Building procedures: Building principal.
4. Board policies and regulations: Appropriate director.
5. Curricular programs: Appropriate director.
6. Civil rights: Compliance officer or building principal
7. All others: Building principal.

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

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

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

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

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

Complainants who are not satisfied with the resolution of the complaint within the school district have the option of contacting their local Office for Civil Rights of the U.S. Department of Education.

Current practice codified October 1996
Approved: date of manual revision

Student Activities (Cocurricular and Extracurricular)

The Board supports the concept that a wide variety of extracurricular activities should be made available to students. However, participation in such activities is a privilege—not a right. Such activities shall be conducted in accordance with the following guidelines:

1. Activity offerings shall be of sufficient variety and number to meet the wide range of interests of students.
2. Most activities shall be an outgrowth of curriculum activities.
3. All participation shall be voluntary.
4. Guidance shall be offered to encourage nonparticipants who need the activity and to curb the overly-enthusiastic from over-participation at the expense of academic performance.
5. The goal for each student shall be a balanced program of academic studies and extracurricular activities.
6. All activities shall be supervised. All clubs and groups shall have a faculty advisor.
7. Activities for public view shall be kept to a minimum. They shall be closely supervised to avoid the expenditure of excessive time and effort by students.
8. Participation in any school or interscholastic school activity may not be barred because of a student's participation in lawful activities during out-of-school hours and off school property.

(Adoption date)

LEGAL REF.: C.R.S. 22-32-116.5 (1)(c)

Student Organizations (Secondary Schools)

Secondary schools in the district may encourage students to broaden their knowledge and citizenship by permitting the formation of clubs or other groups that relate to subject matter covered by the curriculum. Such organizations shall operate within the framework of state statutes, Board policy, administrative rules and the parameters of the learning program.

Each building principal shall develop general guidelines for the establishment and operation of student organizations within the particular school. Among other provisions, such guidelines shall require the approval of the principal prior to the formation of any club or organization in a school and the assignment of at least one faculty adviser to each approved student organization.

All student organizations are required to open membership to all interested and/or eligible students. Fraternities, sororities and/or secret societies shall not receive recognition in any manner under this policy.

All forms of hazing in initiations shall be prohibited in a student organization. No initiation shall be held for a student organization which will bring criticism to the school system or be degrading to the student.

The faculty adviser must attend every meeting of the student organization whether conducted on school premises or at another location.

The principal is responsible for determining that the purpose of a student organization is related to the curriculum. In the event that the principal denies a group the right to organize and conduct meetings as a curriculum-related student organization, then students may seek permission to meet as a noncurricular student organization in accordance with Board policy.

Current practice codified October 1996
Adopted: date of manual revision

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

CROSS REF.: JJAB, Open/Limited Open Forums (Noncurricular Student Organizations)Select

Open Forum

Students in secondary schools (grades 7-12) in this district shall be permitted to organize and conduct meetings of noncurriculum-related student clubs or other groups to pursue specialized activities outside the classroom. Such groups shall not be considered school-sponsored student organizations nor be given all the privileges afforded to school-sponsored organizations.

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

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

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

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

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

A member of the professional staff must be invited to attend every meeting or activity scheduled on school premises as a monitor for purposes of general supervision. Students shall be responsible for insuring the presence of a faculty monitor prior to every meeting.

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

School employees may be present at religious meetings of a noncurricular group only in a nonparticipatory capacity.

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

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

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

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

Current practice codified October 1996
Adopted: date of manual revision

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

CROSS REF.: IB, Academic Freedom

Open Forum

1. The principal shall review the weekly school calendar and indicate when time and space are available for meetings of student organizations so that the meetings will not interfere with the regular educational activities of the school
2. General information about time periods available for student meetings shall be made available to students upon request.
3. Students seeking permission to meet on school premises during noninstructional time must complete a form available in the principal's office indicating the name of the organization (if any), the nature of the organization, the purpose of the meeting, and the time and place of the meeting.
4. Upon reviewing this information, the principal shall schedule the meeting if time and space are available. Requests shall be denied only in accordance with the Board policy on meetings of noncurricular student organizations.
5. The principal shall verify that the students requesting permission for a meeting have made arrangements for a faculty monitor and obtain whatever assurances are deemed necessary to see that the meeting is appropriately supervised.
6. Notices of meetings of noncurricular student organizations may be posted only on a designated bulletin board used by all nonschool-sponsored organizations. No announcements shall be made over the public address system or in any school-sponsored publications.
7. The principal shall provide a fair opportunity to any students requesting permission to meet on school premises so long as time and space are available.
8. If a meeting request is denied by the principal, the principal shall inform the students of the reason for the denial. The students shall be given an opportunity to request a review of the principal's decision by the superintendent by requesting a review in writing within 10 days of the denial of the request.

Current practice codified October 1996
Approved: date of manual revision

Student Fund-Raising Activities

In general, the Board disapproves of fund-raising in the community by students for school activities. Especially discouraged is the sale of goods produced by companies for profit, such as magazines and candy.

Exceptions to the policy shall be:

1. Sale of tickets to scheduled athletic events and school dramatic and musical performances.
2. Sale of advertising space in school publications as authorized by the Board.
3. An annual fund-raising activity, approved by the high school principal, and designated as a "senior project."
4. Certain fund-raising for charitable purposes or of benefit to the school or community. Examples might be American Field Service activities, the UNESCO Children's Fund or scholarships funds. However, such proposals must be individually approved by the building principal and superintendent.

Adopted March 13, 1978

Revised to conform with practice: date of manual revision

CROSS REF.: JP, Student Donations and Gifts

Student Activities Funds

Student activity funds may be raised and spent to promote the general welfare, education and morale of all students and shall finance authorized activities of student organizations and the school district.

Student activity funds are considered a part of the total fiscal operation of the school district and, therefore, are subject to the policies and regulations established by the Board of Education and the office of the superintendent. The funds shall be managed in accordance with sound business practices—including sound budgetary and accounting procedures as well as audits—in the same manner as regular district funds. Principals shall participate in the preparation, modification and interpretation of policies and procedures that affect student activity funds.

Student activity funds are to be used to finance a program of authorized school activities which may augment but not replace the activities financed by the district. Funds derived from the student body as a whole shall be so expended as to benefit the student body as a whole, and the student body shall be represented in the democratic management of those funds raised by students and expended for their benefit. Funds derived from authorized clubs and organizations shall be expended to benefit the specific club or organization and, insofar as possible, to benefit those students currently in school who have contributed to the accumulation of these funds.

Activity fund-raising shall be conducted in such a manner as to offer minimum competition to commercial concerns while still benefiting the student body as a whole.

Authorized clubs and organizations within the schools may use district facilities and equipment for fund-raising if such use does not create an additional cost to the district. If additional cost is incurred, the club or organization shall pay such cost.

When a club or class has accumulated monies derived from various fund raising activities, those monies can only be used by that club or class in the following ways:

1. School sponsored/sanctioned activities
2. A gift to the school
3. Donation to another class

Adopted March 13, 1978

Revised July 12, 1993

Revised to conform with practice: date of manual revision

CROSS REFS.: DB, Annual Budget, and subcodes
DG, Banking Services (And Deposit of Funds)
DI, Financial Accounting and Reporting, and subcodes

Contests for Students

The Board of Education approves of the concept of educationally related contests provided they are pedagogically sound and administratively feasible.

The approval of the superintendent or designee shall be required in order to conduct a contest or activity involving awards to students by agencies outside the schools. It shall be the responsibility of the school principal to submit to the central administration only those requests for contests which are worthy of consideration.

In fulfilling this responsibility, principals may solicit opinions from the staff with respect to requests being considered.

The central administration shall limit participation in contests to those that are educationally sound, feasible and timely. Contest activities should supplement and support the regular school program; they should not interfere with it.

Adopted march 13, 1978

Revised to conform with practice: date of manual revision

Student Travel

Specific guidelines and appropriate administrative procedures shall be developed to screen, approve and evaluate student activity trips and to insure that all reasonable steps are taken for the safety of the participants.

These guidelines and procedures shall insure that all student activity trips have the approval of the superintendent and the principal and that all overnight trips and trips exceeding 600 miles round trip have the prior approval of the Board of Education.

Current practice codified October 1996

Adopted: date of manual revision

LEGAL REF.: C.R.S. 40-10-116 (1)(b)

CROSS REFS.: EEAFA, Extracurricular Activity Buses/Field Trips/Special Events
Transportation
EEAG, Student Transportation in Private Vehicles
IJOA, Field Trips and Excursions

Interscholastic Sports

The interscholastic athletic program of this district shall be considered as an extra-curricular part of the total school program. It is neither required nor part of the basic instructional program.

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

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

In keeping with the above goals, the Board shall seek to fund girls' sports on an equal opportunity basis with boys' sports and shall permit and encourage coeducational teams when the particular sport is determined suitable as a coeducational activity.

The Board of Education shall encourage students, faculty and the community to recognize the value of athletics in relation to the total school program.

Athletic associations and leagues

Membership of a district school in an interscholastic athletic association or league shall be subject to the approval of the Board. The Board shall review the constitu-

tion and by-laws of such organization and its regulations for member teams before granting approval.

Customarily the principals of member schools or their designees are voting members of athletic organizations. It should be understood that such administrators serve as representatives of the district. Therefore, before voting on a change of by-laws or regulations that will in any way affect the schools or athletic teams of this district, this district's representatives to athletic organizations shall advise the Board of the proposed change and seek and follow its directions for voting.

Adopted march 13, 1978

Revised to conform with practice: date of manual revision

Extracurricular Activity Eligibility

Students participating in after school activities are expected to maintain satisfactory academic and attendance records and maintain a satisfactory conduct record. If a student misses school on the day of or the school day prior to the event if the event is during the weekend, the student cannot participate in the event unless the absence was prearranged. Extenuating circumstances may be reason for the administration to make exceptions.

Students who are residents of Park County School District Re-2 but who are being educated in a home school may participate provided they comply with all laws governing non-public home-based education.

LEGAL REFS: C.R.S. 22-32-116.5
C.R.S. 22-33-104.5 (6)

CROSS REFS: IHBG, Home Schooling
JJ, Student Activities

First Reading Date: 6-9-2009

Adoption Date: 8-4-2009

(Revised: 8-5-2009)

Extracurricular Activity Eligibility

Students participating in activities are expected to maintain satisfactory academic and attendance records and maintain satisfactory conduct. If a student misses school on the day of or the school day prior to an event, if the event is during the weekend, the student cannot participate unless the absence was prearranged.

A student who misses school will not be allowed to participate in an event unless the absence was prearranged. Extenuating circumstances may be reason for the administration to make exceptions.

The following are considered extra-curricular activities by Lake George Charter School.:

- Halloween Carnival
- Winter Program
- Spring Program
- School Social/Dance
- Various Classroom Activities
- Winter Activities (Ski Program)

Students involved in other activities held at the school but not sponsored by the school, are encouraged to follow the same rules for those events. Some of the other activities held at the school are:

- Boy Scouts
- Girl Scouts
- 4-H
- CCPR/Cripple Creek Park and Recreation-Sports

Students exhibiting unsatisfactory conduct on the day of or the school day prior to an event may not be allowed to participate. This will be determined on a case-by-case situation.

LEGAL REFS: C.R.S. 22-32-116.5
C.R.S. 22-33-104.5 (6)

CROSS REFS: IHBG, Home Schooling
JJ, Student Activities

First Reading Date: 8-3-2010

Second Reading Date: 10-5-2010

Adoption Date: 11-3-2010

STUDENT DISCIPLINE

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

The 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 file name constitute the discipline section of the legally required code.

Immunity for enforcement of discipline code

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

A teacher or any other person acting in good faith and in compliance with the discipline code adopted by the Board shall be immune from civil liability unless the person is acting willfully or wantonly. It is an affirmative defense in any criminal action that a person is acting in good faith and in compliance with the discipline code.

Disciplinary information to school personnel

In accordance with state law, the administrator 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 administrator or designee on an individual student which indicate the student has committed an overt and willful act which constitutes a violation of the charter

school's code of student conduct and/or there is reasonable cause to believe, through information provided to the administrator 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 staff members to request disciplinary information from the administrator 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 officials.

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 administrator or designee is required to inform the student and the student's parent/guardian when disciplinary information is communicated and to provide a copy of the disciplinary information. The student and/or the student's parent/guardian may challenge the accuracy of disciplinary information through the administrative regulations which accompany this policy.

Remedial discipline plans

The administrator 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 three times 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 in violation of their individual remedial discipline plans shall be declared habitually disruptive students. Expulsion is mandatory for habitually disruptive students. Any student enrolled in the charter school may be subject to being declared an 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), any behavior intervention plan and policy JK-2, Discipline of Students with Disabilities. In order to comply with all state and federal laws, the special education director shall be contacted prior to the use of any disciplinary measure which is not authorized by the student's IEP or behavior intervention plan.

