AC-R-1  Nondiscrimination/Equal Opportunity
BEAA  Electronic Participation in School Board Meetings
DAC  Federal Fiscal Compliance
DJB  Federal Procurement
DJB-R  Federal Procurement
GCO  Evaluation of Licensed Personnel
IHBK  Preparation for Postsecondary and Workforce Success
IHBK-R  Preparation for Postsecondary and Workforce Success
IKF-2  Graduation Requirements
JLDAC-E  Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)
JRCB  Privacy and Protection of Confidential Student Information
JRCB-R  Privacy and Protection of Confidential Student Information
KDBA  Parent Notification of Employee Criminal Charges
AC-R (Option 1)

Nondiscrimination/Equal Opportunity

(Complaint and Compliance Process)

The district is committed to providing a working and learning environment that is free from unlawful discrimination and harassment. The district shall promptly respond to concerns and complaints of unlawful discrimination and/or harassment; take action in response when unlawful discrimination and/or harassment is discovered; impose appropriate sanctions on offenders in a case-by-case manner; and protect the privacy of all those involved in unlawful discrimination and/or harassment complaints as required by state and federal law. When appropriate, the complaint shall be referred to law enforcement for investigation.

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

Definitions

1. "Compliance officer" means a district employee designated by the Board to receive complaints of alleged unlawful discrimination and harassment. The compliance officer shall be identified by name, address, telephone number and email address. See exhibit AC-E-1. If the designated individual is not qualified or is unable to act as such, the superintendent shall designate another district employee who shall serve until a successor is appointed by the Board.

2. "Aggrieved individual" shall mean a student, the parents or guardians of a student under the age of 18 acting on behalf of a student, an employee of the district, or member of the public who is directly affected by and/or is witness to an alleged violation of Board policies prohibiting unlawful discrimination or harassment.

Compliance officer's duties

The compliance officer shall be responsible for conducting an investigation and coordinating all complaint procedures and processes for any alleged violation of federal or state statute or Board policy prohibiting unlawful discrimination or harassment. The compliance officer's duties shall include providing notice to students, parents/guardians of students, employees and the general public concerning the compliance process, providing training for district staff regarding the prohibition of discrimination/harassment in all district programs, activities and employment practices, disseminating information concerning the forms and procedures for the filing of complaints, ensuring the prompt investigation of all complaints, coordinating hearing procedures, and identifying and addressing any patterns or systemic problems that arise during the review of complaints. The compliance officer may delegate any or all of the foregoing responsibilities as necessary and/or appropriate under the circumstances.
Complaint procedure

An aggrieved individual is encouraged to promptly report the incident as provided in Board policy and this regulation. All reports received by teachers, counselors, principals or other district employees shall be promptly forwarded to the compliance officer. If the compliance officer is the individual alleged to have engaged in the prohibited conduct, the complaint shall be forwarded to the superintendent.

Any aggrieved individual may file with the compliance officer a complaint charging the district, another student or any district employee with unlawful discrimination or harassment. Complaints may be made orally or in writing. Persons who wish to file a written complaint shall be encouraged to use the district's complaint form.

All complaints shall include a detailed description of the alleged events, the dates the alleged events occurred and names of the parties involved, including any witnesses. The complaint shall be made as soon as possible after the incident.

The compliance officer shall confer with the aggrieved individual and/or the alleged victim of the unlawful discrimination or harassment as soon as is reasonably possible, but no later than ten calendar school days following the compliance officer's receipt of the complaint in order to obtain a clear understanding of the basis of the complaint.

Within ten calendar school days following the initial meeting with the aggrieved individual and/or alleged victim, the compliance officer shall attempt to meet with the individual alleged to have engaged in the prohibited conduct and, if a student, his or her parents/guardians in order to obtain a response to the complaint. Such person(s) shall be informed of all allegations that, in the compliance officer's judgment, are necessary to achieve a full and accurate disclosure of material information or to otherwise resolve the complaint.

At the initial meetings, the compliance officer shall explain the avenues for informal and formal action, provide a description of the complaint process, and explain that both the victim and the individual alleged to have engaged in prohibited conduct have the right to exit the informal process and request a formal resolution of the matter at any time. The compliance officer shall also explain that whether or not the individual files a written complaint or otherwise requests action, the district is required by law to take steps to correct the unlawful discrimination or harassment and to prevent recurring unlawful discrimination, harassment or retaliation against anyone who makes a report or participates in an investigation. The compliance officer shall also explain that any request for confidentiality shall be honored so long as doing so does not preclude the district from responding effectively to prohibited conduct and preventing future prohibited conduct.

Informal action

If the aggrieved individual and/or the individual alleged to have engaged in the prohibited conduct requests that the matter be resolved in an informal manner and/or the compliance officer believes that the matter is suitable to such resolution, the compliance officer may attempt to
resolve the matter informally through mediation, counseling or other non-disciplinary means. If both parties feel a resolution has been achieved through the informal process, then no further compliance action must be taken. No party shall be compelled to resolve a complaint of unlawful discrimination or harassment informally and either party may request an end to an informal process at any time. Informal resolution shall not be used to process complaints against a district employee and shall not be used between students where the underlying offense involves sexual assault or other act of violence.

