

Discipline Code

Edition 14

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**Thompson School District R2-J
800 South Taft Avenue
Loveland, CO 80537
970-613-5000**

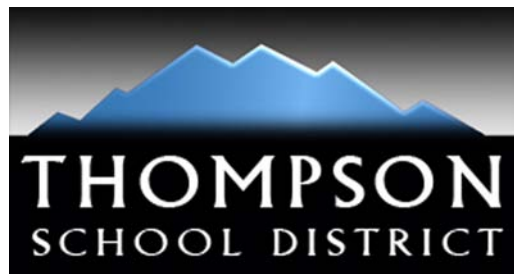


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THE LETTERS INDICATED AFTER TITLES IN THIS DOCUMENT ARE THE CODE
FOR EACH ADOPTED BOARD POLICY

Background Information

In order for the district to be in compliance with legislation passed in the spring of 1993, a committee was appointed to review our current discipline policies and revise them so they would comply with state law. The committee was made up of principals, teachers, parents, a board member, and representatives from Central Administration. After meeting on September 9, 1993, the committee distributed draft policies for input from the board of education, principals, staff and students. Input from these groups was received and revisions in the draft policies were made at a meeting on September 23, 1993. The revised policies were sent to legal counsel for review. The board of education adopted these policies known as the "Discipline Code" on October 6, 1993. Since the original adoption of policies on October 6, 1993, subsequent changes have been adopted by the board of education and are included in this new version of the code. (Any changes or revisions of these policies require a reprinting and redistribution of the code.)

The goal of the Thompson School District is to help each student grow and succeed in schools which are safe and orderly. Effective schools have rules which are reasonable and understood by all (parents, students, teachers, administration, etc.) Students play an important role in making sure they conduct themselves as good citizens and encourage their fellow students to do likewise. The purpose of this publication is to outline student rights and responsibilities and provide the guidelines/rules which make up the "Discipline Code" for the Thompson School District.

Questions concerning this document may be directed to the individual building principals or the district deputy superintendent at 613-5000.

A copy of this document and all school district policies including those referenced in this book are available on-line at www.thompsonschoools.org.

Copies of specific policies are available upon request within three business days.

Student Responsibilities

I. Protect Student Rights & the Rights of Others to Learn

- a. No one has the right to interfere with the education of others. Students have the right to learn!

II. Attend School Daily Unless Sick or Legally Excused

- a. Students are required by Colorado law to attend school until they attain the age of 17. Students who attend classes learn more, get better grades, and in general, are more successful.

III. Be on Time for Classes

- a. Students should be in the classroom, ready to work, when the class begins.

IV. Obey School Rules

- a. Students, like other citizens in our community, must know and obey the rules which guide the conduct of the community. The school is the student's community for much of the day. Keeping it safe and orderly is a cooperative effort between school staff, students, and parents.

V. Meet Deadlines & Complete Assignments

- a. The development of a sound work ethic is important and has direct transfer to the world of work.

VI. Respect & Maintain All Public School Buildings & Materials

- a. Schools are a gift from the community. As members of the community, students should work hard to maintain the appearance of our schools so that future students may have the same opportunities.

VII. Communication is a Key Responsibility

- a. Education requires a partnership between the home and the school. For this partnership to work, complete and open communication is necessary. Honesty and integrity are important in this process. Students play a role by making sure that all school correspondence is shared with the family and that all correspondence from home is received by the school.

Student Rights

I. Free & Equal Educational Opportunity

- a. Students have the right to attend school until age 21 or graduation from high school.
- b. Every student in this district will have equal educational opportunities regardless of race, ethnic origin, religion, gender or disabling condition. Students also have the right to a learning environment free from fear of insult, harassment or injury from others.

II. Campus

- a. Students are expected to remain on school premises throughout their school day. However, the principal may make individual exceptions. Such exceptions require a written parental request explaining the purpose for the request.
- b. High school principals have the prerogative of approving open lunch by grade level or for individual students. They also have the discretion of suspending or terminating this privilege.

III. Searches

- a. Lockers are the property of the Thompson School District and are available for the convenience of the students. Student use of lockers, desks or storage areas is subject to the

right of school authorities to open or enter these areas and inspect their contents for any reason at any time without notice or student consent.

- b. A student's person and/or personal effects, such as a purse, book, bag, backpack, etc., may be searched whenever a school authority has reasonable grounds for suspecting that the search will produce evidence that the student has violated or is violating either the law or the rules of the school.

IV. Automobile Use (High School Only)

- a. Students must park their cars in designated parking areas in the morning when arriving at school. Cars shall remain there until after school hours except as authorized by the principal. Violation of this policy shall result in disciplinary penalties in the same way as any other violations of policies and regulations.
- b. The privilege of bringing a student-operated motor vehicle on to school premises is conditioned on consent by the student driver to allow search of the vehicle when there is reasonable suspicion that the search will yield evidence of contraband.
- c. Refusal by a student, parent or guardian or owner of the vehicle to allow access to a motor vehicle on school premises at the time of a request to search the vehicle shall be cause for termination without further hearing of the privilege of bringing the vehicle on to school premises.
- d. Routine patrolling of student parking lots and inspection of the outside of student automobiles shall be permitted at all times.

V. Motor Scooters & Motorized Bikes

- a. Students must park motor scooters and motorized bikes in designated areas when arriving at school. Scooters shall remain there until dismissal time.

- b. Motor scooters and motorized bikes shall not be driven on school grounds.
- c. Principals shall cooperate with the Police Department in enforcing regulations concerning motor scooter safety.

VI. Rights to Due Process

- a. Any student facing disciplinary action is entitled to fair procedures to determine if he/she is at fault. Simply stated, those procedures include the right to be told what the rules are; to be told what rule(s) has been violated; and to be given the opportunity to present his or her version of the facts. Efforts will be made to notify parents of disciplinary action taken.

VII. Freedom of Expression & Assembly

- a. Students have the right to assemble and express themselves. Students' rights to express personal opinions are recognized in school, as long as the manner of expression does not infringe upon the rights and privileges guaranteed to others or disrupt the learning process. The principal may regulate expression provided that it will cause or is causing substantial disruption.
- b. Students who write articles or editorials for school publications have the right to express their opinions. However, the principal, or designee, may deny approval of publication or require revision prior to publication if statements, articles or editorials are in violation of established standards, as set out in the district's policy regarding student publication.

VIII. Assignment of Students to Schools

- a. Although the district attempts to establish school attendance boundaries that will best support educationally sound school programs, maintain community identity and provide individual safety and convenience, there may be cases when the district or

parents and students feel that a school outside their designated attendance area better fulfills their particular needs. Reasons may include, but need not be limited to, special circumstances of health, emotional problems, learning problems or other circumstances affecting the welfare of the student.

- b. Students shall attend school in the enrollment area determined by their residence unless a transfer request to attend another school is approved. Students who submit a transfer request in accordance with JFBA/JFBB-R may be permitted to enroll in a particular program or school outside their normal enrollment area.

IX. Student Records

- a. Student educational records are those records maintained by the school district that are directly related to a student. Natural or adoptive parents, legal guardian(s) or eligible students (students 18 and over) have the right to review and authorize the release of educational records. Information and records shall be made available to the parent or eligible student upon request as outlined in Board Policy JRA/JRC (Student Records).
- b. Parents or eligible students who believe that information contained in the educational records of a student is inaccurate or misleading or violates the privacy or other rights of the student may request that the district amend the records as outlined in Board Policy JRA/JRC (Student Records).
- c. The school district will disclose personally identifiable information from student records without written consent of the parent or eligible student only to:
 - 1. Other school officials within the school system who have legitimate educational interest in it.
 - 2. Officials of other primary and secondary schools outside the school

district in which the student seeks or intends to enroll.

- 3. Authorities specifically named in the Family Educational Rights and Privacy Act and accompanying federal and state regulations.
- 4. State and local officials who are required to get specific information pursuant to state law enacted prior to November 19, 1974.
- 5. Sponsors of financial aid for which the student has applied or which the student has received, provided the information is for purposes of determining eligibility for the aid, determining the amount of the aid, determining the conditions for aid or in enforcing the terms and conditions of the aid.
- 6. Accrediting institutions.
- 7. Testing and research organizations as long as confidentiality is maintained and such organizations are required to destroy records after they no longer are needed.
- 8. Other parties such as Social Services and the Police Department where the information contained in the record is necessary to protect the health or safety of the student or other individuals.
- 9. Anyone requesting directory information as specified in Board Policy JRA/JRC (Student Records/Release of Information).