Distribution of conduct and discipline code

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

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

LEGAL REFS.: C.R.S. 18-6-401(1) (definition of child abuse)

C.R.S. 22-32-109.1(2)(a)(adoption and enforcement of discipline code)

C.R.S. 22-32-109.1(2)(a)(III) (discipline of habitually disruptive students is required part of safe schools plan)

C.R.S. 22-32-109.1(3)(agreements with state agencies)

C.R.S. 22-32-109.1(9) (immunity provisions in safe schools law)

C.R.S. 22-32-126(5) (disciplinary information to staff)

C.R.S. 22-33-106(1)(a-e)(grounds for suspension, expulsion and denial of admission)

C.R.S. 22-33-106(1)(c.5)(habitually disruptive students)

C.R.S. 22-33-202 (identification of at-risk students)

CROSS REFS.: JIC, Student Conduct, and subcodes

JK subcodes, (all relate to student discipline)

JRA/JRC, Student Records/Release of Information on Students

JK*-2, Discipline of Students with Disabilities

JKBA*, Disciplinary Removal from Classroom

1st reading 3-9-01

2nd reading 4-24-01

Adoption date 5-8-01

Student Discipline

Disciplinary information

Open communication between the administrator and the professional staff is essential to accomplish the educational mission of the charter school. It is recognized that the administrator 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 administrator 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 the right to challenge disciplinary information.

Whenever the administrator or designee determines that disciplinary information as defined in Board policy must be communicated to a teacher or counselor, the following steps will be followed:

1. The administrator 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 administrator will communicate the information in the statement to the teacher or counselor by providing a copy of the statement. Alternatively, the administrator or designee may wait until the student or parent/guardian has had a chance to challenge the content of the statement before communicating the statement to any teachers or counselors. The teacher/counselor and administrator or designee may discuss the information in the statement. The administrator or designee will record the names of all individuals who are given a copy of the statement.
3. A copy of the written statement will be provided to the student and the student's parent/guardian. However, if a student is 18 years old or older, the student may inspect his or her records and written permission will be necessary in order for the parent/guardian to receive them. Such student 18 years old or older will be known as an eligible student.
4. The administrator or designee will take steps to see that the parent/guardian of a student under 17 years of age receives a copy of the statement, either by mailing a copy directly to them and/or alerting them to the fact that the statement has been sent to them, either by sending it home with their child or in the mail.
5. The written statement will indicate that the student and/or parent/guardian 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 has already been afforded a due process hearing prior to imposition of school discipline. In that case, the challenge procedures do not apply.

Challenges

The following procedures apply when an interested person challenges the statement of disciplinary information:

Step 1

A Step 1 review will be requested in writing within seven days after receipt by the parent/guardian of the written statement. If the interested persons fail to file an intent to challenge within seven days after receiving a copy of the statement, the statement will stand as written and there will be no further opportunity to challenge that particular statement. If the student or parent/guardian challenges any part of the statement, the administrator should review the part of the statement being challenged and may, by mutual agreement with the person making the challenge, destroy, delete, or add the information in question.

Step 2

If the administrator does not agree to change the written statement as requested during the Step 1 review, the student or parent/guardian may request an informal hearing with the Board of Education within 10 days after the administrator's decision not to change the written statement. This request must be in writing and will state the reasons for the request. The administrator may file a written response to the request for a Step 2 review to be considered by the Board. The Board will make a decision within 10 school days after receiving the request for Step 2 review. The Board may take whatever steps necessary to make a determination about the content of the statement, including discussing the matter with the student and parent/guardian and/or administrator and making independent inquiries to determine the veracity of the statement.

The Board may decide that the statement should be revised in accordance with the student or parent/guardian position or may decide to uphold the administrator's statement as accurate. The Board's decision is final.

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 had been communicated prior to the conclusion of the challenge, and changes were made to the statement, the administrator or designee will see that all those who received the original statement are provided a copy of the revised 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. A violation of this provision will result in appropriate disciplinary action.

Remedial discipline plans

1. The administrator may develop a plan for any student who causes a material and substantial disruption in the classroom, on school grounds, in school vehicles or at school activities or events. The goal of the remedial 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 administrator will arrange for a meeting with the student, the student's parent/guardian and any members of the staff whom the administrator 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 will sign and date.
5. The parent/guardian will be provided a copy of the remedial discipline plan and it will be placed in the student's cumulative file.

Habitually disruptive students

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

1. The administrator will inform the Board if a student is suspended for second time for causing a material and substantial disruption.
2. The student and the parent/guardian will be notified in writing of each suspension which counts toward declaring the student habitually disruptive. The student and parent/guardian will also be notified in writing and by telephone or other oral communication of the definition of "habitually disruptive student" and the mandatory expulsion of such students.
3. Charter School procedures for expulsion will 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.

*Note: Expulsion prevention information now contained in policy JKG**

First Reading Date: 3-9-2001

Second Reading Date: 4-24-2001

Adoption Date: 5-8-2001

(Revised: 5-9-2001)

Discipline of Students with Disabilities

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

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

Suspensions, Expulsions, and Provision of Services

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

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

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

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

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

Manifestation Determination

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

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

Disciplinary Action for Behavior that is Not a Manifestation

If the team determines that the student's behavior was not a manifestation of the student's disability, disciplinary procedures shall be applied to the student in the same manner as applied to nondisabled students. As stated above, the student shall receive educational services during the period of expulsion or other disciplinary change of placement.

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

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

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

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

Placement in an Alternative setting for 45 school days

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

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

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

Students Not Identified as Disabled

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

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

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

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

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

LEGAL REFS: 20 U.S.C. 1401 *et seq.* (*Individuals with Disabilities Education Act*)
34 C.F.R 300.530-300.537 (*IDEIA regulations*)
C.R.S. 22-20-101 *et seq.* (*Exceptional Children's Education Act*)
C.R.S. 22-33-106 (1)(c)

CROSS REFS: IHBA, Special Education Programs for Students with Disabilities
JIC, Student Conduct, and subcodes
JK, Student Discipline, and subcodes
JRA/JRC, Student Records/Release of Information on Students

First Reading Date: 4-9-18

Adoption Date: 5-8-18

Lake George Charter School

(Rev.: 4-25-18)

Use of Physical Intervention

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

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

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

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

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

Corporal punishment shall not be administered to students by anyone in any district school.

December 11, 2000

ADOPTION DATE

LEGAL REFS.: C.R.S. 18-1-703 (*use of physical force by those supervising minors*)
C.R.S. 18-6-401 (1) (*definition of child abuse*)
C.R.S. 19-1-103 (1) (*definition of abuse and neglect*)
C.R.S. 22-32-109.1 (2)(a) (*adoption and enforcement of discipline code*)
C.R.S. 22-32-109.1 (2)(a)(IV) (*policy required as part of safe schools plan*)
C.R.S. 22-32-109.1 (9) (*immunity provisions in safe schools law*)
C.R.S. 26-20-102 *et seq.* (*protection of persons from restraint*)

USE OF PHYSICAL INTERVENTION

A. Corporal punishment

Consistent with state law and Board policy, corporal punishment shall not be administered to students by anyone in any district school.

B. Physical intervention other than restraint

Persons employed by the charter school may use reasonable and appropriate physical intervention or force in the scope of their employment as necessary for the following purposes:

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

Under no circumstances shall a student be physically held for more than five minutes unless the provisions regarding restraint below are followed.

C. Restraint

1. Definitions

Restraint is defined under state law and this policy as any method or device used to involuntarily limit freedom of movement, including but not limited to bodily physical force, mechanical devices, chemical restraint, physical restraint and seclusion.

Restraint does not include:

- a. The use of protective or adaptive devices for providing physical support, prevention of injury or voluntary or life-saving medical procedures,

- b. The holding of a student for less than five minutes by a staff person for protection of the student or other persons,
- c. The use of time-out.

Time-out is the placement of a student alone in a room or in a specified area of a room for the purpose of allowing the student to think about inappropriate behavior prior to rejoining class or other school-related activity. Egress from time-out rooms or areas shall not be involuntarily prevented.

Seclusion is the placement of a student alone in a room from which egress is involuntarily prevented.

2. Basis for use of restraint

Staff may use restraint only in cases of emergency when other less restrictive alternatives have failed or the staff member determines that such alternatives would be inappropriate or ineffective under the circumstances.

An emergency is a serious, probable, imminent threat of bodily harm to self or others where there is the present ability to effect such bodily harm.

The purpose for using restraint shall be to prevent the continuation or renewal of the emergency. Restraint shall only be used for the period of time necessary to accomplish its purpose. In no event shall physical force be used beyond that which is necessary to limit the student's freedom of movement.

3. Duties relating to the use of restraint

The staff member responsible for the restraint shall monitor any student held in a mechanical restraint at least every fifteen minutes to assure that the student is properly positioned, the student's blood circulation is not restricted, the student's airway is not obstructed, and the student's other physical needs are met.

No physical or mechanical restraint of a student shall place excess pressure on the student's chest or back or inhibit or impede the student's ability to breathe. A staff member shall observe the student at regular intervals to check on breathing ability.

A chemical restraint shall be given only on the order of a physician who has determined, either while present during the course of the emergency or after telephone consultation with a registered nurse, certified physician assistant, or other authorized staff member who

is present at the time and site of the emergency and who has participated in the evaluation of the student, that such form of restraint is the least restrictive, most appropriate alternative available.

For students in mechanical restraints, staff members shall provide relief periods, except when the individual is sleeping, of at least ten minutes as often as every two hours, so long as relief from the mechanical restraint is determined to be safe. During such relief periods, the staff member shall take reasonable steps to ensure proper positioning of the student and provide movement of limbs, as necessary. In addition, during such relief periods, a staff member shall provide assistance for use of appropriate toileting methods as necessary. The student's dignity and safety shall be maintained during relief periods. Relief periods from seclusion shall be provided for reasonable access to toilet facilities.

A student in physical restraint shall be released from such restraint within fifteen minutes after the initiation of physical restraint, except when precluded for safety reasons.

4. Staff Training

Staff shall receive annual in-service training on the appropriate use of restraint. The training shall include the requirement that staff explain, where possible, the use of restraint to the individual who is to be restrained and to the individual's family if appropriate.

5. Documentation and review

As soon after as is practicable, staff shall make an appropriate notation of the use of restraint in the student's record and notify the building principal of the use of restraint. The principal shall review the use of restraint to determine whether it was in compliance with state law, Board policy, and this regulation.

An order for a chemical restraint, along with reasons for its issuance, shall be recorded in writing at the time of its issuance. A physician shall sign the order at the time of its issuance, if present at the time of the emergency. If authorized by telephone, the order shall be transcribed and signed at the time of its issuance by an individual with the authority to accept telephone medication orders.

Staff trained in the administration of medication shall make notations in the student's record as to the effect of the chemical restraint and the individual's response to the chemical restraint.

Staff members shall note in the record of the student being restrained by mechanical restraints the relief periods granted.

NOTE: Specific laws regarding seclusion of students with mental illness apply. If the school has been designated by the executive director of the department of human services to provide treatment to a mentally ill student, seclusion may be used to eliminate a continuous and serious disruption of the treatment environment.

NOTE: Specific laws regarding the restraint of students with developmental disabilities apply. Please seek the advice of counsel when developing plans for students with developmental disabilities to ensure that development and implementation of plans is consistent with state and federal law.

1st reading 3-9-01

2nd reading 4-24-01

Adoption date 5-8-01

Disciplinary Removal from Classroom

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 administrator 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.

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 the 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 charter school 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.

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

LEGAL REFS.: C.R.S. 22-32-109.1 (2)(a) (II) (policy required part of safe school plan)

CROSS REFS.: JIC, Peer Mediation
JK, Student Discipline and subcodes

First Reading Date: 3-9-2001

Adoption Date: 5-8-2001

Second Reading Date: 4-24-2001

(Revised: 5-9-2001)

Disciplinary Removal from Classroom

Staff, including administrators and teachers, must use their training, experience and authority to create schools and classes where effective learning is possible. Students should be able to attend school and classes as free as reasonably possible from unnecessary and unwarranted distraction and disruption. Such behavior interferes with the classroom environment and will not be tolerated.

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.

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 license issued by the state who is employed to instruct, direct or supervise the instructional program.

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 below 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. It should be noted that building administrators make decisions regarding suspension and the superintendent makes recommendations for expulsion. Thus, a teacher's decision to remove a student from class for behavior covered by district policies regarding suspension and expulsion may, but does not necessarily, mean that the student will also be suspended 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:

- a. Inappropriate physical contact intended or likely to hurt, distract, or annoy others such as hitting, biting, pushing, shoving, poking, pinching, or grabbing;
 - b. Inappropriate verbal conduct intended or likely to upset, distract, or annoy others such as name calling, teasing, or baiting;
 - c. Behavior that may constitute sexual or other harassment;
 - d. 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;
 - e. Throwing any object, particularly one likely to cause harm or damage such as books, pencils, scissors, etc.;
 - f. Inciting other students to act inappropriately or to disobey the teacher or school or class rules, including without limitation, inciting others to walk out;
 - g. Destroying or damaging the property of the school, the teacher or another student; or
 - h. 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:
- a. Open defiance of the teacher, manifest in words, gestures, or other overt behavior;
 - b. Open disrespect of the teacher, manifest in words, gestures, or other overt behavior; or
 - c. 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 should 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. The behavior plan will be similar, if not the same, as a remedial discipline plan developed for disruptive students in accordance with Policy JK. A behavior plan shall be developed after the teacher formally removes a student from class for the second time.