Formal action

If informal resolution is inappropriate, unavailable or unsuccessful, the compliance officer shall promptly investigate the allegations to determine whether and/or to what extent, unlawful discrimination or harassment has occurred. The compliance officer may consider the following types of information in determining whether unlawful discrimination or harassment occurred:

a. statements by any witness to the alleged incident,

b. evidence about the relative credibility of the parties involved,

c. evidence relative to whether the individual alleged to have engaged in prohibited conduct has been found to have engaged in prohibited conduct against others,

d. evidence of the aggrieved individual and/or alleged victim's reaction or change in behavior following the alleged prohibited conduct,

e. evidence about whether the alleged victim and/or aggrieved individual took action to protest the conduct,

f. evidence and witness statements or testimony presented by the parties involved,

g. other contemporaneous evidence, and/or

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

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

a. the degree to which the conduct affected one or more student's education or one or more employee's work environment,

b. the type, frequency and duration of the conduct,

c. the identity of and relationship between the individual alleged to have engaged in the prohibited conduct and the aggrieved individual and/or alleged victim,
d. the number of individuals alleged to have engaged in the prohibited conduct and number of victims of the prohibited conduct,

e. the age of the individual alleged to have engaged in the prohibited conduct and the aggrieved individual and/or alleged victim,

f. the size of the school, location of the incident and context in which it occurred,

g. other incidents at the school.

The compliance officer shall prepare a written report containing findings and recommendations, as appropriate, and submit the report to the superintendent within **20 calendar school days** following the compliance officer's receipt of the complaint or **20 calendar school days** following the termination of the informal resolution process.

The compliance officer's report shall be advisory and shall not bind the superintendent or the district to any particular course of action or remedial measure. Within **ten calendar school days** after receiving the compliance officer's findings and recommendation, the superintendent or designee shall determine any sanctions or other action deemed appropriate, including if appropriate recommendations to the Board for disciplinary or other action.

To the extent permitted by federal and state law, all parties, including the parents/guardians of all students involved, shall be notified in writing of the final outcome of the investigation and all steps taken by the district within **five calendar school days** following the superintendent's and/or Board's determination.

Hearing procedure

For allegations under Section 504 and as otherwise required by law, the aggrieved individual may request a hearing. This hearing procedure will not address guilt or innocence or disciplinary consequences which shall instead be governed by the Board's discipline policies and procedures.

The district shall retain a person to serve as the impartial hearing officer, who shall be knowledgeable about Section 504 and/or the ADA, if applicable. The hearing shall be informal and shall be recorded. Formal rules of evidence shall not apply. A student shall be entitled to be represented by his/her parent or by an attorney. An employee shall be entitled to be represented by an attorney or other representative of his/her choice. The complainant may appear at the hearing and shall be entitled to present testimony and other evidence. A district representative shall likewise be entitled to present testimony and other evidence. The hearing shall be closed to the public.

Within **five school days** after the hearing, the hearing officer shall issue a written decision based upon evidence presented at the administrative hearing, including any remedial or corrective action deemed appropriate. Remedial actions shall include measures designed to stop the unlawful discrimination or harassment, correct its negative impact on the affected individual, ensure that the conduct does not recur, and restore lost educational opportunities.
After the hearing officer has issued his or her decision, the recording of the hearing, all physical and documentary evidence and all other items comprising the record of the hearing shall be returned to the district.

Either party may seek review of the hearing officer's decision in a court of competent jurisdiction, in accordance with applicable law and applicable timelines for requesting such review.

Nothing contained herein shall be interpreted to confer upon any person the right to a hearing independent of a Board policy, administrative procedure, statute, rule, regulation or agreement expressly conferring such right. This process shall apply, unless the context otherwise requires and unless the requirements of another policy, procedure, statute, rule, regulation or agreement expressly contradicts with this process, in which event the terms of the contrary policy, procedure, law, rule, regulation or agreement shall govern.

Outside agencies

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


Colorado Civil Rights Division (CCRD), 1560 Broadway, Suite 1050, Denver, CO 80202. Toll Free: 800-262-4845. Telephone: 303-894-2997. Fax: 303-894-7830. Email: dora_CCRD@state.co.us

Adopted 2019

[Revised July 2015]

COLORADO SAMPLE REGULATION 2007©
Electronic Participation in School Board Meetings

Board members may attend and participate by electronic means in regular or special meetings of the Board in accordance with this policy and state law. For purposes of this policy, "electronic means" shall be defined as attendance via telephone, video or audio conferencing, or other electronic device.

Board members may attend and participate by electronic means in a regular or special Board meeting only when extenuating circumstances prevent the Board member from physically attending the meeting. For purposes of this policy, "extenuating circumstances" means the Board member's job or military service requires the member to be outside of the district at the time of the meeting or inclement weather and/or unsafe driving conditions prevent the Board member from physically attending the meeting.

A meeting at which one or more Board members attend and participate by electronic means shall be open to the public, except for periods in which the Board is in executive session. A quorum of the Board shall be physically present at the meeting for a Board member to attend and participate by electronic means.