NOTE: The parent or eligible student has the right to refuse to permit the release of any or all of the categories of directory information, provided such refusal is received in writing in the office of the principal of the school where the student is in attendance no later than September 7 of the school year for which the refusal is to be in effect (or the following Monday if September 7 is a Saturday or Sunday) or at least 20 days in advance of a disclosure.

SEE: Board Policy JRA/JRC and Exhibit JRA/JRC-E for more information and a listing of records maintained by the school district.

X. Special Education Records

- a. Special education records will be retained up to five years following discontinuance of all special education and related services, unless the parent of a student with disabilities requests that the personally identifiable records be destroyed. When records are destroyed pursuant to such a request, a permanent record may nevertheless be maintained consisting of the student's name, address, phone number, grades, attendance record, grade level completed and year completed.

XI. Reporting of Abuse

- a. It is state law in Colorado and a policy of the Thompson School District to comply with the Child Protection Act. Any school employee who has reasonable cause to know or suspect that a child has been subject to abuse or neglect shall immediately report it to the Larimer County Department of Social Service. School officials are not allowed, by law, to contact the child's family or other persons to determine the cause of the suspected abuse or neglect. Once a report has been made to the Larimer County Department of Social Services, the responsibility for investigation and follow-up lies with that agency.

XII. Student Support Services

- a. Psychiatric and psychological examination and treatment of any emotional, behavioral, or mental disorder or disability of a student will not be performed by the school district without parental consent unless the student is otherwise allowed by law to give his or her own consent. However, in the unusual case of crisis or trauma affecting multiple students or in the case of an emergency affecting an individual student, certified or licensed persons may offer immediate, short-

term psychological support services without prior written permission, unless the parent or legal guardian has excluded the student from these services by giving prior written notice to the principal of the school.

XIII. Victims of Unlawful Acts

- a. Victims of unlawful acts committed at school should file a report with the principal and can file a report with the local police.

XIV. Special Education

- a. Special education services are available for students with identified disabilities in accordance with the Individuals with Disabilities education Act (IDEA) and Section 504 of the Individuals with Disabilities Act. Placement of a child in Special education occurs only after an assessment of the child by a team of professionals and conferences with the parent and teacher. Written consent of the parent is required before a child may be evaluated and placed in any of the Special education programs.
- b. The process to refer children for Special education services begins with a Student Intervention Team (SIT) review conference which can be requested by students, parents, teachers or other school personnel. For more information about SIT, Special education services, student and parent rights or the process to access Special education services, please contact your school's learning center teacher, school psychologist or the Special Education Department at 613-5020.

Equal Educational Opportunities/Non-Discrimination JB/JBB

- a. No student of this school district shall be excluded from participating in, be denied the benefits of or be subject to discrimination in any district program or activity on the basis of race, color, religion, gender, marital status, national origin or disability. More specifically, the school

district will treat its students without discrimination on the basis of any of these categories as prescribed by law.

- b. Further, the board of education affirms the right of all students, regardless of race, color, religion, gender, national origin or disability, to be treated with respect and to be protected from intimidation, discrimination, physical harm or harassment, whether by staff members or by students.
- c. Harassment/discriminatory behavior that denies civil rights or access of equal educational opportunities includes comments, name-calling, physical conduct or other expressive behavior directed at an individual or group that intentionally demeans the race, color, religion, national origin, gender or disability of the individual or individuals or creates an intimidating, hostile or demeaning environment for education.
- d. Director of Human Resources has been appointed to serve as compliance officer for this policy and should be consulted on questions related to its application.

Sexual Harassment of a Student by Students or School Personnel (JBBA)

- a. The board of education recognizes that sexual harassment can interfere with a student's academic performance and his/her emotional/physical well-being. Preventing and remedying sexual harassment in schools is essential to insure a nondiscriminatory, safe environment in which students can learn. In addition, sexual harassment is a form of sex discrimination and thus a violation of the laws which prohibit sex discrimination.

I. District's Commitment

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

sexual harassment or participates in a harassment investigation.

- b. All indications, informal reports or formal grievances of sexual harassment brought by students, staff or third parties shall be investigated by the district and appropriate corrective action shall be taken. Corrective actions may include taking necessary steps to end the harassment, to make the harassed student whole by restoring lost educational opportunities, to prevent harassment from recurring and to prevent retaliation against anyone who reports sexual harassment or participates in a harassment investigation.
- c. Notice of this policy shall be circulated to all district schools and departments and incorporated in all student handbooks.
- d. All students and district employees shall receive age-appropriate training related to recognizing and preventing harassment. District employees shall receive additional training related to handling reports of sexual harassment.
- e. Definition of Sexual Harassment: Unwelcome sexual advances, requests for sexual favors or other verbal, non-verbal or physical conduct of a sexual nature may constitute sexual harassment, even if the harasser and the student being harassed are of the same sex and regardless of whether the student resists or submits to the harasser. Conduct is considered sexual harassment when:
 - 1. Submission to such conduct is made either explicitly or implicitly a term or condition of a student's participation in an education program or activity.
 - 2. Submission to or rejection of such conduct by a student is used as the basis for education decisions affecting the student.
 - 3. Such conduct is sufficiently severe, persistent or pervasive that it limits a

student's ability to participate in or benefit from an education program or activity or it creates a hostile or abusive educational environment.

- f. For a single incident to be considered harassment, it must be severe (interferes with a student's academic performance or emotional well-being). Acts of verbal or physical aggression, intimidation or hostility based on sex, but not involving conduct of a sexual nature, may also constitute sexual harassment.
- g. Sexual harassment as defined above may include, but is not limited to:
 - 1. Sexually oriented verbal "kidding," abuse or harassment.
 - 2. Pressure for sexual activity.
 - 3. Repeated remarks to a person with sexual or demeaning implications.
 - 4. Unwelcome touching, such as patting, pinching or constant brushing against the body of another.
 - 5. Suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's safety, grades or similar personal concerns.

II. Reporting Sexual Harassment

- a. Sexual harassment cannot be investigated or corrected unless the district is made aware of it. Therefore, students who cannot resolve incidents that they believe to be sexual harassment through informal communication with the other person(s) involved should inform a teacher, counselor or principal in their school building. If this person is unable to resolve the matter, the student should file a written complaint. All such student reports or indications of student sexual harassment reported by district employees or third parties, shall be forwarded to the district's Grievance Officer (Director of Human Resources)

and dealt with according to Regulation JBBA-R.

- 1. The Grievance Officer should be consulted on questions related to its application. If he/she is the alleged harasser, an alternative Grievance Officer will be appointed by the superintendent to investigate the matter.
- 2. Upon receiving a report, the Grievance Officer shall proceed as set forth in Regulation JBBA-R, investigating Sexual Harassment Reports.
- 3. All matters involving sexual harassment reports shall remain confidential to the extent possible as long as doing so does not preclude the district from responding effectively to the harassment or from preventing future harassment. Filing of a grievance or otherwise reporting sexual harassment shall not reflect upon the student's status or affect his/her grades.

III. Interim District Action

- a. When appropriate, the district shall take measures during the investigation of a harassment report to protect the alleged subject of the harassment from further harassment or retaliation.
 - 1. In cases involving potential criminal conduct, the Grievance Officer shall determine whether appropriate law enforcement officials should be notified.

IV. District Action Following Investigation

- a. If the conduct is determined to be sexual harassment, the district shall take all reasonable action to end the sexual harassment, to prevent its recurrence, to prevent retaliation against the student making the report and anyone participating in the investigation, and to restore lost education opportunities to the harassed student. In addition, the harasser shall

be disciplined according to any applicable discipline policy.

1. If inappropriate conduct does not rise to the level of sexual harassment prohibited by law, the matter shall be handled according to any applicable discipline policy.