Removal for remainder of term

Upon the third formal removal from class, a student shall be officially removed from the teacher's class for the remainder of the term. The principal shall be responsible for determining the appropriate 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 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 policy and the applicable provisions of state and federal law. All teacher actions under this policy shall be subject to evaluation and supervision by the teacher's supervisor as provided in school district policies and procedures, including the evaluation policy.

December 11, 2000

ADOPTION DATE

Suspension/Expulsion of Students

The Charter Board 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. Since one significant goal of the public schools is to educate the young in citizenship and respect for the law, the Charter Board believes that the constitutional freedoms of the individual pupil deserve scrupulous protection. Therefore the administrator or designee is directed to develop regulations that are calculated to be fair to the pupil involved and to lead to a resolution of contested issues. Such regulations relating to suspension, transfer, expulsion, and denial of admissions will be followed in conformance with Colorado law.

The Charter Board and its designee(s) may 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 and
6. The likelihood that a lesser intervention would properly address the violation

For a student in preschool, kindergarten, first or second grade, the Charter 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, and the administrator 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 administrator's or designee's sole discretion.

As an alternative to suspension, the administrator 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 administrator 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 administrator 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 charter school or be detrimental to the learning environment.

Delegation of Authority

1. Students in third or higher grade levels: The Charter Board delegates to the administrator or a person designated in writing by the administrator the power to suspend a student in third or higher grade levels for not more than five school days on the grounds stated in C.R.S. 22-33-106 (1)(a), (1)(b), (1)(c), or (1)(e) or not more than 10 school days on the grounds stated in C.R.S. 22-33-106 (1)(d) unless expulsion is mandatory under law (see exhibit coded JKD/JKE-E).

Students in preschool through second grade: The Charter Board delegates to the administrator or a person designated in writing by the administrator the power to suspend a preschool, kindergarten, first or second grade in the charter school for not more than three school days on the grounds stated in C.R.S. 22-33-106.1 (2), unless the administrator 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 Charter Board delegates to the administrator of the charter school 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 necessary in order to present the matter to the Charter Board, but the total period of suspension shall not exceed 25 school days.
3. The administrator shall report on each case acted upon at the next meeting of the Charter Board, describing the circumstances and reasons for action taken. Such denial of admission or expulsion by the administrator shall be subject to the appeal to the Charter 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 Charter Board.
4. The Charter Board retains the authority to deny admission to or expel for any period not extending beyond one year any student whom the Charter Board, in accordance with the limitations imposed by Title 22, Article 33, of the Colorado Revised Statutes, shall determine does not qualify for admission to or continued attendance at the charter school.
5. A formal letter will be sent to parents explaining the suspension/expulsion, by the administrator.

Expulsion for Unlawful Sexual Behavior or Crimes of Violence

When a petition is filed in juvenile or district court that alleges a student between the ages of 12-18 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 and the district of residence that the student lives in.

The information shall be used by the Charter Board 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 charter 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 Charter Board shall take appropriate disciplinary action, which may include suspension or expulsion, in accordance with the student code of conduct and related policies.

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

Annual Reports

The Charter Board annually shall report to the state Board of Education the number of students expelled from the charter school for disciplinary reasons or for failure to submit certificates of immunization. Expelled students shall not be included in calculating the dropout rate for the charter school.

LEGAL REFS.: C.R.S. 16-22-102(9) (*unlawful sexual behavior*)
C.R.S. 18-1.3-406 (*crime of violence*)
C.R.S. 22-32-109.1 (2)(a) (*adoption and enforcement of discipline code*)
C.R.S. 22-32-109.1 (2)(a)(I)(E) (*policy required as part of a safe schools plan*)
C.R.S. 22-32-109.1 (3) (*agreements with state agencies*)
C.R.S. 22-33-105 (*suspension, expulsion and denial of admission*)
C.R.S. 22-33-106 (*grounds for suspension, expulsion and denial of admission*)
C.R.S. 22-33-106.1 (*suspension and expulsion for students in preschool through second grade*)
C.R.S. 22-33-106.3 (*use of student's written statements in expulsion hearings*)
C.R.S. 22-33-106.5 (*information concerning offenses committed by students*)
C.R.S. 22-33-107 (*compulsory attendance law*)
C.R.S. 22-33-107.5 (*notice of failure to attend*)
C.R.S. 22-33-108 (*juvenile judicial proceedings*)
C.R.S. 25-4-903 (*immunization*)

CROSS REFS.: GBGB, Staff Personal Security and Safety
JE, Student Attendance
JF, Admission of Students
JICI, Weapons in School
JK-1, Student Discipline –District Conduct and Discipline Code
JK-2, Communication of Disciplinary Information

First Reading Date: 2-15-22

Adoption Date: 3-15-22

Lake George Charter School

Suspension/Expulsion of Students

The Charter Board 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. Since one significant goal of the public schools is to educate the young in citizenship and respect for the law, the Charter Board believes that the constitutional freedoms of the individual pupil deserve scrupulous protection. Therefore the administrator or designee is directed to develop regulations that are calculated to be fair to the pupil involved and to lead to a resolution of contested issues. Such regulations relating to suspension, transfer, expulsion, and denial of admissions will be followed in conformance with Colorado law.

The Charter Board and its designee(s) may 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 and
6. The likelihood that a lesser intervention would properly address the violation

For a student in preschool, kindergarten, first or second grade, the Charter 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, and the administrator 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 administrator's or designee's sole discretion.

As an alternative to suspension, the administrator 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 administrator 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 administrator 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 charter school or be detrimental to the learning environment.

Delegation of Authority

1. Students in third or higher grade levels: The Charter Board delegates to the administrator or a person designated in writing by the administrator the power to suspend a student in third or higher grade levels for not more than five school days on the grounds stated in C.R.S. 22-33-106 (1)(a), (1)(b), (1)(c), or (1)(e) or not more than 10 school days on the grounds stated in C.R.S. 22-33-106 (1)(d) unless expulsion is mandatory under law (see exhibit coded JKD/JKE-E).

Students in preschool through second grade: The Charter Board delegates to the administrator or a person designated in writing by the administrator the power to suspend a preschool, kindergarten, first or second grade in the charter school for not more than three school days on the grounds stated in C.R.S. 22-33-106.1 (2), unless the administrator 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 Charter Board delegates to the administrator of the charter school 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 necessary in order to present the matter to the Charter Board, but the total period of suspension shall not exceed 25 school days.
3. The administrator shall report on each case acted upon at the next meeting of the Charter Board, describing the circumstances and reasons for action taken. Such denial of admission or expulsion by the administrator shall be subject to the appeal to the Charter 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 Charter Board.
4. The Charter Board retains the authority to deny admission to or expel for any period not extending beyond one year any student whom the Charter Board, in accordance with the limitations imposed by Title 22, Article 33, of the Colorado Revised Statutes, shall determine does not qualify for admission to or continued attendance at the charter school.
5. A formal letter will be sent to parents explaining the suspension/expulsion, by the administrator.

Expulsion for Unlawful Sexual Behavior or Crimes of Violence

When a petition is filed in juvenile or district court that alleges a student between the ages of 12-18 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 and the district of residence that the student lives in.

The information shall be used by the Charter Board 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 charter 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 Charter Board shall take appropriate disciplinary action, which may include suspension or expulsion, in accordance with the student code of conduct and related policies.

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

Annual Reports

The Charter Board annually shall report to the state Board of Education the number of students expelled from the charter school for disciplinary reasons or for failure to submit certificates of immunization. Expelled students shall not be included in calculating the dropout rate for the charter school.

LEGAL REFS.: C.R.S. 16-22-102(9) (*unlawful sexual behavior*)
C.R.S. 18-1.3-406 (*crime of violence*)
C.R.S. 22-32-109.1 (2)(a) (*adoption and enforcement of discipline code*)
C.R.S. 22-32-109.1 (2)(a)(I)(E) (*policy required as part of a safe schools plan*)
C.R.S. 22-32-109.1 (3) (*agreements with state agencies*)
C.R.S. 22-33-105 (*suspension, expulsion and denial of admission*)
C.R.S. 22-33-106 (*grounds for suspension, expulsion and denial of admission*)
C.R.S. 22-33-106.1 (*suspension and expulsion for students in preschool through second grade*)
C.R.S. 22-33-106.3 (*use of student's written statements in expulsion hearings*)
C.R.S. 22-33-106.5 (*information concerning offenses committed by students*)
C.R.S. 22-33-107 (*compulsory attendance law*)
C.R.S. 22-33-107.5 (*notice of failure to attend*)
C.R.S. 22-33-108 (*juvenile judicial proceedings*)
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First Reading Date: 2-15-22

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Lake George Charter School

(Prev. Rev.: 9-3-2003)
(Rev.: 2-17-22)

Suspension/Expulsion of Students

A. Procedure for suspension of 10 days or less

Through written policy the Charter Board has delegated to any school administrator the power to suspend a student for not more than five or ten days, depending upon the type of infraction. Pursuant to policy JKD/JKE, the administrator had 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 ten days or less.

The following procedures will be followed in any suspension, unless the student is suspended pending an expulsion proceeding in which case the expulsion procedures will 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, it refers to the student. All references to parent/guardian are intended to also include legal custodian.

1. **Notice.** The administrator or designee 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. A statement of the charges against the student.
 - b. A statement of what the student is accused of doing.
 - c. A statement of the basis of the allegation. Specific names may be withheld if necessary to shield a witness.

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 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 following the meeting with the parent/guardian at which time the best way to transfer custody of the student to the parent/guardian will be determined.
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 charter school following the period of suspension. Students will receive ___% credit for makeup work which is completed satisfactorily.

Note: In determining the amount of credit, pursuant to state law, the goal is to reintegrate the student back into the classroom.

B. Procedure for expulsion or denial of admission

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

1. **Notice.** Not less than _____ days prior to the date of the contemplated action, the Charter Board or an appropriate administrative officer of the charter school 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. A statement of the basic reasons alleged for the contemplated denial of admission or expulsion.
 - b. A statement that a hearing on the question of expulsion or denial of admission will be held if requested by the student or parent/guardian within _____ days after the date of the notice.
 - c. A statement of the date, time, and place of the hearing in the event one is requested.
 - d. A statement that the student may be present at the hearing and hear all information against him or her, that the student will have an opportunity to present such information as is relevant and that the student may be accompanied and represented by a parent/guardian and an attorney.
 - e. A statement that failure to participate in such hearing constitutes a waiver of further rights in the matter.

4. **Conduct of hearing.** A hearing may be requested by the parent/guardian. Such hearing will be conducted by the Charter Board. The hearing may be conducted in open session or may be closed except to those individuals deemed advisable by the Board president but including in all events the student, the parent/guardian and, if requested, an 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 Board may consider and give appropriate weight to such information or evidence he or she deems appropriate. The student or representative may question individuals presenting information.

A sufficient record of the proceedings will 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 Charter Board may retire to executive session to review and discuss the evidence. However, the final decision will be made in public session. The Board will inform the student and the student's parent/guardian of the right to judicial review.

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

If a student is expelled for the remainder of the school year, the charter school will contact the expelled student's parent/guardian at least once every 60 days until the beginning of the next school year to determine whether the child is receiving educational services. Charter school 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 to a juvenile or adult detention facility.

6. **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 charter school 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 administrator 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.

C. Procedure for expulsion for crimes of violence

The following procedures will apply when the charter school receives notification that a student has been charged in juvenile or district court with a crime of violence as 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. The student's behavior was detrimental to the safety or welfare of other student, teachers, or school personnel
 - b. Educating the student in school would disrupt the learning environment, provide a negative example for other students or create a dangerous and unsafe environment for students, teachers, or other school personnel
 - c. Grounds for expulsion of the student exist

The determination may be made in executive session to the extent allowed by state law.

2. If it is determined that the student should not be educated in the charter school and that grounds for expulsion exist, the charter school will proceed with the expulsion of the student in accordance with the procedures set forth above.
3. Alternatively, expulsion proceedings may be postponed, pending the outcome of the court proceedings. If the 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 on-line 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 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 expel the student following the procedures set forth in these regulations.
5. Information regarding the details of the alleged crime of violence will be used by the Board or its designee for the purposes set forth in this policy, but will remain confidential unless the information is otherwise available to the public by law.

First Reading Date: 6-5-2001

Adoption Date: 9-4-2001

Second Reading Date: 8-15-2001 4 of 4

(Revised: 11-15-2001)

Grounds for Suspension/Expulsion

According to Colorado Revised Statutes 22-33-106 (1) (a-e) and 3 (e), the following shall be grounds for suspension or expulsion from a public school:

1. a. Continued willful disobedience or open and persistent defiance of proper authority.
- b. Willful destruction or defacing of school property.
- c. Behavior on or off school property which is detrimental to the welfare or safety of other pupils or of school personnel including behavior which creates a threat of physical harm to the child or other children except that if the child who creates such a threat is a handicapped child pursuant to Section 22-20-103 (4) such child may not be expelled if the actions creating such threat are a manifestation of such child's handicapping condition...
- d. Declaration as an habitually disruptive student for which expulsion shall be mandatory.
 1. For purposes of this paragraph, "habitually disruptive student" means a child who been suspended pursuant to paragraph (a), (b), (c), or (e) of this exhibit three times during the course of the school year for causing a material and substantial disruption in the classroom, on school grounds, in school vehicles or at school activities or events because of behavior that was initiated, willful and overt on the part of the child.
 2. The student and the parent, guardian, or legal custodian shall have been notified in writing of each suspension counted toward declaring the student as habitually disruptive.
 3. No child shall be declared to be an habitually disruptive student prior to the development of a remedial discipline plan for the child that shall address the child's disruptive behavior, personal educational needs, and the goal of keeping the child in school. The remedial discipline plan shall be developed after the first suspension for a material and substantial disruption and reviewed and modified after the second suspension. The district shall encourage and solicit the full participation of the child's parent, guardian, or legal custodian in the development of the remedial discipline plan.
- e. Serious violations in a school building or in or on school property for which suspension or expulsion shall be mandatory, except that expulsion shall be mandatory for the following violations: carrying, bringing, using or possessing a dangerous weapon without the authorization of the school or the school

district, the sale of a drug or controlled substance as defined in C.R.S. 12-22-303 or the commission of an act which if committed by an adult would be robbery pursuant to Part 3, Article 4, Title 18, C.R.S. or assault pursuant to Part 2, Article 3, Title 18, C.R.S. other than the commission of an act that would be third degree assault under C.R.S. 18-3-204 if committed by an adult.