The electronic means used shall allow the public to hear the comments made by the Board member(s) participating by electronic means and allow the Board member(s) to hear the comments made by the public. A Board member participating by electronic means will be included in the recording of the Board meeting.

A Board member who seeks to attend and participate by electronic means in a Board meeting shall notify the Board president and superintendent at least three business days prior to the meeting and shall explain the extenuating circumstances that prevent the Board member from physically attending the meeting. If such notification is not possible, the Board member shall notify the Board president and superintendent as soon as is reasonably possible of the request to attend by electronic means.

If the request is approved, a Board member who attends and participates by electronic means shall identify the location from which he or she is participating, those present, and the extenuating circumstances that prevented the Board member from physically attending the meeting. If the Board convenes in executive session, the Board member attending and participating by electronic means shall ensure confidentiality during that portion of the meeting.

A Board member may attend and participate by electronic means in a maximum of two Board meetings per calendar year. Unless otherwise approved by the Board, additional requests to attend and participate by electronic means will be denied. In accordance with state law, the Board shall declare a vacancy if a Board member fails to attend three consecutive regular Board meetings, unless the Board member's absence is otherwise excused by the Board.
A Board member's failure to comply with this policy may result in the Board's refusal to allow the member to participate by electronic means in Board meetings.

**Adopted 2019**

LEGAL REFS.: C.R.S. **22-31-129** (board vacancies)

C.R.S. **22-32-108** (7)(a) (board must adopt policy allowing board members to attend and participate electronically in regular or special board meetings, if the board wishes to allow this practice)

C.R.S. **24-6-401** et seq. (open meetings law)

CROSS REF.: **BE**, School Board Meetings

COLORADO SAMPLE POLICY 2013©
Federal Fiscal Compliance

Federal funds received by the district shall be administered in accordance with this policy and applicable federal law, including but not limited to the federal Uniform Grant Guidance. The Board designates the Chief Financial Officer as the district contact for all federal programs and funding.

The superintendent or designee may develop and implement accompanying regulations to assist in the proper administration of federal funds and implementation of this policy, including but not limited to cash management procedures and allowability of costs.

Subrecipient monitoring

If the district awards subgrants, the district shall monitor grant subrecipients to ensure compliance with applicable law and Board policy.

Time and effort reporting

District employees paid with federal funds shall document the time they expend in work performed in support of each federal program and/or such program's cost objective(s), in accordance with applicable federal law. Time and effort reporting requirements do not apply to contracted individuals.

Recordkeeping

The district shall maintain proper federal fiscal records in accordance with Board policy and applicable law. Such records shall be retrievable and available for programmatic or financial audit.

Adopted 2019

LEGAL REFS.: 2 C.F.R. Part 200 (Uniform Grant Guidance)
34 C.F.R. Parts 75, 76 (EDGAR - Education Department General Administrative Regulations)
CROSS REFS.: BCB, School Board Member Conflict of Interest
DJB*, Federal Procurement
EBH, Records Retention
GBEA, Staff Ethics/Conflict of Interest
COLORADO SAMPLE POLICY 2017
Federal Procurement

This policy and its accompanying regulation shall apply to the purchase of services, supplies, equipment or other property with federal funds that are subject to the federal Uniform Grant Guidance (UGG) and other applicable federal law, including but not limited to the Education Department General Administration Regulations (EDGAR) and the United States Department of Agriculture (USDA) regulations governing school food service programs. In the event this policy or its accompanying regulation conflict or are otherwise inconsistent with mandatory provisions of the UGG, EDGAR or other applicable federal law, the mandatory provisions of such laws shall control.

District employees shall follow Board policy concerning employee purchasing authority when making any purchase with federal funds and shall obtain prior Board approval in those instances when it is required by Board policy. District employees shall also follow applicable state law and Board policy concerning competitive bidding, to the extent state law and/or Board policy establish additional requirements that are not inconsistent with this policy and its accompanying regulation.

Micro-purchases (less than $3,500)

A "micro-purchase" is a purchase that, in an aggregate amount, is less than $3,500.

Micro-purchases may be made or awarded without soliciting competitive quotations, to the extent district staff determine that the cost of the purchase is reasonable. For purposes of this policy, "reasonable" means the purchase is comparable to market prices for the geographic area.

To the extent practicable, the district will distribute micro-purchases equitably among qualified suppliers when the same or materially interchangeable products are identified and such suppliers offer effectively equivalent rates, prices and other terms.

Small purchases ($3,500 to under $150,000)

A "small purchase" is a purchase that, in an aggregate amount, is $3,500 or more, but less than $150,000.

For small purchases, price or rate quotes shall be obtained in advance from a reasonable number of qualified sources, as detailed in this policy's accompanying regulation, unless:

1. a valid basis exists under the federal Uniform Grant Guidance for relying on procurement by a noncompetitive proposal (i.e., "single source" procurement); or

2. the district elects to use a more formal competitive bid or request for proposal process.
Large purchases ($150,000 or more)

A large purchase is a purchase that, in an aggregate amount, is $150,000 or more.