Investigating Sexual Harassment Reports (JBBA-R)

- a. The complaint procedure prescribed in JB/JBB-R for allegations of discrimination against students shall also be used for allegations of sexual harassment of a student by other students or by school personnel, with the specific additional considerations described below.

1. Receiving and Recording Sexual Harassment Reports: All sexual harassment reports, whether from students or from student mediators, shall be forwarded to the Grievance Officer who shall keep a confidential log, separate from other school records, in which they shall be recorded. The purpose of this log is to aid the Grievance Officer in the investigation of sexual harassment allegations and in discovering, investigating and resolving recurrent sexual harassment problems. Contents of the log are to remain confidential to the greatest extent possible without impairing effective investigation of and response to allegations.

2. Investigating Sexual Harassment Reports: The first task of the Grievance Officer when investigating reports of sexual harassment should be to determine whether the alleged conduct actually occurred and whether or not it constitutes sexual harassment.

3. The following types of information may be considered in determining whether sexual harassment occurred:

- i. Statements by any witness to the alleged incident(s);
- ii. Evidence about the relative credibility of the parties involved;

- iii. Evidence regarding whether the alleged harasser has been found to have harassed others;
- iv. Evidence of the complainant's reaction to or change in behavior following the alleged harassment;
- v. Evidence about any action(s) the complainant took to protest the alleged conduct;
- vi. Evidence and witness statements or testimony presented by the parties involved;
- vii. Other contemporaneous evidence;
- viii. Any other evidence deemed relevant by the Grievance Officer.

4. In deciding whether conduct is sufficiently severe, persistent or pervasive, all relevant circumstances shall be considered by the Grievance Officer, including:
 - i. The degree to which the conduct affected one or more students' education;
 - ii. The type, frequency and duration of the conduct;
 - iii. The identity of and relationship between the alleged harasser and the allegedly harassed student;
 - iv. The number of individuals involved as alleged harassers and as objects of the harassment;
 - v. The age and sex of the alleged harasser and the object of the harassment;
 - vi. The location of the incident and context in which it occurred; and
 - vii. Other incidents at the school.

Student Absences & Excuses

JH/JHA/JHBA

- a. The board of education believes that regular and punctual attendance contributes strongly to student academic success and builds habits that are required in the world of work. Frequent tardiness or absence disrupts the continuity of learning; often the work missed cannot be made up adequately. No other single factor is as closely linked with failing grades and dropping out of school. Students with good attendance generally achieve higher grades, enjoy school more and are more employable after leaving school.
- b. State law makes parents/guardians responsible for seeing that their children attend school regularly or receive equivalent instruction. The board of education is required to designate an attendance officer to enforce the provisions of the compulsory attendance law, counsel students and parents, investigate the causes of non-attendance and report findings to the board of education. This report will be made during the fourth quarter of the year.
- c. Each school in the Thompson District shall develop a policy/procedure regarding absences and tardies in accordance with the provisions of Policy JH/JHA/JHBA and the accompanying Regulation JA/JHA/JHBA-R, procedures adopted by the board of education on December 6, 2000, and communicate the policy/procedure to its school community. Any changes in school policies and procedures shall be ratified by the board of education by June of each year for the following school year.
- d. The school attendance policy will be determined by students, staff and parents of the school under the leadership of the principal. It must include procedures for recording and monitoring attendance and notifying parents of nonattendance, limits on number of excused absences and tardies, incentives for regular attendance, consequences for unexcused absences or excessive excused absences.
- e. The school attendance policy should be designed as a teaching tool. Students

should develop positive attitudes about attendance and punctuality and learn that getting to school regularly and on time builds important skills for later life. Students should accept responsibility for their actions and understand the negative consequences of poor attendance. Each school policy shall clarify the intent, systems and procedures for all concerned; be perceived as fair and just; be as efficient as possible while accomplishing its purposes; and include options for keeping students in school, such as behavior modification strategies for repeat or frequent offenders. Excessive absences are normally a symptom of other problems and attempts should be made to deal with whatever the other problems might be.

I. Special Considerations

- a. Because of the close ties between elementary children and their families, elementary schools should respond to unexcused absences with a family focus and the goal of finding and dealing with the underlying causes for the absences. The school should provide helpful, non-threatening assistance if needed. Elementary students and their parents need to think of the school as a friendly place and that learning is useful and desirable. As much as possible, the attendance procedure should reinforce these attitudes and not be punitive or authoritarian.
- b. Middle school policies should attempt to be corrective with an emphasis on individual responsibility and needs. The consequences of repeated truancies or unexcused absences should be made clear. Consequences should be progressive, beginning by emphasizing the seriousness of the behavior and moving to loss of credit and referral to outside authority.

II. Absences

- a. Excused Absences: Excused absences are exceptions to compulsory attendance. They include the following (asterisked items are specified in Colorado law):

1. A student who is temporarily ill or injured or whose absence is approved by the administrator of the school of attendance.*
2. A student who is absent for an extended period due to physical, mental or emotional disability.*
3. A student who is pursuing a work-study program under the supervision of a public school.*
4. A student who is participating in any school-sponsored activity or a student who has advance approval by the administration to attend an activity of an educational nature.
5. A student whose presence in school, on a doctor's written advice, may constitute a danger to his/her health or will seriously expose other students to a health hazard (such as a student under quarantine).
6. A student who has a death in his or her immediate family.
7. A student whose presence is required in court.
8. A student who, with advance approval, attends for a minimum of one hundred seventy-two days an independent or parochial school which provides a basic academic education as defined in state law.
9. A student who is in the custody of a court or law enforcement authorities.*
10. A student who is being instructed at home by a certified teacher or under a system of home study pursuant to state law and State board of education rules.*
11. A student who has the written approval of the building principal based on special family circumstances.
12. A student to whom a current age and school certificate or work permit has been issued pursuant to state law.*
13. A student who is participating in an observance of his or her religion.
14. Suspension
 - b. Unexcused Absences: Any absence that is not covered by one of the situations described above is an unexcused absence. These include the following:
 1. Expulsion
 2. Leaving school or a class without permission of the teacher or administrator in charge.
 3. Not reporting to school or a class unless the absence is excused in accordance with the school's policy.
 4. Any absence that is not excused within 48 hours.
 - c. Medical Absences: The school, in its discretion, may require a student who is absent for medical reasons to provide a note from his or her doctor. In such cases, a student who does not provide the required note shall be considered absent without excuse.

III. Responsibilities for School Attendance

- a. Student Responsibility for School Attendance:
 1. To attend school on all days of the established school calendar.
 2. To appear in class on time, prepared to learn.
 3. To contact teachers immediately upon return from absences and arrange for completion of make-up work.
 4. To complete work as assigned by the teacher when a preauthorized absence has been requested.

5. To check the absence list regularly and take steps to correct errors in attendance recording.
- b. Parent/Guardian Responsibility for School Attendance:
1. To encourage the student to develop good attendance habits and communicate that any absence or tardy, regardless of cause, may have a detrimental effect on achievement.
 2. To be familiar with the school's attendance policies and procedures and follow them.
 3. To contact the school regarding absences and to provide the school with written documentation within 48 hours.
 4. To contact the school regarding absences, in accordance with the school's policies.
 5. To contact the school and request a conference with the appropriate administrator or teacher upon notification from the school that attendance is a concern.
 6. To furnish the school with a telephone number or other means of contacting them during the school day.
- c. Teacher Responsibility for School Attendance:
1. To inform parents/guardians and students at the beginning of each year, semester or term about classroom attendance expectations and any penalties that may be imposed for tardies or absences.
 2. To take attendance daily and maintain accurate attendance records according to school policy and regulations.
 3. To apply the attendance policy consistently to all students.
 4. To notify students of tardies, absences, and academic penalties through procedures specified by the school.
5. To notify parents of attendance concerns.
6. To provide quality learning experiences that encourage regular attendance.
- d. Principal Responsibility for School Attendance:
1. To facilitate the development of school-wide attendance regulations in conformance with Policy JED. These regulations shall be forwarded to the board of education for ratification by June for the following school year.
 2. To supervise the implementation of attendance policy and procedures.
 3. To provide parents/guardians with information about the school's attendance procedures and their child's attendance records.
 4. To inform parents of absences.
 5. To facilitate the use of available resources for students who exhibit attendance problems.
- e. The school shall establish a system of monitoring individual absences, both excused and unexcused. When a student fails to report on a regularly scheduled school day and school personnel have received no indication that his or her parent/guardian is aware of the absence, school personnel or volunteers under the direction of school personnel shall make a reasonable effort to notify the parent/guardian by telephone.