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

- a. A firearm, whether loaded or unloaded, or a firearm facsimile
- b. Any pellet or BB gun or other device, whether operational or not, designed to propel projectiles by spring action or compressed air
- c. A fixed blade knife with a blade that measures three inches or longer in length or a spring loaded knife or a pocket knife with a blade longer than three and one-half inches
- d. Any object, device, instrument, material, or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury
- f. Repeated interference with a school's ability to provide educational opportunities to other students.
- g. Failure to comply with the provisions of Part 9, Article 4, Title 15, C.R.S. (immunization requirements). Any suspension, expulsion or 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.

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

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

Suspension/Expulsion of Handicapped Students

Special education students are neither immune from a school district's disciplinary process nor entitled to participate in programs when their behavior impairs the education of other students.

A special education student may be temporarily suspended from school if exclusion is warranted because of the student's disruptive activities and/or actions which present a physical danger to the student, other students, school personnel or school property.

A special education student whose behavior is determined to be a manifestation of a handicap may not be expelled but shall have the individual education plan (IEP) reviewed by the appropriate IEP team. The team shall review the IEP for appropriateness of services and the need for a more restrictive or alternate placement.

A special education student whose behavior creates a threat of physical harm to the student or other students may not be expelled if the actions creating the threat are a manifestation of the handicap. However the student shall be removed from the classroom to an appropriate alternative setting within the district for a length of time which is consistent with federal law. Within 10 days, the school in which the student is enrolled shall arrange for a re-examination of his IEP to amend the plan as necessary to insure that the needs of the student are addressed in a more appropriate manner or setting which is less disruptive to other students.

Legal counsel and the special education director shall be consulted prior to consideration of expulsion of a special education student for misbehavior that is not related to his handicapping condition.

Adopted March 13, 1978

Revised to conform with practice: date of manual revision

LEGAL REF.: C.R.S. 22-33-106 (1)(c)

Suspension/Expulsion of Handicapped Students

Special education students who engage in disruptive activities and/or actions dangerous to themselves or others may be suspended from school by the principal following Board policies for all students.

Following each such suspension, the principal shall contact the director of special education.

Such suspensions must be for a definite period of time, not longer than 10 days. Such suspensions shall not be considered a change of placement.

Prior to a student's return from suspension, the special education placement team will hold a review of the student's Individual Educational Plan (IEP) to determine its appropriateness and the need for a more restricted or alternate placement. Repeated suspension may not be used as a device to change a student's placement without the procedural safeguards provided in federal law.

In extreme cases in which the district and the parents disagree about the placement of a disruptive special education student, the Board of Education may seek a court injunction allowing the district to place the student over the parents' objection.

None of the above procedures shall prohibit an 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.

Approved March 13, 1978

Revised to conform with practice: date of manual revision

Educational Alternatives for Expelled Students

Upon request of a student or the student's parent/guardian, the district shall provide services for any student expelled from the school district. The services will be designed to enable the student to return to school or to successfully complete the GED, whichever is deemed appropriate by the district, the student's parent/guardian and the student.

The services may be provided directly by the district or through agreements with state agencies and community organizations entered into pursuant to state law.

The superintendent is directed to apply for moneys through the expelled student services grant program established by Colorado law to assist in providing such services.

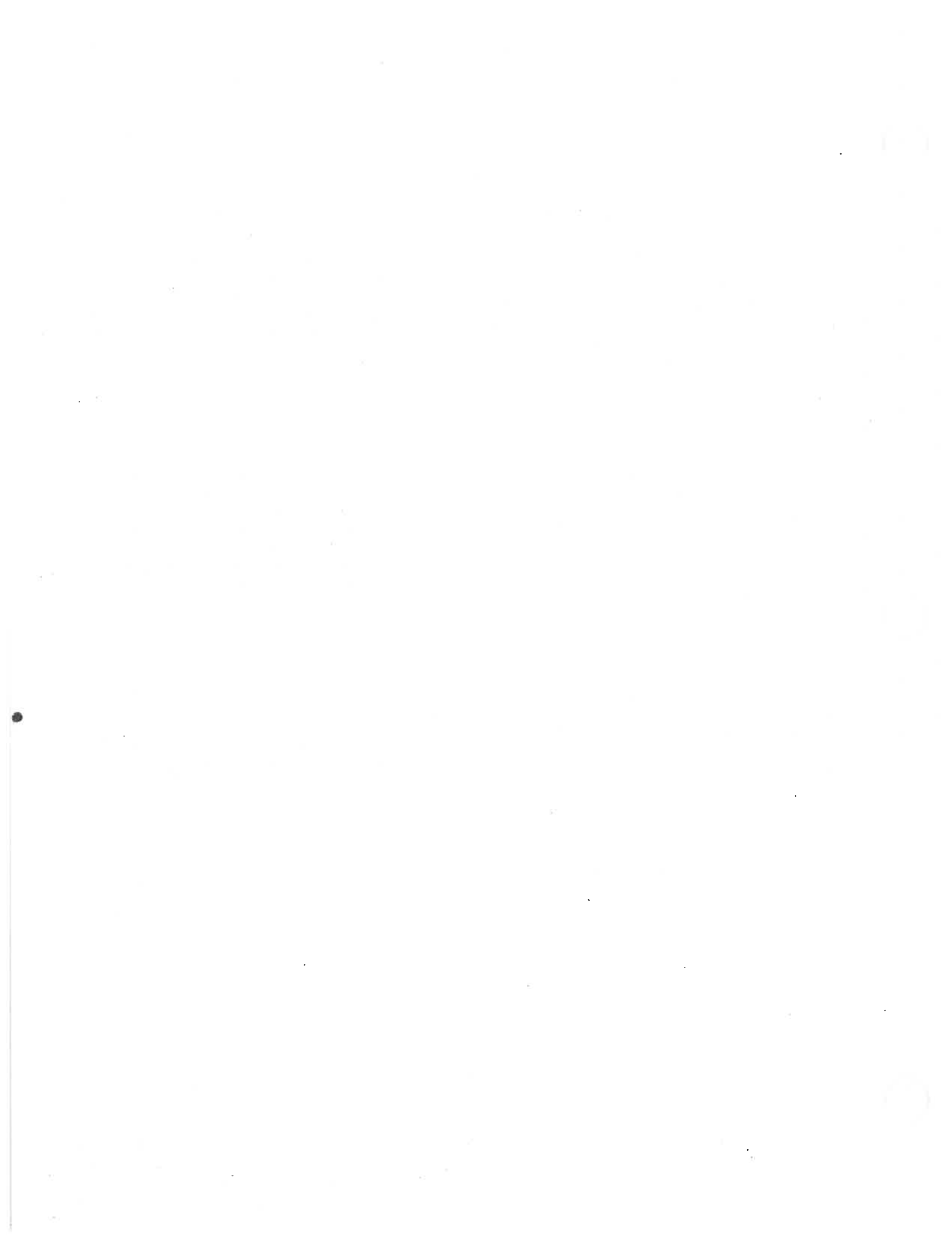
All expelled students receiving services will be included in the district's pupil enrollment.

Note: If the expelling school district expelled fewer than fifty students during the preceding school year, the expelling district may provide services in cooperation with one or more other school districts, BOCES or pilot schools. If so, 80% of PPOR, reduced in proportion to the amount of time remaining in the school year, will be transferred from the expelling district to the entity providing the services.

(Adoption date)

LEGAL REFS.: C.R.S. 22-33-203
C.R.S. 22-33-204

CROSS REFS.: JIC, Student Conduct, and subcodes
JK, Student Discipline, and subcodes



Student Insurance Programs

A student accident insurance program providing broad coverage at nominal cost to parents shall be made available to all students. Such protection, when purchased by the parent, shall cover the student while at school, on the way to and from school and when engaged in school-sponsored activities either on school grounds or elsewhere. Through this plan, additional insurance coverage may be purchased which will cover students participating in interscholastic athletics.

Before any student will be permitted to participate in any school sports activity, this insurance must be purchased or a waiver must be presented that absolves the school district of any liability for accidents.

Adopted March 13, 1978

Revised to conform with practice: date of manual revision

Student Health Services and Requirements

The purpose of the school health program shall be to supplement the efforts and guidance of parents to bring about an awareness on the part of students of regular health care.

The objectives of the school health program are:

1. To promote good health habits among students.
2. To stimulate a sanitary and healthful environment in school.
3. To assist in detecting and recommending correction for medical, psychological and physical handicaps.

Health records

Health records shall be maintained by the nursing staff and kept in the student's cumulative record folder.

Annual screening programs

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

The parents or guardian shall be informed when a deficiency is found.

This provision shall not apply to any student whose parent or guardian objects on religious or personal grounds.

Dental health

The school district shall participate in programs to encourage good dental health including instruction, dental examination clinics and referrals to agencies which can provide aid for those in need.

Communicable diseases

Student showing symptom of a communicable disease, an infectious condition, or illness or disability of a serious nature shall be referred to the school nurse. The school nurse shall report to the principal for appropriate action the names of students with communicable diseases.

Adopted July 8, 1991

Revised to conform with practice: date of manual revision

LEGAL REFS.: C.R.S. 18-6-101
C.R.S. 22-1-116
C.R.S. 22-32-110 (1)(bb)
C.R.S. 22-33-106 (2)
C.R.S. 25-4-901 *et seq.*
C.R.S. 25-6-102

CROSS REFS.: JEC, Student Admissions to/Withdrawals from School
JHD, Exclusions and Exemption from School Attendance
JLCB, Immunization of Students
JLCC, Communicable/Infectious Diseases
JLCCA, Students with HIV/AIDS
JLCD, Administering Medicines to Students

Physical Examinations of Students

Parents shall be encouraged to have their children physically examined prior to entering school and again prior to the fourth, seventh and tenth grades. A dental examination also shall be strongly suggested.

In any case where physical exercise is rather strenuous (such as physical education classes) and a student has any physical impairment whatsoever, the student may be required to present authorization for such participation from a physician.

Students may be excused from physical education activities and from curricular requirements relating to physical education activities upon the statement from a physician that such participation would be injurious to their health.

Teachers shall be alert to the general well-being of students and shall refer any questionable situations to the school principal.

Parental consent

Parental consent shall be required for all examinations noted above if given by a school physician or under auspices of the school. However, parental consent shall not be mandatory to refer a student to public health or other doctors for medical services in connection with pregnancy, venereal disease, alcohol use or drug abuse. The district shall encourage students to seek health services related to such problems with or without parental consent.

Adopted March 13, 1978

Revised to conform with practice: date of manual revision

LEGAL REFS.: C.R.S. 18-6-101
C.R.S. 25-4-402
C.R.S. 25-6-102

CROSS REFS.: IMBB, Exemptions from Required Instruction
JJID, Student Physicals for School Athletics

Immunization of Students

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

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

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

LEGAL REF: C.R.S. 22-33-106
C.R.S. 25-4-901 *et seq.*
6 CCR. 1009-2

CROSS REF: JFC, Student Admission to/Withdrawals from School
JHD, Exclusions and Exemptions from School Attendance
JKD/JKE, Suspension/Expulsion of Students
JRA, Student Records

First Reading Date: 8-5-2003
Adoption Date: 9-2-2003

Lake George Charter School

(Rev. 9-3-2003)

Immunization of Students

1. No student may attend school in the district unless the student has presented to the school an up to date certificate of immunization or a completed exemption form. A student shall be exempted only upon submission of:
 - a. certification from a licensed physician that the physical condition of the child is such that immunization would endanger the child's life or health
 - b. statement signed by one parent/guardian or the emancipated child that he or she adheres to a religious belief whose teachings are opposed to immunizations
 - c. statement signed by one parent/guardian or the emancipated child that he or she holds a personal belief that is opposed to immunizations

In the event of an outbreak of disease against which immunization is required, no exemption will be recognized and those students will be excluded from school.