The district shall conduct a cost or price analysis for large purchases that, at a minimum, includes making an independent estimate before receiving bids or proposals (including noncompetitive proposals). A cost analysis means evaluating the separate cost elements that make up the price. A price analysis means evaluating the total price, without looking at the individual cost elements.

Whenever appropriate and relevant to the specific transaction, the cost analysis may include life-cycle cost estimates which shall then be incorporated into any solicitations of bids or proposals.

Unnecessary or duplicative items

The district shall avoid the acquisition of unnecessary or duplicative items.

Consideration shall also be given to consolidating or breaking out purchases to obtain a more economical purchase.

Recordkeeping

The district shall maintain records sufficient to detail the history of procurements made with federal funds. These records may include, but not necessarily be limited to, the following: rationale for the method of procurement, contractor selection or rejection, and the basis for the contract price (including a cost or price analysis).

Retention of such procurement records shall be in accordance with applicable law and Board policy.

Adopted 2019

LEGAL REFS.: 2 C.F.R. Part 200 Subpart D (post-award requirements under the federal Uniform Grant Guidance)

2 C.F.R. 200.318 (general standards for procurement supported by federal funds)

2 C.F.R. 200.319 (written procurement standards required)

2 C.F.R. 200.320 (methods of procurement to be followed)

2 C.F.R. 200.323 (cost or price analysis)

2 C.F.R. 200.333 (record retention requirements)

2 C.F.R. 200.336 (access to records)
7 C.F.R. 3016.36 (*USDA's procurement standards*)

7 C.F.R. 3016.37 (*USDA's procurement requirements for subgrants*)

34 C.F.R. Parts 75, 76 (*EDGAR - Education Department General Administrative Regulations*)

48 C.F.R. Subpart 2.1 (*micro-purchase and competitive bidding thresholds*)

CROSS REFS.:  BCB, School Board Member Conflict of Interest

DAC*, Federal Fiscal Compliance

DJ/DIA, Purchasing/Purchasing Authority

DJE, Bidding Procedures

DKC, Expense Authorization/Reimbursement (Mileage and Travel)

EHB, Records Retention

GBEA, Staff Ethics/Conflict of Interest

COLORADO SAMPLE POLICY 2017
Federal Procurement

"Single source" procurement

One or more of the following conditions justify procurement of a small or large purchase pursuant to a noncompetitive proposal (i.e., "single source" procurement):

1. The item is only available from a single source;

2. A public exigency or emergency exists and does not permit the delay that would result from a competitive solicitation;

3. After solicitation of a number of sources, the district determines that competition is inadequate; or

4. The federal awarding agency or the state as the pass-through entity has expressly authorized noncompetitive proposals in response to a written request from the district.

The district shall document the grounds for using a single source procurement process in lieu of an otherwise-required competitive method of procurement.

Standards for obtaining price or rate quotations

The following standards apply to district procurement decisions that include the consideration of price or rate quotations:

1. Obtain at least two price or rate quotations that represent acceptable procurement options.

2. Price or rate quotations may be obtained from an online search, publicly advertised prices, written quotations prepared upon request or by documenting verbal quotations.

3. The specific price or rate quotation need not be the sole determining factor in the procurement decision if:

   a. other relevant and material differences exist among the quotations (e.g., quality, functionality, vendor-supplied support services, life-cycle cost estimates, vendor experience in connection with the purchase of services, etc.); and

   b. such differences predominate over a strict cost comparison.

4. If the district determines that it is in the district's best interests to not select the lowest price or rate quotation based upon the criteria listed in the above paragraph, the reason for deviating from using cost as the determining factor shall be documented.
Additional standards applicable to procurements under the federal Uniform Grant Guidance

Unless expressly authorized by the federal Uniform Grant Guidance and/or other applicable federal law, the following standards shall apply to district purchases made in whole or in part with federal funds:

1. The district shall take affirmative steps to assure that minority businesses, women's business enterprises and labor surplus area firms are used when possible. These affirmative steps include, but are not limited to, placing qualified small and minority businesses and women's business enterprises on solicitation lists and ensuring the small and minority businesses and women's business enterprises are solicited whenever they are potential sources.

2. A time and materials contract may be used only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk.

3. District procurement supported by federal funds may be subject to the federal Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The general requirements include procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative program for procurement of recovered materials as identified in Environment Protection Agency (EPA) guidelines.

Adopted [2019]

COLORADO SAMPLE REGULATION 2017
Evaluation of Licensed Personnel

This policy and accompanying regulation shall be considered part of the district’s licensed personnel performance evaluation system. The district’s licensed personnel evaluation system shall be developed and implemented in accordance with state law. The Board shall consult with district administrators, teachers, parents and the advisory school district licensed personnel performance evaluation council in developing and evaluating the district’s evaluation system.

The purposes of the district’s licensed personnel evaluation system shall be to serve as a basis for the improvement of instruction, enhance the implementation of curricular programs, and measure the professional growth and development and the level of effectiveness of licensed personnel. The district’s licensed personnel performance evaluation system also shall serve as the measurement of satisfactory performance and documentation for dismissal for unsatisfactory performance pursuant to state law, if applicable. For purposes of this policy and the district’s licensed personnel performance evaluation system, "unsatisfactory performance" shall be defined as a performance rating of "ineffective."