IV. Tardiness

- a. A tardy student is a student without a valid excuse who is not in the classroom at the time the teacher expects. A student detained by another teacher or staff member shall not be considered tardy provided that the staff member gives the student a pass to enter the next class.
- b. Elementary students will be considered tardy if they arrive more than five minutes after class has started; secondary schools will determine their definitions and consequences for tardiness. Penalties for tardiness will be equated with penalties for unexcused absences. An unexcused tardy exceeding 30 minutes will be counted as a half day unexcused absence in elementary and middle schools.
- c. The classroom teacher, counselors and/or administrators will work with tardy students to discuss the undesirable consequences of tardiness, explore the reasons for the tardies, work mutually with the student to identify how to avoid future tardies and point out the consequences of further tardies. Tardiness may be excused if a parent, guardian, legal custodian or school staff member communicates with the teacher about the tardiness within 24 hours. In elementary and middle school, after 30 minutes an unexcused tardy will be counted as a half day unexcused absence.

V. Truancy/Habitual Truancy

- a. If a student is absent without a signed 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 student" shall be defined as a student of compulsory attendance age who has four unexcused absences from school or from class in any one month or ten unexcused absences during any year. Absences due to suspension or expulsion shall not

be counted in determining whether a student is a habitual truant.

- b. When a student is declared habitually truant, the school shall, in cooperation with the student and parent or legal custodian, develop a plan to assist the child to remain in school.
- c. In order to reduce the incidence of truancy, parents of all students shall be notified in writing at the beginning of each school year of their obligation to insure that all children of compulsory attendance age attend school.

VI. Dropout

- a. 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 to be a "dropout" and shall be reported as such to the Department of Education. 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, he or she is not considered a dropout and shall not be reported as such.

Student Conduct (JIC)

- a. It is the intention of the Board of Education that district schools help students achieve maximum development of individual knowledge, skills and competence and that students become responsible, contributing members of society. Every student in a public school in this district has the right to learn in an environment that is safe, conducive to the learning process, and free from unnecessary disruption.
- b. In accordance with state law, the Board 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 also shall emphasize that certain behavior, especially behavior that disrupts the classroom, is

unacceptable and may result in disciplinary action. At each site, the code shall be enforced uniformly, fairly and consistently for all students.

- c. All Board policies and regulations containing the letters "JIC" in the file name shall be considered as constituting the conduct section of the legally required code.
- d. The Board shall consult with parents, students, teachers, administrators, and other community members in the development of the conduct and discipline code.
- e. The rules shall not infringe upon constitutionally protected rights, shall be clearly and specifically described, shall be printed in a handbook or some other publication made available to students and parents, and shall have an effective date subsequent to the dissemination of the published handbooks.
- f. The district shall arrange to have the conduct and discipline code distributed annually to each student in elementary, middle, and high school and once to each new student in the district. Copies shall be posted, kept online, or kept on file in each school of the district. In addition, any significant change in the code shall be distributed to each student and posted in each school.
- g. In all instances, students shall be expected to conduct themselves in keeping with their level of maturity, acting with due regard for the supervisory authority vested by the Board in all district employees, the educational purpose underlying all school activities, the widely shared use of school property, and the rights and welfare of other students. All employees of the district shall be expected to share the responsibility for supervising the behavior of students and for seeing that they abide by the established rules of conduct.

**Student Dress Code
(JICA)**

- a. A safe and disciplined learning environment is essential to a quality education program.

District-wide standards on student attire are intended to help students concentrate on schoolwork, reduce discipline problems, and improve school order and safety. The Board of Education 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.

- b. 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.

I. Unacceptable Items

- a. The following items are deemed disruptive to the classroom environment or to the maintenance of a safe and orderly school and are not acceptable in school buildings, on school grounds, or at school activities:
 - 1. Shorts, dresses, skirts, or other similar clothing that is inappropriately sheer, short, tight or low-cut (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.
 - 2. Tank tops or other similar clothing with narrow straps.
 - 3. Sunglasses, bandanas and/or hats worn inside the building.
 - 4. Any clothing, paraphernalia, grooming, jewelry, hair coloring, accessories, or body adornments that are or contain any advertisement, symbols, words, slogans, patches, or pictures that:

- i. Refer to drugs, tobacco, alcohol, or weapons
- ii. Are of a sexual nature
- iii. By virtue of color, arrangement, trademark, or other attribute denote membership in gangs which advocate drug use, violence, or disruptive behavior
- iv. Are obscene, profane, vulgar, lewd, or legally libelous
- v. Threaten the safety or welfare of any person
- vi. Promote any activity prohibited by the student code of conduct
- vii. Otherwise disrupt the teaching-learning process
- viii. Are racist in nature or include derogatory comments or slurs against groups of people

- b. Principals shall be responsible for student conduct while students are waiting for the buses at school and shall use their professional judgment in cooperation with the transportation department regarding any behavior problem of students.
- c. Any conduct on a school bus which distracts the driver, endangers or threatens students or violates any other rules of the Student Code of Conduct is prohibited. Misbehavior or violation of school district rules while riding or waiting for a bus may result in one or more of the following disciplinary actions:
 1. Student notification of misconduct (verbal warning).
 2. Parent notification.
 3. Two day suspension from bus riding privileges.
 4. Two week suspension from bus riding privileges.
 5. Suspension from bus riding privileges up to one year.

- d. Students responsible for damage to seats or any other parts of the bus may be denied transportation until reimbursement is made to the district.
- e. Conduct which is willful and overt on the part of the student and causes a disruption which requires the attention of the bus driver or other school personnel to deal with the disturbance shall be reported to the school principal or his/her designee in accordance with Board Policy JK, Student Discipline, and the corresponding Regulation.

Exceptions

- a. 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.
- b. Building principals, in conjunction with the school accountability committee, may develop and adopt school-specific dress codes that are consistent with this policy.

**Student Conduct on School Buses
(JICC/EEAEC)**

- a. Students are under the authority and supervision of the bus driver while on the school bus and shall adhere to the driver's directions and district rules. A driver may refuse transportation to a student upon direct authorization of the director of transportation.

**School Bus Conduct Code
(JICC-R/EEAEC-R)**

- a. Students at a bus stop must wait a safe distance from the actual pick-up point until the bus driver opens the doors for boarding.

- b. Passengers shall go to their assigned seats without crowding or pushing and remain seated while the bus is in motion.
- c. Passengers shall not extend arms, legs or head out of the bus windows.
- d. Passengers shall not talk with the driver while the bus is in motion except in an emergency.
- e. Passengers shall not tamper with the emergency doors or windows or any part of the bus equipment.
- f. Passengers shall not mar or deface the bus and its equipment.
- g. Passengers shall not open the bus windows except by the direction of the driver.
- h. Passengers shall not fight or scuffle on the bus or throw objects from the bus windows.
- i. Passengers shall keep books, lunch boxes and similar objects out of the aisle of the bus.
- j. Passengers shall not bring knives, matches, lighters, firearms, dangerous weapons, animals of any kind, glass containers or any other objects that may cause a hazard on a school bus.
- k. Loud talk and foul language is strictly prohibited.
- l. Smoking or chewing tobacco on the bus is strictly prohibited.
- m. Passengers are to report promptly to the bus driver any damage to the seats or any other parts of the bus near where they are sitting in order that they might not be charged with responsibility for the damage.
- n. Students shall have a signed statement from parents and signed by the school principal before a bus driver will let them on/off at any stop other than their own.
- o. Passengers must remain seated until the bus has come to a complete stop.

- p. Passengers will leave the bus in an orderly manner. Any passenger crossing the street must cross at least ten feet in front of the bus.