[Note: Paragraphs 2 thru 4 will need to be updated annually to conform to the Health Department schedules for immunizations]

2. All students entering preschool and kindergarten are required to receive three doses of hepatitis B vaccine, in addition to the other required immunizations, prior to admission.
3. All students entering seventh grade must have an updated immunization record showing a second measles, mumps and rubella immunization and three doses of hepatitis B vaccine.
4. All students must comply with the hepatitis B vaccine requirements, according to the schedule published by the Health Department, by July 1, 2003.
5. The district will provide upon request an immunization form as required by the Health Department. The (appropriate school official, e.g., school nurse, principal) is responsible for seeing that required information is included on the form.
6. If there is a failure to comply with the immunization requirements, the (appropriate school official) will personally notify the parent/guardian or emancipated student. Such notification will be accomplished either by telephone or in person. If this is not possible, contact will be by mail. Emancipated students must be contacted directly rather than through their parents/guardians.

The parent/guardian or emancipated student will be notified of the following:

- a. that up to date immunizations are required under Colorado law
 - b. that within fourteen (14) days of notification, the parent/guardian must submit either an authorization for administration of the immunization by health officials or a valid exemption or documentation to the school showing that the next required immunization has been given and a written plan for completion of all required immunizations
 - c. that if the required documentation is not submitted within fourteen (14) days of notification or if the student begins but does not continue or complete the written plan, the student will be suspended or expelled.
7. A student who fails to comply will be suspended by the principal for up to five days and notice of the suspension sent to the Health Department.
 8. If no certificate of immunization is received during the period of suspension, the superintendent will institute proceedings for expulsion.
 9. Any suspension or expulsion under this policy will terminate automatically upon compliance.
 10. Record of any such suspension or expulsion will be contained in the student's health file, with an appropriate explanation—not in the student's disciplinary file.
 11. Any student expelled for failure to comply with the immunization requirements will not be included in calculating the dropout rate, but will be included in the annual report to the State Board of Education.

Approved June 9, 1997

Communicable/Infectious Diseases

The school district is required to provide educational services to all school age children who reside within its boundaries. By law, however, admission to school may be denied to any child diagnosed as having a disease whereby his attendance could be harmful to the welfare of other students.

The Board of Education recognizes that communicable diseases which may afflict students range from common childhood diseases, acute and short-term in nature, to chronic, life-threatening diseases such as human immunodeficiency virus (HIV) infection. This school district shall rely on the advice of the medical community in assessing the risk of transmission of various communicable diseases to determine how best to protect the health of both students and staff.

Management of common communicable diseases shall be in accordance with Colorado Department of Health guidelines. A student who exhibits symptoms of a readily-transmissible communicable disease may be temporarily excluded from school attendance.

Students who complain of illness at school may be referred to the school nurse and may be sent home by the principal as soon as the parent or person designated on the student's emergency medical authorization form has been notified.

The district reserves the right to require a physician's statement authorizing the student's return to school.

In all proceedings related to this policy, the district shall respect the student's right to privacy.

When information is received by a staff member or volunteer that a student is afflicted with a serious, readily-transmissible disease, the staff member or volunteer shall promptly notify the school nurse or principal to determine appropriate measures to protect student and staff health and safety. The principal shall determine which additional staff members, if any, have need to know of the affected student's condition. Only those persons with direct responsibility for the care of the student shall be informed of the specific nature of the condition if it is determined there is a need for such individuals to know this information.

Parents of other children attending the school may be notified that their child has been exposed to a communicable disease without identifying the particular student who has the disease.

The superintendent shall initiate procedures to insure that all medical information will be held in strict confidence. Any school staff member who violates confidentiality shall be subject to appropriate disciplinary measures.

Current practice codified October 1996
Adopted: date of manual revision

LEGAL REFS.: C.R.S. 22-33-104 (2)(a)
C.R.S. 22-33-106 (2)

CROSS REFS.: EBBA, Prevention of Disease/Infection Transmission
JHD, Exclusions and Exemptions from School Attendance
JLCA, Physical Examinations of Students
JLCCA, Students with HIV/AIDS
JLCE, First Aid
JRA/JRC, Student Records/Release of Information on Students

*Note: See Colorado Department of Health guidelines,
"Infectious Disease Flipchart for School
Personnel," available in each school building.*

Students with HIV/AIDS

AIDS stands for acquired immune deficiency syndrome. It is a disease caused by the human immune deficiency virus (HIV); the virus that causes AIDS.

The school district shall ensure that relevant information and laboratory test results of an involved student are kept confidential.

The Board recognizes that an individual's medical diagnosis is privileged information between the patient and medical professionals. However, whenever a student's medical condition is such that it interferes with the ability to perform school assignments, or there is a risk to the health or safety to other students, the district has a responsibility to take the necessary steps to evaluate the student's condition and make appropriate educational safety decisions.

Any student who becomes aware of a long-term communicable disease, which, although life-threatening, poses little risk of transmission in a school setting, is expected to report the disease affliction to a designated school employee (principal/school nurse). The school district shall follow procedures to evaluate the student's status in accordance with law.

To encourage disclosure, the district shall endeavor to treat afflicted students in a fair, non-discriminatory, and confidential manner, consistent with the district's legal obligations.

HIV curriculum

The school district will develop and update a medically correct AIDS prevention curriculum for use at the Jr./Sr. High School.

The school district is urged to provide every junior/senior high school student, with parental consent, education on HIV infection and AIDS and its prevention.

If it becomes necessary, some reasonable accommodations should be made to enable students to continue in the normal educational process. This could include home bound instruction.

Adopted March 8, 1993

Revised to conform with practice: date of manual revision

LEGAL REFS.: 20 U.S.C. §1401 *et seq.* (P.L. 94-142, Individuals with Disabilities Education Act)
29 U.S.C. §794 (1983) (Section 504 of the Rehabilitation Act)
42 U.S.C. §1201 *et seq.* (Americans with Disabilities Act)
C.R.S. 22-20-101 through 22-20-114 (Exceptional Children's Education Act)
C.R.S. 22-33-104 (2)(a)
C.R.S. 22-33-106 (2)

CROSS REFS.: ACE, Nondiscrimination on the Basis of Handicap/Disability
EBBA, Prevention of Disease/Infection Transmission
IHBA, Special Education/Programs for Handicapped/Disabled/Exceptional Students
JB, Equal Educational Opportunities
JEC, Student Admissions to/Withdrawal from School
JHD, Exclusions and Exemptions from School Attendance
JLCA, Physical Examinations of Students
JRA/JRC, Student Records/Release of Information on Students

Administering Medicines to Students

School personnel shall not administer prescription or nonprescription medications to students unless appropriate administration cannot reasonably be accomplished outside of school hours and the student's parent/guardian is not available to administer the medication during the school day.

Medication may be administered to students by school personnel whom a registered nurse has trained and delegated the task of administering such medication. For purposes of this policy, the term "medication" includes both prescription medication and nonprescription medication but does not include medical marijuana. The term "nonprescription medication" includes but is not limited to over-the-counter medications, homeopathic, and herbal medications, vitamins, and nutritional supplements. Medication may be administered to students by the school nurse or other school designee only when the following requirements are met:

1. Medication shall be in the original properly labeled container. If it is a prescription medication, the student's name, name of the medication, dosage, how often it is to be administered, and name of the prescribing health care practitioner shall be printed on the container.
2. The school shall have received written permission to administer the medication from the student's health care practitioner with prescriptive authority under Colorado law.
3. The school shall have received written permission from the student's parent/guardian to administer the medication to the student.
4. The parent/guardian shall be responsible for providing all medication to the administered to the student.

Self-administration of medication for asthma, allergies, or anaphylaxis

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

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

Student possession, use, distribution, sale or being under the influence of medication inconsistent with this policy shall be considered a violation of policy JICH, Drug and Alcohol Use by Students and may subject the student to disciplinary consequences, including suspension and/or expulsion, in accordance with policy JICH.

LEGAL REFS.: C.R.S. 12-38-132 (*delegation of nursing tasks*)
C.R.S. 22-1-119 (*no liability for adverse drug reactions/side effects*)
C.R.S. 22-1-119.5 (*Colorado Schoolchildren's Asthma and Anaphylaxis Health Management Act*)
C.R.S. 22-1-119.3 (3)(c)(d) (*no student possession or self-administration of medical marijuana, but school districts must permit the student's primary caregiver to administer medical marijuana to the student on school grounds, on a school bus or at a school-sponsored event*)
C.R.S. 22-2-135 (*Colorado School Children's Food Allergy and Anaphylaxis Management Act*)
C.R.S. 24-10-101 et seq. (*Colorado Governmental Immunity Act*)
1 CCR 301-68 (*State Board of Education rules regarding student possession and administration of asthma, allergy and anaphylaxis management medications or other prescription medications.*)
6 CCR 1010-6, Rule 6.13 (*requirements for health services in schools*)

CROSS REF.: JICH, Drug and Alcohol Involvement by Students
JKD/JKE, Suspension/Expulsion of Students (and Other Disciplinary Interventions)
JLCDA*, Students with Food Allergies
JLCE, First Aid and Emergency Medical Care

First Reading Date: 11-8-2016

Adoption Date: 12-13-2016

Lake George Charter School

Administering Medicines to Students

If under exceptional circumstances a student is required to take oral medication during school hours and the parent cannot be at school to administer medications, only the school nurse or the nurse's designee will administer the medication in compliance with the following regulations.

1. All directives of the accompanying policy will be followed.
2. Written orders from the student's physician must be on file in the school stating:
 - a. Student's name
 - b. Name of drug
 - c. Dosage
 - d. Purpose of the medication
 - e. Time of day medication is to be given
 - f. Anticipated number of days it needs to be given in school
 - g. Possible side effects
3. The medication must be brought to school in a container appropriately labeled by the pharmacy or physician.
4. An individual record will be kept of such prescription medications administered by school personnel.
5. Medication will be stored in a clean, locked cabinet or container.
6. A permission slip to administer Tylenol to a student when his temperature is above 101.5° may be submitted to the school by the parent or legal guardian.

Unless these requirements can be met, medication will not be administered at school.

Procedure

- Identify student
- Identify medication
 - Note student's name on bottle
 - Note date of medication on bottle
 - Note name of medication on bottle

- Note dosage of medication on bottle
- Note instructions on bottle for giving the medication
- Compare information on medication bottle with medication record information
- Doctor's order should be attached to medication record or noted to be in file
- Check to see that the medication has not been given already for that day and time by another school person
- Administer the medication to the student as directed
- Record time the medication was given on student's medication record
- Return medication to locked medication cupboard

Current practice codified October 1996

Approved: date of manual revision

First Aid and Emergency Medical Care

No treatment of injuries except first aid shall be permitted in the schools. First aid is that immediate help given by the best qualified person at hand in case of accident or sudden illness.

At least one person in each building shall have had special training in first aid. A master first aid kit shall be kept and properly maintained in each school.

Any person who in good faith provides emergency care or assistance without compensation at the place of the emergency or accident shall not be liable for any civil damages for acts or omissions in good faith.

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

No drugs shall be given at any time unless it be aromatic spirits of ammonia in case of fainting. The administering of aspirin for headaches or pain or the giving of sodium bicarbonate is forbidden.

The school's obligation continues after the emergency until the injured person has been placed in the care of the family or the family physician. Therefore, the parents of all students shall be asked to sign and submit an emergency medical authorization form which shall indicate the procedure they wish the school to follow in event of a medical emergency involving their child.

In all cases where the nature of an illness or an injury appear serious, the parent or guardian shall be contacted if possible and the instructions on the student's emergency card followed. Thus in extreme emergencies, arrangements usually may be made for a student's immediate hospitalization whether or not the parent or guardian can be reached.

No young child who is ill or injured shall be sent home alone nor shall an older child unless the illness is minor and the parent or guardian has been informed in advance.

Current practice codified October 1996
Adopted: date of manual revision

LEGAL REFS.: C.R.S. 13-21-108
C.R.S. 24-10-106.5

File: JLCE

CROSS REFS.: JLIB, Student Dismissal Precautions
JLCD, Administering Medicines to Students

Park County School District Re-2, Fairplay, Colorado

2 of 2

Screening/Testing of Students (And Treatment of Mental Disorders)

Students shall not be required to submit to any psychiatric or psychological methods or procedures for the purpose of diagnosis, assessment, or treatment of any emotional, behavioral, or mental disorder or disability as part of any classroom or instructional activity without parental knowledge and consent.

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

Psychological tests shall be administered to students only by appropriately certified school personnel employed for this purpose or by interns under their supervision. Adherence to this policy shall insure quality psychological services and shall protect the educational rights, dignity, and privacy of students and parents.

Psychological examination and testing shall be made only after informed and written consent of the student's parents or guardian is obtained unless the student is of legal age to give his informed and written consent. Psychological data shall be only one of several criteria for determining any change in a student's educational program. Psychological data older than three years shall not be used as the basis for prescriptive teaching or placement.

The giving of parental permission for evaluation in anticipation of a special education staffing and possible provision of services for a handicapped student and any subsequent approval for the provision of such services is governed by state and federal law and is outside the scope of this policy. This policy is in addition to and does not supersede any other legal rights or obligations of parents and students.

Ordinary classroom instruction, activities and techniques involving the approved curriculum which teach about psychological or psychiatric methods or procedures shall be permissible and considered outside the scope of this policy. It is understood that there is a significant difference between practicing therapy and providing activities that may be therapeutic in nature. In all cases, care must be exercised to protect the privacy of students.