The school district shall conduct all evaluations so as to observe the legal and constitutional rights of licensed personnel. No informality in any evaluation or in the manner of making or recording any evaluation shall invalidate the evaluation. No minor deviation in the evaluation procedures shall invalidate the process or the evaluation report.

Nothing in this policy shall be construed to imply in any manner the establishment of any property rights or expectancy or entitlement to continued employment not explicitly established by statute, Board policy or contract. Neither shall this policy and/or the evaluation system be deemed or construed to establish any conditions prerequisite relative to renewal of contracts, transfer, assignment, dismissal or other employment decisions relating to school personnel.

Unless an evaluator acts in bad faith or maliciously with respect to the application of a procedure associated with the evaluation process, any misapplication of a procedure, failure to apply a procedure or adhere to a prescribed timeline shall not be an impediment to or prevent the Board from modifying an employee’s contract status, employment status or assignment under the terms of the employment contract and state law. The content of the evaluation, the rating given and any improvement plan shall not be grievable under the district’s formal grievance process.

All employment decisions remain within the sole and continuing discretion of the Board of Education, subject only to the conditions and limitations prescribed by Colorado law. Any dismissal or other employment action shall be in accordance with applicable state law and Board policy.

Adopted 2019

 LEGAL REFS.: C.R.S. 22-9-101 et seq. (Licensed Personnel Performance Evaluation Act)
C.R.S. 22-63-301 (grounds for dismissal)

1 CCR 301-87 (State Board of Education rules for administration of a system to evaluate the effectiveness of licensed personnel)

CROSS REFS.: BDFA*, District Personnel Performance Evaluation Council

GCOE*, Evaluation of Evaluators

GCQF, Discipline, Suspension and Dismissal of Professional Staff

IK, Academic Achievement

[Revised November 2015]

COLORADO SAMPLE POLICY 2013©
Preparation for Postsecondary and Workforce Success

The Board believes that to decrease student dropout rates, increase graduation rates and encourage all students to reach their learning potential, it is important to support students in planning for postsecondary and workforce opportunities throughout their education. To promote students' postsecondary and workforce success and in accordance with state law, the district shall provide the following opportunities and information.

Sixth grade: Each student who enrolls in the sixth grade, on the day of enrollment, will be encouraged to register with the state-provided, free online college planning and preparation resource, commonly referred to as "CollegeInColorado."

Eighth grade: The Colorado Commission on Higher Education (CCHE) will provide information to the parents/guardians of eighth grade students about the admission requirements for institutions of higher education in Colorado. In addition, the district will make information available to these same parents/guardians about the courses the district offers that meet the CCHE admission requirements. This information will be made available to parents/guardians prior to the student's enrollment in his or her ninth grade courses.

Beginning in sixth grade: District personnel shall assist students to develop and maintain individual career and academic plans (ICAP) in accordance with the requirements of state law. Each student's ICAP will be designed to assist the student and the student's parent/guardian with the following:

- exploring the postsecondary career and educational opportunities available to the student;
- aligning coursework and curriculum;
- setting performance expectations;
- meeting academic and career goals;
- applying to postsecondary education institutions;
- enabling the student to demonstrate postsecondary and workforce readiness prior to or upon high school graduation;
- securing financial aid; and
- ultimately entering the workforce.

The district's plan for the development and implementation of student ICAPs shall be in accordance with this policy's accompanying regulation.
Adopted ___ 2019

LEGAL REFS.: C.R.S. 22-32-109 (1)(ff) (notice of courses that satisfy higher education admission guidelines)

C.R.S. 22-32-109 (1)(oo) (board duty to adopt policy requiring individual career and academic planning for students no later than the beginning of ninth grade)

C.R.S. 22-32-109.5 (4) (district may administer "basic skills" placement or assessment tests to determine postsecondary and workforce readiness; if such test is administered, score shall be included on student's ICAP)

1 CCR 301-81 (rules governing standards for individual career and academic plans)

CROSS REFS.: IHCDA, Concurrent Enrollment

IKF, Graduation Requirements

[Revised and recoded April 2014]

COLORADO SAMPLE POLICY 1999©
Preparation for Postsecondary and Workforce Success

(Implementation Plan for Student Individual Career and Academic Plans)

In accordance with state law and the timeline prescribed by applicable State Board of Education rules (Rules), the district shall create a plan for the development and implementation of student individual career and academic plans (ICAP).

At a minimum, the district's ICAP plan shall address:

1. How the district will ensure that all students, beginning in the sixth grade, have access to and assistance in the development of an ICAP.

2. The role and responsibilities of the student, parents/guardians and district staff in creating and updating an ICAP for the student.

3. The activities that will be addressed at each grade level of a student's ICAP.

4. How students' ICAPs will be stored.

5. If possible, the professional development that will be provided to appropriate district staff regarding ICAPs and the staff's role in implementing the district's ICAP plan.