I. Procedures & Rules for Bus Stops

- a. Students are expected to board the bus without crowding and pushing.
- b. Students shall not fight, scuffle, use profane language or engage in any other form of horseplay.
- c. The bus and the bus stop are considered an extension of the classroom and misbehavior will subject the student to disciplinary consequences.
- d. Students are under the authority of the school bus driver while on the bus and at the bus stop and are expected to adhere to the district rules and regulations.
- e. Any student behavior that jeopardizes the safety, health and welfare of students, staff or the community could result in the suspension of transportation privileges as deemed appropriate by the director of transportation.
- f. Students are expected to respect the rights of residents, property and fellow students at the bus stop.
- g. Students need to be at the bus stop five minutes prior to pick-up time and misbehavior will not be tolerated.
- h. When a driver observes misconduct at a bus stop, it is appropriate for the driver to implement disciplinary action as outlined in the driver's handbook.
- i. Drivers have a duty and responsibility to report any problems at bus stops to the transportation department for investigation and disposition.
- j. **AUDIO/VIDEO CAMERAS MAY BE USED ON SCHOOL VEHICLES TRANSPORTING STUDENTS TO AND**

FROM SCHOOL OR EXTRA-CURRICULAR ACTIVITIES FOR THE SAFETY AND SECURITY OF STUDENTS AND STAFF.

Violent and Aggressive Behavior (JICDD)

- a. The Board recognizes there are certain behaviors that, if tolerated, would quickly destroy the type of learning environment to which the students and staff of the district are entitled. These behaviors, categorized as violent or aggressive, will not be tolerated and shall result in immediate action being taken by the district.
- b. Students exhibiting violent or aggressive behavior or warning signs of future violent or aggressive behavior shall be subject to appropriate disciplinary action including suspension, expulsion and/or referral to law enforcement authorities. At the district's discretion and when appropriate, the student shall receive appropriate intervention designed to address the problem behavior. The Board of Education shall be informed of all intervention efforts by district schools.
- c. Students shall be taught to recognize the warning signs of violent and aggressive behavior and shall report questionable behavior or potentially violent situations to appropriate school officials. All reports shall be taken seriously.
- d. Acts of violence and aggression shall be documented and communicated by the staff to the building principal and the appropriate district level administrator. The immediate involvement of the parents/guardians is also essential. Law enforcement officials shall be involved if there is any violation of law.
- e. 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.
- f. The following behaviors are defined as violent and aggressive:
 1. Possession, threat with or use of a weapon — as described in Board Policy JICI.
 2. Physical assault — the act of striking or touching a person or that person's property with a part of the body or with any object with the intent of causing hurt or harm.
 3. Verbal abuse — includes, but is not limited to, swearing, screaming, obscene gestures or threats directed, either orally (including by telephone) or in writing, at an individual, his or her family or a group.
 4. Intimidation — an act intended to frighten or coerce someone into submission or obedience.
 5. Extortion — the use of verbal or physical coercion in order to obtain financial or material gain from others.
 6. Bullying — the use of coercion to obtain control over another person or to be habitually cruel to another person which can occur through written, verbal or electronically transmitted expression or by means of a physical act or gesture.
 7. Gang Activity — as described in the district's secret societies/gang activity policy.
 8. Sexual Harassment — as described in the district's sexual harassment policy.
 9. Stalking — the persistent following, contacting, watching or any other such threatening actions that compromise the peace of mind or the personal safety of an individual.
 10. Defiance — a serious act or instance of defying or opposing legitimate authority.
 11. Discriminatory Slurs — insulting, disparaging or derogatory comments made directly or by innuendo regarding a person's race, sex, sexual orientation, religion, national or ethnic background, disability, or gender identity or expression.

- 12. Vandalism — damaging or defacing property owned by or in the rightful possession of another.
- 13. Terrorism — a threat to commit violence communicated with the intent to terrorize or with reckless disregard for the risk of creating such terror or to cause serious public inconvenience, such as the evacuation of a building.

**Secret Societies/Gang
Activity (JICF)**

- a. The Board of Education desires to keep district schools and students free from threat or harmful influence of any groups or gangs which advocate drug use, violence, or disruptive behavior. The principal 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.
- b. The superintendent 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.
- c. The superintendent 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.

I. Gang Symbols

- a. 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 or affiliation with gangs which advocates drug use, violence or

disruptive behavior. This policy shall be applied at the principal's discretion after consultation with the superintendent or designee as the need for it arises at individual school sites.

II. Prevention Education

- a. 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 may start with students in third grade.

**Secret Societies/Gangs
(JICF-R)**

- a. 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 membership or affiliation will be referred to the principal or his designee. The student's parents/guardian will be contacted and the student sent home to change clothes if necessary. Items may be confiscated if deemed necessary. Repeat offenses will be considered willful disobedience or habitually disruptive and may result in suspension or expulsion.
 - 2. Any gang graffiti on school premises will be quietly removed, washed down or painted over as soon as possible.
 - i. Regular checks for graffiti will be made throughout the campus, including restroom walls and doors.
 - ii. Graffiti will be photographed before it is removed. These photographs will be shared with local law enforcement authorities and used in future disciplinary or criminal action against the offenders.
 - 3. Classroom and after-school activities and programs at each school should enhance

individual self-esteem, provide positive reinforcement for acceptable behavior and foster interest in a variety of wholesome activities.

4. Staff members will actively promote membership in authorized student organizations, which can provide students companionship, safety, and a sense of purpose and belonging.

Tobacco Use by Students (JICG)

- a. Use of any tobacco product, including cigarettes and chewing tobacco, in or on school property or during school activities is prohibited. Such use shall be sufficient cause for suspension and other disciplinary action which may include school/parent conference, loss of privileges, detention, in-house suspension or expulsion. In accordance with state law, no student shall be expelled solely for using tobacco.

Drug, Alcohol & Controlled Substance Use by Students (JICH/JICH-R)

- a. Thompson School District shall promote a healthy environment for students by providing education, support and decision making skills in regard to alcohol, drugs and other controlled substances and their abuse. In order to accomplish this goal, a cooperative effort must be made among the schools, parents, community and its agencies.
- b. It shall be a violation of board policy and considered to be behavior which is detrimental to the welfare or safety of other students or school personnel for any student to possess, use, sell, distribute or procure alcohol, drugs or other controlled substances.
- c. Student use, possession, distribution or sale of alcohol or controlled substances and the abuse of other drugs is prohibited in all Thompson School District schools and on school property, in school vehicles, and at school activities or sanctioned events.
- d. 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, toxic vapors smelled or inhaled for the purpose of causing a condition of euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, or any other controlled substances as defined by law, or any prescription or non-prescription drug, medicine, vitamin or other chemical substances including inhalants not taken in accordance with the board policy and regulations on administering medicines to students.

- e. 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.
- f. This policy shall apply to any student who is on school property, in attendance at school, in a school vehicle or taking part in any school sponsored or sanctioned activity or whose conduct at any time or place interferes with the operations of the district or the safety or welfare of students, employees, or school visitors.
- g. Students violating this policy shall be subject to disciplinary sanctions which may include suspension and/or expulsion from school and referral for prosecution. Expulsion shall be mandatory for sale or distribution of drugs or other controlled substances.
- h. Situations in which a student seeks counseling or information from a professional staff member for the purpose of overcoming substance abuse shall be handled on an individual basis depending upon the nature and particulars of the case. When appropriate, parents shall be involved and every effort made to direct the substance abuser to sources of help.
- i. The board of education, in recognition that drug and alcohol abuse is a community problem, shall cooperate actively with law enforcement, social services or other agencies and organizations, parents and any other recognized community resources committed to reducing the incidents of

illegal use of drugs and alcohol by school-aged youths.

- j. Whenever possible in dealing with students associated with drug and alcohol abuse, school personnel shall provide parents and students with information concerning education and rehabilitation programs which are available. Information provided to students and/or parents about community substance abuse treatment programs or other resources shall be accompanied by a disclaimer to clarify that the school district assumes no financial responsibility for the expense of drug or alcohol assessment or treatment provided by other agencies or groups unless otherwise required.
- k. The board of education or designee shall conduct a biennial review of its drug prevention program to determine its effectiveness to implement any required changes and to insure that the disciplinary sanctions required are consistently enforced.