LEGAL REF: C.R.S. 12-43-202
C.R.S. 22-32-109.2

CROSS REF: GCS, Professional Research and Publishing
ILBA, District Program Assessments
ILBB, State Program Assessments
JID, Students of Legal Age
JRA/JRC, Student Records/Release of Information on Students
LC, Relations with Education Research Agencies

First Reading Date: 8-5-2003

Adoption Date: 9-2-2003

Lake George Charter School

REPORTING CHILD ABUSE/CHILD PROTECTION

It is the policy of the Charter Board that this charter school will comply with the Child Protection Act.

To that end, any charter school official or employee who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect, as defined by statute, shall immediately report or cause a report to be made to the appropriate county **department of social services or local law enforcement agency**. Failure to report promptly may result in civil and/or criminal liability. A person who reports child abuse or neglect in good faith is immune from civil or criminal liability.

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

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

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

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

LEGAL REFS: C.R.S. 19-1-103(1)(definition of child abuse or neglect)
C.R.S. 19-3-102 & 103(definition of neglected or dependant child)
C.R.S. 19-3-304(persons required to report abuse)
C.R.S. 19-3-307(reporting procedures)
C.R.S. 19-3-309(immunity from liability for persons reporting)
C.R.S. 22-32-109(1)(z)(providing inservice for teachers)

CROSS REF: GBEB, Staff Conduct
GBGB, Staff Personal Security and Safety

Note: The law cited above grants school employees and other persons who report or Facilitate investigation of child abuse immunity from liability that might otherwise be Incurred, except for making maliciously false statements.

First Reading Date: 2-15-22

Adoption Date: 3-15-22

Lake George Charter School

(Rev.: 9-4-2001)

(Rev.: 2-17-22)

Reporting Child Abuse/Child Protection

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

To that end, any school official or employee who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect, as defined by statute, shall immediately report or cause a report to be made to the appropriate county department of social services or local law enforcement agency.

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

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

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

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

(Adoption date)

LEGAL REFS.: C.R.S. 19-1-120 (1)(a)
C.R.S. 19-3-304
C.R.S. 19-3-307
C.R.S. 19-3-309
C.R.S. 22-32-109 (1)(z)

CROSS REF.: GBGB, Staff Personal Security and Safety

NOTE: The fourth section of the law cited above grants school employees and other persons who report or facilitate investigation of instances of child abuse immunity from any liability that might otherwise be incurred, except for making maliciously false statements.

Reporting Child Abuse/Child Protection

1. Definition of abuse or neglect

Child abuse or neglect is defined in law as “an act or omission which seriously threatens the health or welfare of a child.” Specifically, this refers to:

- a. Evidence of skin bruising, bleeding, malnutrition, failure to thrive, burns, fracture of any bone, subdural hematoma, soft tissue swelling, or death and such condition or death which is not justifiably explained or where the history given concerning such condition or death is at variance with the condition or the circumstances indicate that the condition may not be the product of an accidental occurrence.
- b. Any case in which a child is subject to sexual assault or molestation, sexual exploitation, or prostitution.
- c. Any case in which a child is in need of services because the child’s parents, legal guardians, or custodians fail to take the same actions to provide adequate food, clothing, shelter, medical care, or supervision that a prudent parent would take.
- d. Any case in which a child is subjected to emotional abuse which means an identifiable and substantial impairment of the child’s intellectual or psychological functioning, or development, or a substantial risk or impairment of the child’s intellectual, or psychological functioning or development.
- e. Any act or omission described as neglect in state law as follows:
 - i) A parent, guardian, or legal custodian has abandoned the child or has subjected him or her to mistreatment or abuse or allowed another to mistreat or abuse the child without taking lawful means to stop such mistreatment or abuse and prevent it from recurring.
 - ii) The child lacks proper parental care through the actions or omissions of the parent, guardian, or legal custodian.
 - iii) The child’s environment is injurious to his or her welfare.
 - iv) A parent, guardian, or legal custodian fails or refuses to provide the child with proper or necessary subsistence, education, medical care or any other care necessary for his or her health, guidance, or well-being.
 - v) The child is homeless, without proper care or not domiciled with his or her parent, guardian, or legal custodian through no fault of such parent, guardian, or legal custodian.
 - vi) The child has run away from home or is otherwise beyond the control of his or her parent, guardian, or legal custodian.
 - vii) A parent, guardian, or legal custodian has subjected another child or children to an identifiable pattern of habitual abuse and the parent, guardian, or legal custodian has been the respondent in another proceeding in which a court has adjudicated another child to be neglected or dependent based upon allegations of sexual or physical abuse or has determined that such parent’s, guardian’s, or legal custodian’s abuse or neglect caused the death of another child; and the pattern of habitual abuse and the type of abuse pose a current threat to the child.

2. Reporting requirements

Any school employee who has reasonable cause to know or suspect that any child is subjected to abuse or to conditions that might result in abuse or neglect must report such fact to the Park or Teller County Department of Social Services or the Park County Sheriff's Department. The employee must follow any oral report with a written report sent to the appropriate agency.

In cases where the suspected or known perpetrator is a school employee, the report should be made to the law enforcement agency. (Reports made to social services will be referred to law enforcement.)

If a child is in immediate danger, the employee should call 911. "Immediate" refers to abuse that occurs in the employee's presence or has just occurred.

The employee reporting suspected abuse/neglect to social services or law enforcement officials must inform the school administrator as soon as possible orally or with a written memo. The ultimate responsibility for seeing that the oral and written reports are made to social services or law enforcement agencies lies with the school official or employee who had the original concern.

3. Contents of the report

The following information should be included to the extent possible in the initial report:

- a. Name, age, address, sex, and race of the child.
- b. Name and address of the child's parents, guardians, and/or persons with whom the student lives.
- c. Name and address of the person, if known, believed responsible for the suspected abuse or neglect.
- d. The nature and extent of the child's injury or condition as well as any evidence of previous instances of known or suspected abuse or neglect of the child or the child's siblings-all with dates as appropriate.
- e. The family composition, if known.
- f. Any action taken by the person making the report.
- g. Any other information that might be helpful in establishing the cause of the injuries or the condition observed.

It is helpful if the person reporting suspected abuse/neglect is prepared to give documentation. Thus, noting details of observations is important. It is permissible for the school official or employee to conduct a preliminary non-investigative inquiry of any injury or injuries under the following circumstances:

- a. School personnel may inquire of the child how an injury occurred. Leading and/or suggestive questions should be avoided. School personnel may not contact the child's family or any other person suspected of causing the injury or abuse to determine the cause of the suspected abuse or neglect.
- b. A school employee's reasonable cause to suspect that the child has been subjected to abuse or neglect may arise from a child's vague or inconsistent response to such an inquiry or from an explanation which does not fit the injury.
- c. All efforts must be made to avoid duplicate or numerous interviews of the victim.

4. After filing reports

After the report is made to the agency, charter school staff members will cooperate with social services and law enforcement in the investigation of alleged abuse or neglect. The school will report any further incidents of abuse to the agency's representative.

As the case is being investigated, the school will provide supportive aid and counseling services for the child.

Once a report of child abuse is given to the agency, the responsibility for investigation and follow-up lies with the agency. It is not the responsibility of the school staff to investigate the case. Therefore, the school staff will not engage in the following activities:

- a. Make home visits for investigative purposes.
- b. Take the child for medical treatment. (This does not preclude taking action in an emergency situation.)
- c. Convey messages between the agency and the parents/guardian.

Authorized school personnel may make available to agency personnel assigned to investigate instances of child abuse the health or other records of a student for such investigative purposes.

5. Guidelines for consideration

- a. If any school employee has questions about reasonable cause of child abuse and the need for making a report, the employee may consult with the administrator. If the administrator is not available, a direct call to the county department or social services about concerns is advisable.

Note that consultation with another school official or employee will not absolve the school official or employee of the responsibility for reporting child abuse.

- b. In an emergency situation requiring retention of the child at the school building due to fear that if released the child's health or welfare might be in danger, it should be observed that only law enforcement officials have the legal authority to hold a child at school. Otherwise a court order must be obtained to legally withhold a child from his parent or guardian.
- c. When any school official or employee has a question about the thorough investigation of suspected abuse/neglect following the filing of a report, the employee or official should contact the administrator.
- d. While all school officials and employees are reminded of their legal responsibility to report suspected cases of abuse or neglect, they may be assured that reports will be investigated by trained professionals and that there are more supportive and therapeutic treatment alternatives available for parents/guardians, and/or other persons with whom the student lives than there have been in the past.
- e. The confidential nature of information pertinent to child abuse or neglect cases is a matter to be emphasized both legally and humanely.

First Reading Date: 6-5-2001

Adoption Date: 9-4-2001

Second Reading Date: 8-15-2001

(Revised: 11-15-2001)

Lake George Charter School

Department of Social Services Referral Form

Fairplay
719-836-0508
Fax: 719-836-0508

Bailey
303-838-0082
Sheriff's Dispatch
719-836-2494

Denver
303-980-1836

Child's name _____ D.O.B. _____ Sex _____

Date Reported _____ Time _____

Request made for investigation feedback? ____ Yes ____ No

Person reporting abuse _____

School _____ Position _____

Parents/Guardian Name _____

Address _____

Place of Employment _____

Home Phone _____ Work Phone _____

Alleged Perpetrator(s)	Relationship	Address/Phone Number
_____	_____	_____
_____	_____	_____
_____	_____	_____

Any Siblings? ____ Yes ____ No

Reason/Background for referral:

Signature

*Please file a copy of this form in the Building Principal's office.
Park County School District Re-2, Fairplay, Colorado*

Student Safety

The district shall provide for the safety of its students through close supervision in all school buildings and on all school grounds and through special attention to the following:

1. Maintaining a safe school environment. (Safety experts shall be called in periodically to inspect the physical condition of all buildings and grounds.)
2. Emphasizing of safe practices on the part of school personnel and students, particularly in those areas of instruction or extracurricular activities which offer special hazards.
3. Offering safety education to students as germane to particular subjects such as laboratory science courses, shop courses and health and physical education.
4. Providing first-aid care for students in case of accident or sudden illness.

The administration shall develop safety regulations pertinent to the above as well as other ways in which student safety requires special supervision and protection.

Adopted March 13, 1978

Revised to conform with practice: date of manual revision

LEGAL REFS.: C.R.S. 22-3-101 through 22-3-104
C.R.S. 22-32-124 (2),(3)
C.R.S. 24-10-106.5

CROSS REF.: JLCE, First Aid and Emergency Medical Care

Student Dismissal Precautions

The school is legally responsible for the health and safety of its students during the school day. Therefore, each school shall set up procedures to validate requests for early dismissal to insure that students are released only for proper reasons and into proper hands.

Under no circumstances shall teachers dismiss a student from school prior to the end of the school day or into any person's custody without the direct prior approval and knowledge of the building principal.

The principal shall not excuse a student under the age of 18 before the end of a school day without a request for the early dismissal from the student's parents. In keeping with this policy, it becomes prudent that:

1. No student be released from school early on the basis of an unvalidated telephone call.
2. Children of estranged parents be released only upon the request of the parent whom a Colorado court holds directly responsible for the child and who is the parent or guardian registered on the school record.

An elementary student shall be sent home only with a parent or, if the parent is not available, with another authorized adult.

Additional precautions shall be taken by the principals as needs arise.

Adopted March 13, 1978

Revised to conform with practice: date of manual revision

Student Dismissal Precautions

1. The enrollment records of the district will include information regarding the marital status of a student's parents. Such status will be reviewed each year. The parents will be informed that this information is requested solely to protect their rights as parents.
2. If a student's parents are divorced or legally separated, district personnel will request a copy of the legal document pertaining to child custody.
3. The school secretary will keep a card file easily accessible to the principal to flag the files of students whose parents are divorced or legally separated or have other special custody arrangements.
4. If a person whom the principal does not recognize appears at school requesting the early dismissal of a student, the principal will ask for identification such as a driver's license.

Approved March 13, 1978

Revised to conform with practice: date of manual revision

Crossing Guards

The safety of students traveling to and from school is a concern shared by parents/guardians, citizens, law enforcement officials, the district and students themselves. In keeping with the responsibility for supervision of a safety program at their school, principals may appoint volunteer adult crossing guards according to the following factors:

1. Volume of traffic during hours of student use
2. Speed of vehicles during hours of student use
3. Number of students using crossing
4. Width of the roadway
5. Number of through traffic lanes
6. Number of traffic lanes turning through crossing
7. Existing traffic control devices
8. Lack of sidewalks or conditions which require students to walk close to traffic
9. Crossing of railroad tracks
10. Restricted visibility
11. Accident rate at crossing
12. Any other factors which substantially impact safety

If a principal concludes that there is a need for adult crossing guards and no volunteers are forthcoming, the principal shall recommend to the superintendent that provisions be made in the budget for hiring adult crossing guards. The recommendation will specify the number of guards needed, the location of guards, work hours, wages and benefits.

In addition to district funding, the district will seek grants and partnerships with other organizations to fund the crossing guard positions.

Upon hiring or appointing adult crossing guards, the district will work with local law enforcement officials and other safety organizations to train and supervise the guards. All guards will complete a mandatory training program prior to undertaking any guard duties.

Each principal will continue to encourage parents/guardians to take all measures to ensure the safety of their children, including escorting them to and from school.