6. The method that will be used to evaluate the implementation and effectiveness of the district's ICAP plan.

Adopted ____ 2019

[Revised and recoded April 2014]

COLORADO SAMPLE REGULATION 2010©
Graduation Requirements

(Beginning with the Class of 2021)

In pursuit of its mission to ensure that all students reach their learning potential and are prepared for postsecondary and career opportunities, the Board of Education has established the following graduation requirements for students entering the ninth grade in the 2017-18 school year and each ninth grade class thereafter.

To receive a high school diploma from the district, students must meet or exceed the district's academic standards and measures required by this policy. Students with disabilities shall be provided access to all graduation pathways provided by this policy and shall have the opportunity to earn a high school diploma from the district.

College and career readiness

The Colorado State Board of Education has adopted state graduation guidelines that identify college and career readiness measures in English and Math. The Board has selected its own measures from these state graduation guidelines.

English

Students must complete at least one of the following measures and meet or exceed the measure's corresponding cut score or criteria to demonstrate college and career readiness in English.

<table>
<thead>
<tr>
<th>Measure</th>
<th>Cut Score/Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accuplacer assessment</td>
<td>Score of at least 62 on Reading Comprehension: At least 230 on Writing</td>
</tr>
<tr>
<td>ACT assessment</td>
<td>Score of at least 18 on English.</td>
</tr>
<tr>
<td>ACT WorkKeys assessment that demonstrates English readiness, as identified on the accompanying exhibit.*</td>
<td>Score of at least 3 (Bronze level).</td>
</tr>
<tr>
<td>Advanced Placement (AP) exam that demonstrates English readiness, as identified on the accompanying exhibit.*</td>
<td>Score of at least 2:</td>
</tr>
<tr>
<td>Armed Services Vocational Aptitude Battery (ASVAB)</td>
<td>Score in at least the 31st percentile.</td>
</tr>
<tr>
<td>Measure</td>
<td>Cut Score/Criteria</td>
</tr>
<tr>
<td>---------</td>
<td>--------------------</td>
</tr>
<tr>
<td>Exit Exam</td>
<td>Must pass with 70%</td>
</tr>
</tbody>
</table>

Math

Students must complete at least one of the following measures and meet the measure's corresponding cut score or criteria to demonstrate college and career readiness in Math.
<table>
<thead>
<tr>
<th>Assessment Type</th>
<th>Score Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accuplacer assessment</td>
<td>Score of at least 61 on Elementary Algebra, 220 on Math.</td>
</tr>
<tr>
<td>ACT assessment</td>
<td>Score of at least 19 17 on Math.</td>
</tr>
<tr>
<td>ACT-WorkKeys assessment that demonstrates Math readiness, as identified on the accompanying exhibit.*</td>
<td>Score of at least 3 (Bronze level).</td>
</tr>
<tr>
<td>Advanced Placement (AP) exam that demonstrates Math readiness, as identified on the accompanying exhibit.*</td>
<td>Score of at least 2.</td>
</tr>
<tr>
<td>Armed Services Vocational Aptitude Battery (ASVAB)</td>
<td>Score in at least the 31st percentile.</td>
</tr>
<tr>
<td>International Baccalaureate (IB) exam that demonstrates Math readiness, as identified on the accompanying exhibit.*</td>
<td>Score of 4.</td>
</tr>
<tr>
<td>SAT assessment</td>
<td>Score of at least 460 400 on Math.</td>
</tr>
<tr>
<td>Collaboratively-developed, standards-based performance assessment that demonstrates Math readiness, as identified by the Board and approved by the state. [NOTE: Districts are waiting on further guidance from the Colorado State Board of Education and the Colorado Department of Education regarding standards-based assessments that meet this requirement and the cut scores for such assessments.]</td>
<td>[Insert the approved cut score here.]</td>
</tr>
<tr>
<td>Concurrent enrollment course that demonstrates Math readiness, as approved by the district and included in the student’s academic plan of study or Individualized Career and Academic Plan (ICAP).</td>
<td>Grade of at least 70% [Insert required grade as defined by the board's concurrent enrollment policy or applicable agreement.]</td>
</tr>
<tr>
<td>Industry certificate that demonstrates academic and intellectual learning in the subject area of Math.</td>
<td>Receipt of the industry certificate and approval by the district-designated team.</td>
</tr>
<tr>
<td>[NOTE: The district should create an accompanying regulation to define its process for qualifying industry certifications.]</td>
<td></td>
</tr>
<tr>
<td>District capstone project that demonstrates academic and intellectual learning in the subject area of Math.</td>
<td>Completion of the district capstone project and approval by a district-designated reviewer.</td>
</tr>
</tbody>
</table>
Exceptions to the Board's required measures and cut scores/criteria

If a student has demonstrated college and career readiness by completing an assessment or other measure that is not included in this policy but is included in the state graduation guidelines, the principal or principal's designee may determine that such assessment or other measure is acceptable and meets the district's graduation requirements.

Courses required for graduation

Units of credit required for graduation

Credit from other institutions and home-based programs

Students entering from outside the district must meet the district's course requirements. The principal or principal's designee shall determine whether credit toward course requirements shall be granted for courses taken outside the district.

In accordance with applicable state law, college courses completed pursuant to the student's participation in a "dropout recovery program" shall count as credit toward completion of the district's credit requirements.