Weapons in the Schools (JICI)

- a. The board of education will not tolerate student possession or use of weapons on district grounds. Such behavior is unacceptable, detrimental to the safety of others, and destructive to a positive learning environment.
- b. Carrying, bringing, using, or possessing any dangerous weapon in any school building, on school grounds, in any school vehicle or at any school-sponsored activity without the authorization of the school or the school district is prohibited. Expulsion is mandatory for this conduct. Dangerous weapons include, but are not limited to:
 - 1. Firearms, loaded or unloaded, or firearm facsimile that could reasonably be mistaken for an actual firearm.
 - 2. Pellet or BB guns or other devices, whether operational or not, designed to propel projectiles by spring action or compressed air.

- 3. Any device designed to be capable of temporarily immobilizing a person by the infliction of an electrical charge.
 - 4. Knives include a fixed blade knife with a blade that measures longer than three inches in length or a spring-loaded knife or a pocket knife with a blade longer than three and one-half inches.
 - 5. Any other weapon, device, instrument, or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury.
- c. If a student discovers that he or she has carried, brought or is in possession of a dangerous weapon and notifies a teacher, administrator or other authorized person as soon as possible and 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.
 - d. School staff members shall confiscate any articles which violate this policy and submit them, if needed, to the appropriate law enforcement agency.
 - e. In accordance with federal and state law, expulsion shall be for one calendar year for any student who is determined to have brought a firearm to school without the authorization of the school or the district. The superintendent may reduce the length of this required expulsion period on a case-by-case basis.
 - f. Any student bringing a firearm to school shall be referred to appropriate law enforcement officials. For purposes of this paragraph, a firearm means:
 - 1. Any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action or an explosive.
 - 2. The frame or receiver of any such weapon.
 - 3. Any firearm muffler or firearm silencer.

4. Any destructive device, which includes any explosive, incendiary, or poison gas, bomb or grenade.
- g. The district shall maintain records which describe the circumstances involving expulsion of students who bring weapons to school including the name of the school, the number of students expelled, and the types of weapons involved as required by law.

**Code of Conduct
(JICDA)**

- a. The principal may suspend and/or recommend expulsion of a student who engages in one or more of the following specific activities while in school buildings, on school grounds, on district property, at district sanctioned activities or events, when being transported in any vehicle dispatched by the district or one of its schools, or off school property when such conduct has a nexus to school or any district curricular or non-curricular activities or events. Suspension or expulsion shall be mandatory for serious violations in a school building or on school property.
 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. Causing or attempting to cause physical injury to another person except in self-defense.
 4. Commission of any act which if committed by an adult would be robbery or first-or second-degree assault as defined by state law. Expulsion shall be mandatory in accordance with state law.
 5. Violation of criminal law.
 6. Violation of district or building regulations.
 7. Violation of the district's policy on dangerous weapons in the schools. Expulsion shall be mandatory for carrying, bringing, using, or possessing a dangerous

weapon without the authorization of the school or district, unless the student accidentally brings such a weapon and reports its presence to a teacher, administrator or other authorized person in the district as soon as it is discovered. This is in accordance with state law and Board Policy JIC1.

8. Violation of the district's alcohol use/drug abuse policy. Expulsion shall be mandatory for the distribution, trade, exchange, or sale of drugs or controlled substances, in accordance with state law.
9. Violation of the district's smoking and use of tobacco policy.
10. Violation of the district's policy on sexual harassment.
11. Throwing objects, except as part of a supervised school activity, which can cause bodily injury or damage property.
12. Directing profanity, vulgar language, or obscene gestures toward other students, school personnel or visitors to the school.
13. Engaging in verbal abuse, i.e., name calling, gender, ethnic, racial, sexual orientation, or gender identity of expression slurs, or derogatory statements addressed publicly to others that precipitate disruption of the school program or incite violence.
14. 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.
15. Lying or giving false information, either verbally or in writing, to a school employee.
16. Scholastic dishonesty, which includes but is not limited to cheating on a test, altering student records, plagiarism, or unauthorized collaboration with another person in preparing written work.

17. Continued willful disobedience or open and persistent defiance of proper authority.
 18. Behavior on or off school property that is detrimental to the welfare, safety, or morals of other students or school personnel.
 19. Repeated interference with the school's ability to provide educational opportunities to other students.
 20. Non-compliance with the school or district student dress code.
 21. Use and/or possession of fireworks or ammunition.
 22. Bringing or possessing items that are disruptive to the educational process or a positive school climate.
 23. Engaging in "hazing" activities such as 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.
 24. Engaging in bullying behavior.
 25. Making a false accusation of criminal activity against a district employee to law enforcement or to the district.
- b. Each principal shall post a copy of these rules in a prominent place in each school and shall distribute a copy to each student. Copies also shall be available to any patron of the district upon request.

**Bullying Prevention & Education
(JICDE)**

- a. The Board of Education believes that all students are entitled to a safe and secure school environment, 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 create a climate in which all types of bullying are regarded as unacceptable.
- b. Bullying is defined as the use of coercion to obtain control over another person or to be habitually cruel to another person. Bullying can occur through written, verbal or electronically transmitted (cyberbullying) expression or by means of a physical act or gesture. Bullying is prohibited on district property, at district sanctioned activities and events, when students are being transported in any vehicle dispatched by the district or one of its schools, off school property when such conduct has a nexus to school or any district curricular or non-curricular activity or event.
 - c. A student who engages in any act of bullying will be 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.
 - d. The district shall develop a comprehensive program to address bullying at all school levels. The program shall be aimed toward accomplishing the following goals:
 1. To send a clear message to students, staff, parents and community members that bullying will not be tolerated.
 2. To train staff and students in taking proactive steps to prevent bullying from occurring. This includes educating students on acceptable behavior through classroom presentations, counseling and positive support, and restorative practices.
 3. To implement procedures for immediate intervention, investigation and confrontation of students engaged in bullying behavior.
 4. To make reasonable efforts to change the behavior of students engaged in bullying behaviors through re-education on acceptable behavior, discussions, counseling, and appropriate consequences including disciplinary actions if the bullying behavior persists.

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 through individual and/or peer intervention as well as education in prevention methods.
7. To develop peer support networks, social skills, and confidence for all students.
8. To recognize and promote positive, supportive behaviors of students toward one another on a regular basis.

Bullying Prevention and Regulations (JICDE-R)

- a. Board of Education policy prohibits bullying as defined in Board Policy JICDE, Bullying Prevention and Education.

I. Definition of Bullying

- a. Bullying is defined as the use of coercion to obtain control over another person or to be habitually cruel to another person. Bullying can occur through a written, verbal or electronically transmitted (cyber bullying) expression or by means of a physical act or gesture. Bullying is prohibited on district property, at district sanctioned activities and events, when students are being transported in any vehicle dispatched by the district or one of its schools, off school property when such conduct has a nexus to school, or any district curricular or non-curricular activity or event.

II. Publication to Students and Parents

- a. To ensure notification to students and parents, student handbooks will contain a statement incorporating the definition of bullying as set forth in Board Policy JICDE and a statement of how and where parents and students can access a copy of the policy. Handbooks will also state that any student found to have engaged in bullying as defined in Board Policy JICDE will be subject to disciplinary action, up to and including suspension and expulsion, in accordance

with Board policy. In addition, each student handbook will provide information to students and parents/guardians regarding procedures a student who believes he or she has been the victim of bullying (or any other person, including parents/guardians) may use to report the matter, orally or in writing, to any teacher or member of the school administration. The procedures also provide that the student may anonymously report acts of bullying to teachers and administrators and that parents/guardians may also file anonymous reports of suspected bullying.

III. Informing Staff

- a. Building principals shall be responsible for informing teachers and other school staff of their responsibility to report to administrators any acts of bullying witnessed by them or any reports of bullying received by them. Information provided to teachers and staff shall include a requirement that acts and reports of bullying be reported to administrators as soon as possible, but in no event later than twenty-four hours after the teacher or other staff member witnessed any act of bullying or received any report of bullying. Teachers and other staff will be advised that they are required to be knowledgeable of Board Policy JICDE regarding bullying and will be provided a copy of the policy and this regulation.