(Adoption date)

LEGAL REFS.: CRS 13-21-115.6 (*school district and guard are immune from civil liability for negligence as long as guard is acting within scope of official duties*)
CRS 24-10-106.5 (*duty of care owed by public entities and employees*)

CROSS REF.: EB, Environmental and Safety Program

Student Donations and Gifts

Solicitations

The solicitation of donations and contributions from students shall be restricted to drives approved by the Board.

Any outside organization desiring to distribute flyers or other materials to students in connection with fund drives may do so only with the approval of the superintendent.

Adopted March 13, 1978

Revised to conform with practice: date of manual revision

CROSS REFS.: GBEB, Gifts to and Solicitations by Staff
KHA/KHB, Public Solicitations/Advertising in Schools

Student Fees, Fines and Charges

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 charter school's educational program except tuition when allowed by law. However, the charter school 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 Charter Board. The fee shall remain in place until modified or removed by Charter Board resolution. All student fees adopted by the Charter 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 charter 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 Charter 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 Charter 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 charter 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. In computing a fine, 20 percent of the original cost of a book, library resources, or other charter school property will be deducted for each year it has been used.

If the charter school has made a reasonable effort to obtain payment for lost or damaged textbooks, library resources, or other charter school property and the student is leaving, the charter school may deny the sending of student records to a new school. 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 Charter Board upon the recommendation of the administrator.

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 administrator 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 charter school may impose and collect a fee for the payment of excess transportation costs in accordance with state law.

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 charter school 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.

LEGAL REFS.: C.R.S. 22-32-109 (1)(u) (*free textbooks to indigent students w/o loss/damage deposit*)
C.R.S. 22-32-110 (1)(o) (*textbooks for free or reasonable rental fee*)
C.R.S. 22-32-110 (1)(jj) (*sanctions for failing to return textbooks and library resources*)
C.R.S. 22-32-113 (5) (*transportation of pupils and imposition of fee for excess transportation costs*)
C.R.S. 22-32-117 (*fees*)
C.R.S. 22-32-118 (*summer school fees*)
C.R.S. 22-32-138 (7) (*waiver of fees for students in out-of-home placements*)
C.R.S. 22-45-104 (*disposition of moneys collected from fines and fees*)

CROSS REFS.: EEA, Student Transportation
EFC, Free and Reduced Price Food Services
JF-R, Admission and Denial of Admission (Procedures for Students in Out-of-Home Placements)
JJJ, Extracurricular Activity Eligibility

First Reading Date: 1-20-21

Adoption Date: 2-17-21

Lake George Charter School

Student Records/Release of Information on Students

1. Content and custody of records/information

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

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

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

All requests for inspection and review of student education records and requests for copies of such records, as well as disclosure of personally identifiable information except as provided by law, shall be maintained as a part of each student's record.

The administrator is the official custodian of student records in his or her building.

2. Access to record by parent

A parent/guardian ("parent") and student 18 years old or older, has the right to inspect and review the student's education files. If a student is 18 years old or older ("eligible student"), the parent or guardian may not inspect or review the student records without written permission from the student. However, if an eligible student is a dependent for federal income tax purposes, parents/guardians are entitled along with the student to access to student educational records.

During inspection and review of student records by a parent or eligible student and when requested by them, the administrator will provide personnel necessary to give explanations and interpretations of the student records.

In all cases where access to student records is requested, except as provided in this policy, a written request to see the files must be made by the parent or eligible student. The administrator, upon receipt of the written request, shall provide access to inspect and review the records and set a date and time for such inspection and review. In no case will the date set be more than three working days after the request has been made.

The parent or eligible student shall examine the student's records in the presence of the administrator and/or other person(s) designated by the administrator.

Only certificated personnel such as the administrator or another staff member may be so designated.

The record itself shall not be taken from the school building. However, upon request, one copy of the record shall be provided within a reasonable time to the parent or eligible student at a cost of 10-15 cents per page.

3. Requesting records from other districts/schools

When a student transfers to this school from another district, the administrator of the receiving school shall ask the parent or eligible student to sign a form requesting the other school district to transfer the student's records. This form will be completed by the administrator and forwarded to the school of previous attendance.

4. Requesting and receiving information and records from state agencies

Within the bounds of state law, charter school personnel shall seek to obtain such information regarding student 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.

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

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

5. Request to amend education records

A parent or eligible student may ask the charter school to amend a record they believe is inaccurate, misleading, or otherwise violates the privacy rights of the student by writing to the school administrator (or appropriate school official) clearly identifying the part of the record they want changed and specifying why it is inaccurate, misleading, or otherwise violates the privacy rights of the student. The request to the administrator to amend a student's records must be made in writing within 10 school days of the date the records were first examined.

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

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

- a. The hearing will be held within 15 school days after receipt of the request. Notice of the date, place and time of the hearing will be forwarded to the parent or eligible student by certified mail. The hearing will be conducted by the administrator.
- b. Parents or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of their choice at their own expense, including an attorney.
- c. The official designated above shall make a decision in writing within 10 school days following the conclusion of the hearing and shall notify the parent or eligible student of the decision by certified mail.

- d. The decision of the official shall be based upon the evidence presented at the hearing and shall include a summary of the evidence and the reason for the decision.
- e. The decision shall include a statement informing the parents or eligible student of their right to place in the student records a statement commenting upon the information in the records and/or setting forth any reason for disagreement. Any explanation placed in the records shall be maintained by the charter school. If the student record is disclosed by the school to any other party, the explanation shall also be disclosed to that party.

6. Disclosure with written consent

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

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

Parental consent shall only be valid for the specific instance for which it was given. Consent for 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 charter school.

7. Disclosure without written consent

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

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

8. Disclosure of disciplinary information to school personnel

In accordance with state law, the administrator 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 administrator or designee on an individual student which indicate the student has committed an overt and willful act which constitutes a violation of the charter school's code of student conduct and/or there is reasonable cause to believe, through information provided to the administrator 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 staff members to request disciplinary information from the administrator or designee on student in their classrooms if there is concern that the student poses a threat to the safety of other students or school officials.

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 administrator or designee is required to inform the student and the student’s parent/guardian when disciplinary information is communicated and to provide a copy of the disciplinary information. The student and or the student’s parent/guardian may challenge the accuracy of disciplinary information through the administrative regulations which accompany this policy.

9. Disclosure to military recruiting officers

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

10. Disclosure to Medicaid

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

- Include a consent provision on the Medical Emergency form

11. Disclosure to criminal justice agencies

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

12. Disclosure to other parties

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

Personal information will only be released to a third party with the assurance it will be kept confidential.

13. Disclosure of directory information

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

Directory information which may be released may include the student's name, 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, degrees and awards received, the most recent previous education agency or institution attended by the student, and other similar information. Student telephone numbers and addresses will not be disclosed pursuant to Colorado law.

14. Annual notification of rights

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

A copy of the Family Educational Rights and Privacy Act and this policy on student records shall be on file in the office of the administrator and of each individual who carries out procedures relative to the act or policy.

15. Waivers

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

- LEGAL REFS.: 20 U.S.C. §1232g (Family Educational Rights and Privacy Act)
34 C.F.R. §99.1 *et seq.* (Regulations)
Pub.L. 100-360, July 1, 1998 (Medicare Catastrophic Coverage Act of 1988)
C.R.S. 19-1-303 and 304 (records and information sharing under Colorado's
Children's Code)
C.R.S. 22-1-122 (charter school shall comply with FERPA)
C.R.S. 22-32-109.1(6) (duty to establish policy on sharing information
consistent with state and federal law in the interest of making schools
safe)
C.R.S. 22-32-109.3 (2) (duty to share disciplinary and attendance information
with criminal justice agencies)
C.R.S. 22-33-106.5 (court to notify of conviction of crime of violence and
unlawful sexual behavior)
C.R.S. 22-33-107.5 (charter school to notify of failure to attend school)
C.R.S. 24-72-204 (3)(d) (information to military recruiters)
C.R.S. 24-72-204 (3)(e)(I) (certain FERPA provisions enacted into Colorado
law)
C.R.S. 24-72-204 (3)(e)(II) (disclosure by staff of information gained through
personal knowledge or observation)
C.R.S. 26-4-531 (districts who contract to receive federal funds for health
services for students receiving Medicaid benefits may share
information as allowed by parent/guardian)

CROSS REFS.: JK Student Discipline
JRCA* Sharing of Student Records/Information between School District
and State Agencies

First Reading Date: 8-5-2003

Adoption Date: 9-2-2003

Lake George Charter School

Student Records/Release of Information on Students

All regulations incorporated in the Board's policy on student records must be observed by school personnel. The following are procedures to be used in carrying out policy requirements.

1. Requests to review records by parents/guardians/eligible students

- a. A request to see the files must be submitted on an official form by the parent, guardian or student to the principal of the school attended by the student or, in some instances, to the supervisor of student records.
- b. The principal, upon receiving the request, will set a date and time for inspection and review of the records.
- c. The parent/student shall examine the student's file in the presence of the principal and/or another person permitted under policy and designated by the superintendent. Only the following two administrators are designated by the superintendent: the principal and the counselor. No one will be permitted to take a record from the building.

2. Challenges to content of records

- a. If the parent/student challenges any part of the record, the principal (or in the case of psychological test data, the counselor) should review the part of the record being challenged and may by mutual agreement with the person making the challenge destroy, delete or add the information in question.
- b. If the principal (or counselor) does not agree regarding the challenge, the parent/student may request a hearing. In all instances where challenges are made, principals are to notify the director of instruction, who will in turn immediately notify the assistant superintendent in charge of instruction.
- c. Challenges of records must be in writing.

3. Release of information to other schools/agencies

- a. Information from records may be released to officials of other school systems in which the student intends to enroll, on the condition that parents/students are notified, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record as previously described.

- b. In cases where a student has applied for financial aid, records may be made available to an educational institution, government agency or organization offering such aid in accordance with the procedure above.
- c. Except at the written request and authorization of the parent/student, records will not be released to prospective employers, F.B.I. or any person or agency not specifically named in the Family Educational Rights and Privacy Act and the accompanying federal regulations. (Refer to Policy JRA/JRC for specifics.)
- d. Requests for the release of information from educational institutions and other agencies ordinarily are accompanied by the required parent/student authorization for release of information. These requests also should include a description of the records desired, the reason for the request, and assurance of confidentiality of the information to be released. In the absence of parent/student authorization for release of information, the principal will place the request in the student's permanent file, forward an authorization form to the requesting agency and record the request.

4. Records of access and of requests

- a. All completed request, authorization and permission forms to view and receive records will be filed in the student's file.
- b. The principal (or in the case of inactive file, the student records supervisor) shall keep a composite of all requests for information.
- c. Written authorization is to be included in each student's education records when records are:
 - (1) Inspected and reviewed by the parent/student
 - (2) Requested by an outside agency or individuals

5. Requesting records from other districts/schools

When a student transfers to this school district from another district, the principal of the receiving school will ask the parent (or the student if of age) to sign a form. This form will be completed by the principal and forwarded to the school of previous attendance.

6. A copy of the Family Educational Rights and Privacy Act and the Board policy on student records shall be on file in the office of each building principal and of each individual who carries out procedures relative to the act or policy.

Approved March 13, 1978

Revised to conform with practice: date of manual revision

Student Records/Release of Information on Students
(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 ("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 3 days of the district receiving a request for access.

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

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

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

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

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

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

- a. School officials with a legitimate need to review an education record in order to fulfill their professional responsibilities. This may include the disclosure of disciplinary information regarding conduct that posed a significant risk to the safety or well-being of the student or others. A school official is a person employed by the district as an administrator, supervisor, instructor, 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, medical consultant or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.
- b. Officials of another school or school system in which the student seeks or intends to enroll. In this case, disciplinary information may be included. The district will make a reasonable attempt to notify the student's parents prior to the disclosure of information and will provide the parent with a copy of the record if so requested.
- c. Authorities named in FERPA and accompanying federal regulations, including comptroller general of the United States, secretary of education and state educational authorities.
- d. Anyone offering financial aid to students.
- e. State and local officials who are required to get specific information pursuant to state law if the disclosure concerns the juvenile justice system and the system's ability to effectively serve the student whose records are released. If the state statute was enacted after November 19, 1974 the officials must certify in writing that the information will not be disclosed to any other person, except as provided by state law, without prior written consent of the parent.
- f. Educational testing and research organizations for the purpose of administering student aid programs or improving instruction or predictive tests as long as confidentiality is maintained and such organizations are required to destroy records after they no longer are needed.

- g. Accrediting institutions.
- h. In emergency situations to appropriate persons if the information is necessary to protect the health and safety of the student or others.
- i. Anyone if required by a court order or subpoena. However, where the subpoena is issued by a federal grand jury, the district will make reasonable efforts to notify the parent or eligible student prior to complying with the subpoena or court order.
- j. Parties to litigation if the district initiates legal action against a parent or student. The district will make reasonable efforts to notify the parent or eligible student in advance of the disclosure.

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

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

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

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

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

Directory information which may be released may include the student's name, 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, degrees and awards received, the most recent and previous education agency or institution attended by the student, and other similar information. Student telephone numbers and addresses will not be disclosed pursuant to Colorado law.

6. The right to request that information not be provided to military recruiting officers.

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

NOTE: This notice must be distributed to parents and eligible students annually.