Early graduation

The Board of Education believes that most students benefit from four years of high school experience and are encouraged not to graduate early. However, in some cases, students are ready for postsecondary education or other opportunities at an earlier age. Therefore, the principal may grant permission to students wishing to graduate early, provided the student has met all district graduation requirements in accordance with this policy.

Adopted 2019

LEGAL REFS.: C.R.S. 22-1-104 (teaching history, culture and civil government)

C.R.S. 22-32-109 (1)(kk) (board to establish graduation requirements that "meet or exceed" state graduation guidelines)

C.R.S. 22-32-132 (discretion to award diploma to honorably discharged veterans)

C.R.S. 22-33-104.5 (home-based education law)
C.R.S. 22-35-101 et seq. (Concurrent Enrollment Programs Act)

CROSS REFS.: AE, Accountability/Commitment to Accomplishment

AEA, Standards Based Education

IHBG, Home Schooling

IHBK*, Preparation for Postsecondary and Workforce Success

IHCDA, Concurrent Enrollment

IK, Academic Achievement

IKA, Grading/Assessment Systems

[Revised April 2017]

COLORADO SAMPLE POLICY 2016©
JLDAC-E

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

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

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

2. Receive notice and an opportunity to opt a student out of:
   a. Any other protected information survey, regardless of funding.
   b. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student.
   c. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

3. Inspect, upon request and before administration or use:
   a. Protected information surveys of students.
b. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes.

c. Instructional material used as part of the educational curriculum.

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

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

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

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

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

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

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

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

Adopted 2019

[Reviewed August 2014]
COLORADO SAMPLE EXHIBIT 2007©
Privacy and Protection of Confidential Student Information

The Board is committed to protecting the confidentiality of student information obtained, created and/or maintained by the district. Student privacy and the district'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 Board directs district 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 district, 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 district

The district shall follow applicable law and Board policy in the district's access to, collection and sharing of student education records.

District employees shall ensure that confidential information in student education records is disclosed within the district only to officials who have a legitimate educational interest, in accordance with applicable law and Board policy.

Outsourcing and disclosure to third parties

District employees shall ensure that student education records are disclosed to persons and organizations outside the district only as authorized by applicable law and Board policy. The
term "organizations outside the district" includes school service on-demand providers and school service contract providers.

Any contract between the district 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 district 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 district uses.

Privacy and security standards

The security of student education records maintained by the district is a high priority. The district 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 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 Board policy.

Employee concerns about a possible security breach shall be reported immediately to the Chief Financial Officer. If the Chief Financial Officer is the person alleged to be responsible for the security breach, the staff member shall report the concern to the Superintendent.

When the district determines that a school service contract provider has committed a material breach of its contract with the district, and that such material breach involves the misuse or unauthorized release of student PII, the district 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 district from terminating its contract with the school service contract provider, as deemed appropriate by the district and in accordance with the contract and the Act.

Data retention and destruction

The district shall retain and destroy student education records in accordance with applicable law and Board policy.

Staff training
The district shall provide periodic in-service trainings to appropriate district employees to inform them of their obligations under applicable law and 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 district student may file a written complaint with the district if the parent/guardian believes the district 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 district's procedures governing access to and amendment of student education records under FERPA, applicable state law and Board policy.

Oversight, audits and review

The **IT Director** shall be responsible for ensuring compliance with this policy and its required privacy and security standards.

The district’s practices with respect to student data privacy and the implementation of this policy shall be periodically audited by the **IT Director** or designee.

A privacy and security audit shall be performed by the district 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 **IT Director** 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 **IT Director** shall recommend revisions to this policy and/or accompanying regulation as deemed appropriate or necessary.

Compliance with governing law and Board policy

The district shall comply with FERPA and its regulations, the Act, and other state and federal laws governing the confidentiality of student education records. The district shall be entitled to take all actions and exercise all options authorized under the law.

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

**Adopted 2019**

LEGAL REFS.: 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)
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 REFS.: BEDH, Public Participation at School Board Meetings
EHB, Records Retention
GBEB, Staff Conduct (And Responsibilities)
GBEE*, Staff Use of the Internet and Electronic Communications

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

IRA/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

KLMA, Relations with Military Recruiters, Postsecondary Institutions and Prospective Employers

COLORADO SAMPLE POLICY 2017
Privacy and Protection of Confidential Student Information

(Hearing and Complaint Procedures)

Contract breach by school service contract provider

Within a reasonable amount of time after the district determines that a school service contract provider has committed a material breach of its contract with the district, and that such material breach involves the misuse or unauthorized release of student PII, the Board shall make a decision regarding whether to terminate the district's contract with the school service contract provider in accordance with the following procedure.

1. The district shall notify the school service contract provider of the basis for its determination that the school service contract provider has committed a material breach of the contract and shall inform the school service contract provider of the meeting date that the Board plans to discuss the material breach.

2. Prior to the Board meeting, the school service contract provider may submit a written response to the district regarding the material breach.