IV. Investigation of Complaints or Reports of Bullying

- a. Upon notification of a report or complaint of bullying, the building principal, or other appropriate administrator, will promptly investigate the complaint or report or cause such an investigation to be conducted. The investigation will include interviews with the complainant or reporter, the alleged victim, the alleged perpetrator or perpetrators, and any witnesses. The statements of the alleged victim, the alleged perpetrator, and witnesses,

if any, will be recorded and the person interviewed will be asked to read and sign the statement unless the person's age makes such a request for a signature inappropriate. Where anonymity is requested, the statements of persons interviewed will be recorded without reference to the person's name. Where the alleged victim of bullying requests anonymity he or she, and his or her parent/guardian, will be advised that such a request may hinder the ability of the administration to take appropriate disciplinary action if bullying is substantiated.

V. Reporting and Notification Obligations

- a. Each school shall notify the parents/guardians of students who have engaged in acts of bullying and the parents/guardians of students against whom such acts have been directed of the results of the investigation. Building administration will meet with parents/guardians upon request. The notification shall include a description of the response of school staff to such acts and any consequences that may result from the commission of further acts of bullying.
- b. The notification will be made by a member of the school administration designated by the superintendent to provide such notification in a manner that is consistent with the confidentiality of personally identifiable information contained in student records and student due process rights. This means that the notice shall not disclose to the parent or guardian of the victim either the name of the perpetrator or the specific disciplinary consequences imposed upon the perpetrator. The notification also shall not include any reference to the specific consequences that a student may face for further acts of bullying since as a matter of due process such consequences cannot be determined in advance. Rather, such notification will advise the parents that further acts of bullying may lead to additional discipline, such as suspension or expulsion, in accordance with Board

policy and other relevant policies that govern student conduct.

VI. Post Investigation Intervention and Actions

- a. Bullying behavior can take many forms and therefore will vary in severity. Consequences for a student who commits an act of harassment or bullying shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance and must be consistent with the Board of Education's approved code of conduct. As a result, the extent of discipline, if any, to be imposed where bullying is substantiated cannot be prescribed in advance.
- b. Substantiated acts of bullying will be met with imposition of some form of student discipline up to, and including, expulsion. In all cases where bullying is substantiated the building administration will determine the appropriate level of disciplinary action in accordance with the Thompson School District discipline matrix and other relevant policies that govern student conduct.
- c. School administration will take reasonable measures to prevent further acts of bullying by the student or students involved. Such measures may include counseling, mediation, or restorative practices may be afforded both the victim and perpetrator(s) of bullying. Other preventive measures may be employed on a school wide basis, such as, the use of a curriculum that fosters respect for the personal integrity of others, both physical and mental, along with other positive character traits, and other instructional strategies intended to foster student mutual respect, and modeling by teachers of appropriate behavior on the part of students.

Student Discipline (JK)

- a. 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 self-discipline and socially acceptable behavior and to allow other students to learn in an atmosphere which is safe, conducive to the learning process and free from unnecessary disruptions.
- b. All policies and procedures for handling discipline problems for all students of the district shall be designed to achieve these broad objectives.
- c. Disorderly students also 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.
- d. In accordance with state law, the board of education 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. Discipline of disruptive students shall be carried out in accordance with Board Policy JKC and its accompanying regulation.
- e. The district shall enforce provisions of the code so that students demonstrating unacceptable behavior and their parents, guardians or legal custodians understand that such behavior shall not be tolerated and shall be dealt with according to the code.
- f. All board-adopted policies and board-approved regulations containing the letters "JK" in the file name shall be considered as constituting the discipline section of the legally-required code.
- g. The board of education has consulted with administrators, teachers, parents, students

and other members of the community in the development of the conduct and discipline code.

I. Immunity for Enforcement of Discipline Code

- a. 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.
- b. A teacher or any other person acting in good faith and in compliance with the discipline code adopted by the board of education 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.

II. Disciplinary Information to School Personnel

- a. In accordance with state law, the principal or designee is required to communicate disciplinary information concerning any student enrolled in the school to any teacher who has direct contact with the student in the classroom and to any counselor who has direct contact with the student. The purpose of this requirement is to keep school personnel apprised of situations that could pose a risk to the safety and welfare of others.
- b. For purposes of this policy, "disciplinary information" means confidential records maintained by or in possession of the principal or designee on an individual student which indicate the student has committed an overt and willful act which constitutes a violation of the district's code of student conduct and/or there is reasonable cause to believe, through information provided to the principal from another credible source, that the student could pose a threat to the health and safety of other students and school personnel based on prior misbehavior.

- c. "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 principal or designee on students in their classrooms if there is concern that the student poses a threat to the safety of other students or school officials.
- d. Any teacher or counselor to whom disciplinary information is reported shall maintain the confidentiality of the information and shall not communicate it to any other person. The principal or designee is required to inform the student and the student's parent/guardian when disciplinary information is communicated and to provide a copy of the disciplinary information. The student and/or the student's parent/guardian may challenge the accuracy of disciplinary information through the procedures described in Policy JRA/JRC, Section 4, Request to Amend education Records.
- e. The superintendent shall arrange to have the conduct and discipline code distributed once to each student in elementary, middle and high school and once to each new student in the district. Copies shall be posted 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.

**Use of Physical Intervention
(JKA)**

- a. Corporal punishment shall not be administered to students by anyone in any district school.
- b. Any person employed by the district may, within the scope of his employment, use and apply such amounts of force as are reasonably necessary and appropriate for the following purposes:

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

- c. Any such acts shall not be 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.
- d. In the case of a student with disabilities, any physical force used beyond the six specific situations listed above shall be identified on the student's individualized education program (IEP) as a form of intervention. Under no circumstances shall a student be physically held for more than five minutes.
- e. 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.
- f. All incidents of force and physical intervention with a student shall be reported as soon as practicable by the staff person involved to the school principal or designee in accordance with Board Policy JKC and the corresponding Regulation JKC-R dealing with the discipline of disruptive students.

**Detention of Students
(JKB)**

- a. Teachers are authorized to keep students after school for making up work and for meeting other school obligations and shall provide for proper adult supervision of detained students. Students may be

detained in school for disciplinary or other reasons for periods of up to one hour in addition to the normal school day.

- b. Teachers imposing detention shall allow students enough time to notify their parents and to make arrangements to adjust their personal commitments to accommodate the detention time. School-sponsored extracurricular activities shall not take precedence over detention or other disciplinary actions.

Discipline of Disruptive Students (JKC)

- a. Any student who is suspended three times in any one school year or calendar year for one or more of the grounds stated in Policy JKD/ JKE-E (Grounds for Suspension/ Expulsion) in Paragraph 1 (Continued Willful Disobedience), Paragraph 2 (Willful Destruction of Property), Paragraph 3 (Behavior which is Detrimental), or Paragraph 5 (Serious Violation) under circumstances that cause a material and substantial disruption; occurring while at school, or on school grounds, at a school activity or sanctioned event, or while being transported in a school-approved vehicle; and involving behavior that is initiated, willful, and overt on the part of the student shall be declared a habitually disruptive student and shall be subject to mandatory expulsion in accordance with Board Policy JKD/JKE, Classroom Removal/Suspension/Expulsion/Denial of Admission and state law.

I. Students with Disabilities

- a. Disruptive behavior by a student identified as a student with disabilities, defined by Board Policy JKD/JKE, shall be dealt with in accordance with Board Policy JK-2.

Discipline of Disruptive Students (JKC-R)

I. Definitions

- a. Habitually Disruptive Student: A student who has been suspended three times in one school year or calendar year for one

or more of the grounds stated in Policy JKD/JKE-E, Paragraphs 1 (Continued Willful Disobedience), Paragraph 2 (Willful Destruction of Property), Paragraph 3 (Behavior which is Detrimental), or Paragraph 4 (Serious Violations); under circumstances that cause a material and substantial disruption; occurring while at school, or on school grounds, at a school-sanctioned activity or event, or while being transported in a school approved vehicle; and involving behavior that is initiated, willful, and overt on the part of the student.

- b. Disruptive Behavior: Behavior by the student which is initiated, willful and overt.