Sharing of Student Records/Information between Charter School and State Agencies

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

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

Sharing of information by the charter school

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 charter school when necessary to effectively serve the student prior to adjudication. Such information shall only be shared upon written certification by the criminal justice agency that the information will not be disclosed to any other party, except as specifically authorized or required by law, without the prior written consent of the student's parent/guardian.

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

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

Information obtained from state agencies

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

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

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

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

The information shall be used by the Charter Board 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 Charter Board shall take appropriate disciplinary action, which may include suspension or expulsion, in accordance with the student code of conduct and related policies.

- LEGAL REFS.: 20 U.S.C. §1232g (*Family Educational Rights and Privacy Act*)
34 C.F.R. §99.1 *et seq.* (*Regulations*)
C.R.S. 19-1-303 and 304 (*records and information sharing under Colorado Children's Code*)
C.R.S. 19-1-304(5.5) (*duty of prosecuting attorney to provide juvenile delinquency records*)
C.R.S. 19-2-921(7.5) (*department of human services shall notify school district if student's parole conditions require school attendance*)
C.R.S. 22-1-123 (*district shall comply with FERPA*)
C.R.S. 22-2-139 (7) (*within confidentiality limits of state and federal law, information shall be shared to determine appropriate educational placement when a student is transferred to public school from day treatment facility, facility school, or hospital*)
C.R.S. 22-32-109.1(6) (*duty to establish policy on sharing information consistent with state and federal law in the interest of making schools safer*)
C.R.S. 22-32-109.3(2) (*duty to share disciplinary and attendance information with criminal justice agencies*)
C.R.S. 22-33-106.5 (*court to notify of conviction of crime of violence and unlawful sexual behavior*)
C.R.S. 22-33-107.5 (*school district to notify of failure to attend school*)
C.R.S. 24-72-204 (3)(e)(I) (*certain FERPA provisions enacted into Colorado Law*)
C.R.S. 24-72-204(3)(e)(II) (*disclosure by staff of information gained through personal knowledge or observation*)

CROSS REFS.: JKD/JKE, Suspension/Expulsion of Students
JRA/JRC, Student Records/Release of Information on Students

First Reading Date: 11-18-20

Adoption Date: 1-20-21

Lake George Charter School

Privacy and Protection of Confidential Student Information

The Charter Board is committed to protecting the confidentiality of student information obtained, created and/or maintained by the charter school. Student privacy and the charter school's use of confidential student information are protected by federal and state law, including the Family Educational Rights and Privacy Act (FERPA) and the Student Data Transparency and Security Act (the Act). The Charter Board directs charter school staff to manage its student data privacy, protection and security obligations in accordance with this policy and applicable law.

Definitions

"Student education records" are those records that relate directly to a student. Student education records may contain, but not necessarily be limited to, the following information: identifying data; academic work completed; level of achievement (grades, standardized achievement test scores); attendance data; scores on standardized intelligence, aptitude and psychological tests; interest inventory results; health and medical information; family background information; teacher or counselor ratings and observations; reports of serious or recurrent behavior patterns and any Individualized Education Program (IEP).

"Student personally identifiable information" or "student PII" means information that, alone or in combination, personally identifies an individual student or the student's parent or family, and that is collected, maintained, generated, or inferred by the charter school, either directly or through a school service, or by a school service contract provider or school service on-demand provider.

"Security breach" means the unauthorized disclosure of student education records or student PII by a third party.

The following terms used in this policy shall be as defined by the Act: "school service," "school service contract provider" and "school service on-demand provider."

Access, collection and sharing within the charter school

The charter school shall follow applicable law and Charter Board policy in the charter school's access to, collection and sharing of student education records.

Charter school employees shall ensure that confidential information in student education records is disclosed within the charter school only to officials who have a legitimate educational interest, in accordance with applicable law and Charter Board policy.

Outsourcing and disclosure to third parties

Charter school employees shall ensure that student education records are disclosed to persons and organizations outside the charter school only as authorized by applicable law and Charter Board policy. The term "organizations outside the charter school" includes school service on-demand providers and school service contract providers.

Any contract between the charter school and a school service contract provider shall include the provisions required by the Act, including provisions that require the school service contract provider to safeguard the privacy and security of student PII and impose penalties on the school service contract provider for noncompliance with the contract.

In accordance with the Act, the charter school shall post the following on its website:

- a list of the school service contract providers that it contracts with and a copy of each contract; and
- to the extent practicable, a list of the school service on-demand providers that the charter school uses.

Privacy and security standards

The security of student education records maintained by the charter school is a high priority. The charter school shall maintain an authentication and authorization process to track and periodically audit the security and safeguarding of student education records.

Security breach or other unauthorized disclosure

Employees who disclose student education records in a manner inconsistent with applicable law and Charter Board policy may be subject to disciplinary action, up to and including termination from employment. Any discipline imposed shall be in accordance with applicable law and Charter Board policy.

Employee concerns about a possible security breach shall be reported immediately to the administrator or designee. If the administrator or designee is the person alleged to be responsible for the security breach, the staff member shall report the concern to the Charter Board President.

When the charter school determines that a school service contract provider has committed a material breach of its contract with the charter school, and that such material breach involves the misuse or unauthorized release of student PII, the charter school shall follow this policy's accompanying regulation in addressing the material breach.

Nothing in this policy or its accompanying regulation shall prohibit or restrict the charter school from terminating its contract with the school service contract provider, as deemed appropriate by the charter school and in accordance with the contract and the Act.

Data retention and destruction

The charter school shall retain and destroy student education records in accordance with applicable law and Charter Board policy.

Staff training

The charter school shall provide periodic in-service trainings to appropriate charter school employees to inform them of their obligations under applicable law and Charter Board policy concerning the confidentiality of student education records.

Parent/guardian complaints

In accordance with this policy's accompanying regulation, a parent/guardian of a charter school student may file a written complaint with the charter school if the parent/guardian believes the charter school has failed to comply with the Act.

Parent/guardian requests to amend student education records

Parent/guardian requests to amend his or her child's education records shall be in accordance with the charter school's procedures governing access to and amendment of student education records under FERPA, applicable state law and Charter Board policy.

Oversight, audits and review

The administrator or designee shall be responsible for ensuring compliance with this policy and its required privacy and security standards.

The charter school's practices with respect to student data privacy and the implementation of this policy shall be periodically audited by the administrator or designee.

A privacy and security audit shall be performed by the charter school on an annual basis. Such audit shall include a review of existing user access to and the security of student education records and student PII.

The administrator or designee shall annually review this policy and accompanying regulation to ensure it remains current and adequate to protect the confidentiality of student education records in light of advances in data technology and dissemination. The administrator or designee shall recommend revisions to this policy and/or accompanying regulation as deemed appropriate or necessary.

Compliance with governing law and Board policy

The charter school shall comply with FERPA and its regulations, the Act, and other state and federal laws governing the confidentiality of student education records. The charter school 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.

Legal Ref.: 15 U.S.C. 6501 et seq. (*Children's Online Privacy Protection Act*)
20 U.S.C. 1232g (*Family Educational Rights and Privacy Act*)
20 U.S.C. 1232h (*Protection of Pupil Rights Amendment*)
20 U.S.C. 1415 (*IDEIA procedural safeguards, including parent right to access student records*)

Legal Ref. Cont.:

- 20 U.S.C. 8025 (*access to student information by military recruiters*)
- 34 C.F.R. 99.1 et seq. (*FERPA regulations*)
- 34 C.F.R. 300.610 et seq. (*IDEIA regulations concerning confidentiality of student education records*)
- C.R.S. 19-1-303 and 304 (*records and information sharing under Colorado Children's Code*)
- C.R.S. 22-1-123 (*district shall comply with FERPA and federal law on protection of pupil rights*)
- C.R.S. 22-16-101 et seq. (*Student Data Transparency and Security Act*)
- C.R.S. 22-16-107 (2)(a) (*policy required regarding public hearing to discuss a material breach of contract by school service contract provider*)
- C.R.S. 22-16-107 (4) (*policy required regarding student information privacy and protection*)
- C.R.S. 22-16-112 (2)(a) (*policy required concerning parent complaints and opportunity for hearing*)
- C.R.S. 24-72-204 (3)(a)(VI) (*schools cannot disclose student address and phone number without consent*)
- C.R.S. 24-72-204 (3)(d) (*information to military recruiters*)
- C.R.S. 24-72-204 (3)(e)(I) (*certain FERPA provisions enacted into Colorado Law*)
- C.R.S. 24-72-204 (3)(e)(II) (*disclosure by staff of information gained through personal knowledge or observation*)
- C.R.S. 24-80-101 et seq. (*State Archives and Public Records Act*)
- C.R.S. 25.5-1-116 (*confidentiality of HCPF records*)

Cross Ref.: BEDH, Public Participation at School Board Meetings

- EHB, Records Retention
- GBEB, Staff Conduct
- GBEE, Staff Use of the Internet and Electronic Communications
- JLDAC, Screening/Testing of Students
- JRA/JRC, Student Records/Release of Information on Students
- JRCA, Sharing of Student Records/Information between School District and State Agencies
- JS, Student Use of the Internet and Electronic Communications

First Reading Date: 2-15-22

Adoption Date: 3-15-22

Internet Acceptable Use Policy for Students

All forms of electronic communication have vast potential to support curriculum and student learning while on and off school grounds. The Charter Board believes they should be used in schools as a tool to educate.

Electronic communications require students to think critically, analyze information, write clearly, use problem-solving skills, and to hone digital world skills that employers demand. Use of these tools also encourages an attitude of lifelong learning.

Technology offers a fluid environment in which students may access applications, research an unlimited amount of information, collaborate, create inform and share. While it is impossible to predict with certainty what information students may come into contact with, the charter school shall take reasonable steps to protect students from accessing material and information that is unsuitable on school grounds. This filtering will include such groups as, Malicious Intent, Adult/Sexually Explicit, Gambling, Games, Hacking, Intimate Apparel & Swimwear, Peer-to-Peer, Personals and Dating, and Proxies & Translators.

Blocking and Filtering Process

The charter school meets all C.D.E., C.I.P.A., and ERate requirements for filtering and logging internet traffic provided by the charter school for students. This is for all student devices across school grounds. The charter school is not responsible and has no control over internet access that is available on school grounds by a third party.

Security

Security on charter school computer systems is a high priority. Students who identify a security problem while using the Internet or electronic communications must immediately notify a system administrator. Students should not demonstrate the problem to other users. Logging in as another user other than yourself is prohibited.

Students shall not:

- Use another person's password or any other identifier
- Gain or attempt to gain unauthorized access to charter school computers or computer systems
- Read, alter, delete or copy, or attempt to do so, electronic communications of other system users
- Use proxies, remote sessions, tunneling, or any other technique to bypass the charter school filtering and firewall

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

Vandalism

Vandalism will result in cancellation of privileges and may result in school disciplinary action, including suspension or expulsion, and/or legal action. Vandalism is defined as any malicious or intentional attempt to harm, destroy, modify, abuse, or disrupt operation of network within the charter school 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 charter school owned software or hardware. This includes, but is not limited to, the uploading, or creation of computer viruses.

Unauthorized Software

Students shall not use any software that gathers network data with the intent to exploit the network in any fashion. Such an act is a federal crime under the Computer Fraud and Abuse Act and will be treated as such.

School District Makes No Warranties

The charter school makes no warranties of any kind, whether express or implied, related to the use of charter school computers and computer systems, including access to the Internet and electronic communications services. Providing access to these services does not imply endorsement by the charter school of the content, nor does the charter school make any guarantee as to the accuracy or quality of information received. The charter school 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.

LEGAL REFS.: 47 U.S.C. 254(h), (*Children's Internet Protection Act of 2000*)
47 U.S.C. 231, (*Children's Online Privacy Protection Act of 1998*)
20 U.S.C. 6801 *et seq.* (*Elementary and Secondary Education Act*)
C.R.S. 22-87-101 *et seq.* (*Children's Internet Protection Act*)

CROSS REFS.: AC, Nondiscrimination/Equal Opportunity
EGAEA, Electronic Communication
JB, Equal Educational Opportunities

First Reading Date: 10-10-17

Adoption Date: 11-14-17

Lake George Charter School

Parent or Guardian

A parent or guardian must sign this Agreement.

As the parent or guardian of this student, I have read the charter school's policy on Student Use of the Internet and Electronic Communications. I understand that access to the internet and electronic communications is designed for educational purposes and that the charter school has taken reasonable steps to block or filter material and information that is obscene, child pornography, or otherwise harmful to minors, as defined by the charter school. I also recognize, however, that it is impossible for the charter school to prevent access to all materials or information I might find harmful or controversial and I agree not to hold the charter school responsible for any such materials and information accessed by my child. Further, I accept full responsibility for supervision if and when my child's internet or electronic communications use is not in a school setting.

I hereby release the charter school from all costs, claims, damages, or losses resulting from my child's use of charter school computers and computer systems, including use of the internet and electronic communications, including but not limited to any user fees or charges incurred through the purchase of goods or services.

I hereby give permission to issue an internet and electronic communications account for my child and certify that the information contained on this form is true and correct.

Your signature on this Acceptable Use Agreement is binding and indicates you have read the charter school's policy on Student Use of the Internet and Electronic Communications and understand its significance.

Parent/Guardian's Name (please print)

Parent/Guardian's Signature

Date