3. The Board shall discuss the nature of the material breach at a regular or special meeting.

4. At the Board meeting, a district representative shall first be entitled to present testimony or other evidence regarding the district's findings of a material breach. The school service contract provider shall then have an opportunity to respond by presenting testimony or other evidence. If the school service contract provider is unable to attend the meeting, the Board shall consider any written response that the school service contract provider submitted to the district.

5. If members of the public wish to speak to the Board regarding the material breach, they shall be allowed to do so, in accordance with the Board's policy on public participation at Board meetings.

6. The Board shall decide whether to terminate the contract with the school service contract provider within 30 days of the Board meeting and shall notify the school service contract provider of its decision. The Board's decision shall be final.

Parent/guardian complaints

In accordance with the accompanying policy, the parent/guardian of a district student may file a written complaint with the Chief Financial Officer if the parent/guardian believes the district has failed to comply with the Student Data Transparency and Security Act (the Act).
1. The parent/guardian's complaint shall state with specificity each of the Act's requirements that the parent/guardian believes the district has violated and its impact on his or her child.

2. The Chief Financial Officer or designee shall respond to the parent/guardian's written complaint within 30 calendar days of receiving the complaint.

3. Within 10 calendar days of receipt of the district's response, the parent/guardian may appeal to the Board. Such appeal must be in writing and submitted to the Chief Financial Officer.

4. The Board shall review the parent's complaint and the district's response at a regular or special meeting. A district representative and the parent/guardian may make brief statements to the Board, but no new evidence or claims may be presented. The Board may choose to conduct the appeal in executive session, to the extent permitted by law.

5. The Board shall make a determination regarding the parent/guardian's complaint that the district failed to comply with the Act within 60 days of the Board meeting. The decision of the Board shall be final.

6. This procedure shall not apply to parent/guardian concerns with his or her child's education records. If the parent/guardian files a complaint regarding his or her child's education records, the district shall follow its procedures governing access to and review of student education records, in accordance with FERPA, applicable state law and Board policy.

Governing law and Board policy

Nothing contained herein shall be interpreted to confer upon any person the right to a hearing independent of a Board policy, administrative procedure, statute, rule, regulation or agreement expressly conferring such right. The complaint and hearing procedures described in this regulation shall apply, unless the context otherwise requires and/or unless the requirements of another policy, procedure, statute, rule, regulation or agreement expressly contradicts any of these procedures, in which event the terms of the contrary policy, procedure, law, rule, regulation or agreement shall govern.

**Adopted_____2019**

COLORADO SAMPLE REGULATION 2017
Parent Notification of Employee Criminal Charges

The district shall notify students' parents when a district employee or former district employee is charged with a specific criminal offense, as required by state law and in accordance with this policy.

Definitions

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

1. "Employee" shall mean a person currently employed by the district or formerly employed by the district at any time within twelve months prior to the person being charged with a specific criminal offense and whose work requires or required the employee to be in contact with students or whose work area gives or gave the employee access to students.

2. "Parents" shall mean a student's biological or adoptive parents or a student's legal guardian or legal custodian.

3. "School day" shall mean a day on which student instruction occurs at the school and school is in session. When school is not in session (e.g. summer break), "school day" shall mean business day and shall not include a Saturday, Sunday or legal holiday.

4. "Specific criminal offense" shall mean:

a. felony child abuse, as specified in C.R.S. 18-6-401;

b. a crime of violence, as defined in C.R.S. 18-1.3-406(2), except second degree assault, unless the victim is a child;

c. a felony involving unlawful sexual behavior, as defined in C.R.S. 16-22-102(9);

d. felony domestic violence, as defined in C.R.S. 18-6-800.3;

e. felony indecent exposure, as described in C.R.S. 18-7-302; or

f. a level 1 or level 2 felony drug offense, as described in C.R.S. 18-18-401 et seq.

Parent notification

The district shall notify parents within two school days after the employee's preliminary hearing for a specific criminal offense is held, waived or deemed waived by the employee. If the specific criminal offense is not eligible for a preliminary hearing, the district shall notify parents within two school days after the date on which the employee is charged with a specific criminal offense.
If the district cannot determine whether a preliminary hearing will be held or has been held or waived, the district shall notify parents within two school days of learning that the employee has been charged with a specific criminal offense.

The notification shall be to those parents of students:

1. enrolled in the school in which the employee is employed or was employed at the time of the alleged specific criminal offense; or

2. with whom the district has reason to believe the employee may have had contact as part of his or her district employment.

Alternatively, the district may provide the parent notification required by this policy upon learning of the employee's arrest for a specific criminal offense from the Colorado Bureau of Investigation.

Within two school days after the district confirms the disposition of the charge against the employee for a specific criminal offense, the district shall notify parents of such disposition using the same notification method used in the initial notice to parents.

If a delay in parent notification is requested by the appropriate law enforcement agency, the district shall delay notification to parents until the request is withdrawn.

Adopted ___2019___

LEGAL REFS.: C.R.S. 22-1-130 (parent notification of employee criminal charges)

C.R.S. 22-2-119 (4)(b) (district notification of employee arrests)

CROSS REFS.: ADD, Safe Schools

GBEB, Staff Conduct (And Responsibilities)

COLORADO SAMPLE POLICY 2018©