II. Reporting Requirements

- a. All incidents of disruptive behavior by a student occurring while at school or on school grounds, at a school-sanctioned activity or event, or while being transported in a school-approved vehicle, shall be reported in writing to the school principal or designee.
- b. The principal or designee shall confer with the staff member reporting an incident of disruptive behavior and, if determined necessary, may contact the student's parents, guardian, or legal custodian to discuss the incident.
- c. The principal or designee shall prepare a brief written summary of the incident.
- d. The student and his or her parents, guardian, or legal custodian shall be given a copy of the summary and shall be informed that the continuation of such behavior may result in disciplinary action, including suspension or expulsion pursuant to the terms of this regulation. The student may submit a written response to the incident report within the next five school days which shall be attached to the written summary. The summary and any written response shall be placed in the student's discipline file.

- e. The principal or designee shall notify in writing the student and the parent, guardian or legal custodian of each suspension counted toward declaring the student habitually disruptive under the policy.

III. Remedial Discipline Plans

- a. Once a student has been suspended twice for one or more of the grounds stated in Definitions, Paragraph 1, and under circumstances causing a material and substantial disruption, a remedial discipline plan must be developed by the principal or designee, with the assistance of the student's teacher(s) and any other school personnel involved, as well as the student and his or her parents, guardian, or legal custodian, if practicable.
- b. The plan shall address the child's disruptive behavior, his or her educational needs, and the goal of keeping the child in school. The plan shall also inform the student of the consequences, including mandatory expulsion, should he or she continue to engage in disruptive behavior in violation of the plan.
- c. The student, parent, guardian, or legal custodian shall meet with the principal or designee after the second suspension. If the student, parent, guardian, or legal custodian fails to attend the meeting to establish the remedial discipline plan after reasonable attempts have been made to schedule the meeting, the principal or designee may conduct the meeting and develop a remedial discipline plan for the student with those persons in attendance.
- d. The remedial discipline plan shall be written in the form of a contract and signed by the student and his or her parents, guardian, or legal custodian.
- e. The student and his or her parents, guardian, or legal custodian shall be provided a copy of the remedial discipline plan and a copy shall be placed in the student's discipline file.

- f. Further instances of disruptive behavior shall be dealt with in accordance with the established remedial discipline plan.

IV. Discipline of Habitually Disruptive Students

- a. Once a student has been suspended three times for causing a material and substantial disruption as described above, the principal or designee shall declare the student to be a habitually disruptive student. The principal or designee shall inform the student and his or her parents, guardian or legal custodian in writing and by telephone or other means at the home or place of employment of the parent or legal guardian of the declaration and the mandatory expulsion of such student.
- b. Upon determining a student's status as a habitually disruptive student, the school principal or designee shall initiate proceedings for expulsion in accordance with Board Policy JKD/JKE.
- c. Nothing in this policy shall preclude the principal or designee from otherwise imposing disciplinary action, including suspension or the commencement of expulsion proceedings at any time against a student for disruptive behavior.

V. Students with Disabilities

- a. All incidents of disruptive behavior engaged in by a student identified as a student with disabilities shall be reported by the school principal or designee to the student's special education staffing team and dealt with according to Board Policy JK-2.

**Classroom
Removal/Suspension/Expulsion/
Denial of Admission
(JKD/JKE)**

- a. The board of education shall provide due process of law to students, parents, and school personnel through written

procedures consistent with law for the suspension or expulsion of students and the denial of admission.

witnesses to verify the student's version of the incident.

I. Definitions

- a. **Suspension:** The exclusion of a student from attending school and participating in school activities for a specified and limited period of time, unless student contact with the district is otherwise authorized by the school or district administration.
- b. **Expulsion:** The exclusion of a student from attending school and participating in school activities for a specified period of time beyond that provided for suspension but not to exceed one calendar year, unless student contract with the district is otherwise authorized by the school or district administration. Expulsion of a student with disabilities does not include a cessation of all educational services.
- c. **In-school suspension:** A suspension in which the student is suspended from participation in regular school activities but receives continuous educational instruction, supervision and discipline (see Board Policy JKDA).
- d. **Classroom Removal:** The exclusion of a student from the classroom by a teacher for causing a material and substantial disruption in the classroom through behavior that is initiated, willful and overt on the part of the student.
- e. **Student with Disabilities:** A student for whom a determination of disability has been made by a duly convened staffing committee in accordance with state and federal laws governing the education of children with disabilities (see Board Policy JK-2).
- f. **Informal Hearing:** An opportunity for a student to be informed of the evidence and to explain his or her position regarding the incident constituting grounds for discipline. An informal hearing does not include representation by counsel, the ability to confront and cross-examine witnesses, or to call

II. Delegation of Authority

- a. The board delegates to the principals of the school district or to a person designated in writing by the principal the power to suspend a student in his or her school for a period of up to five school days. A principal may suspend a student for an additional five school days if the conduct giving rise to the disciplinary action involves a serious violation in a school building or in or on school property as set forth in Paragraph 5 of District Exhibit JKD/JKE-E, Grounds for Suspension/Expulsion.
- b. The board of education delegates to the superintendent the authority to suspend a student, in accordance with C.R.S. 22-33-105, for an additional ten school days plus up to and including an additional ten school days if necessary in order to present the matter to the board of education.
- c. The total period of suspension shall not exceed 25 school days.
- d. The board of education delegates to the superintendent the authority, in accordance with C.R.S. 22-33-105, to deny admission to or expel for any period not extending beyond one calendar year any student whom the superintendent, 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 public schools of the district. Such denial of admission or expulsion by the superintendent shall be subject to appeal to the board of education.

III. Expulsion for Unlawful Sexual Behavior or Crime of Violence

- a. 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 must be provided immediately to the school district in which the juvenile is enrolled.

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

IV. Re-Enrollment of Expelled Students

- a. Pursuant to Colorado law, a student who has been expelled for an offense, other than a crime against property, that results in a conviction, deferred judgment or placement in a diversion program shall be prohibited from enrolling or re-enrolling in the same school in which the victim or a member of the victim's family is enrolled or employed. If the district does not know the name of the victim, this option shall be implemented only upon request of the victim or a member of the victim's immediate family.

V. Annual Reports

- a. The board of education annually shall report to the State board of education the number of students expelled from district schools for disciplinary reasons or for failure to submit certificates of immunization. Expelled students shall not be included in calculating the dropout rate for the school or the district.

VI. Information to Parents

- a. If the parent/guardian of an expelled student requests, district personnel shall provide them with information concerning the educational alternatives available, including the right of the parent/guardian to request that the district provide services during an expulsion. If the parent/guardian chooses to provide a home-based education program for the student, district personnel shall assist the parent/guardian in obtaining appropriate curricula for the student if requested by the parent/guardian.

Classroom Removal/Suspension/ Expulsion/Denial of Admission (JKD/JKE-R)

I. Procedure for Suspension of Ten Days or Less

- a. Through written policy, the board of education has delegated to any school principal the power to suspend a student for not more than five or ten days, depending upon the type of infraction. The superintendent has been delegated the power to suspend a student for additional periods of time (see Board Policy JKD/JKE).
- b. The following procedures shall be followed in any suspension of ten days or less. When the term "student or parent, guardian, or legal custodian" is used, this shall mean student if the student is 18 years of age or older; otherwise it shall mean the parent, guardian or legal custodian.
- c. **Notice:** The principal or designee, or the superintendent at the time of contemplated action, shall give the student or parent, guardian, or legal custodian notice of the contemplated action. Such notice may be oral or in writing. If oral, such notice shall be given in person. If written, delivery may be by United States mail addressed to the last known address of the student or parent, guardian or legal custodian.

- d. **Contents of Notice:** The notice shall contain the following basic information:
1. A statement of the charges against the student.
 2. A statement of what the student is accused of doing.
 3. A statement of the basis of the allegation. Specific names may be withheld if necessary to shield a witness.
 4. **Informal Hearing:** The student shall be given an opportunity to explain his or her position regarding a disruption in the classroom or an incident constituting grounds for discipline. The administrator may go further in allowing the student to present witnesses or may call the accuser and hold a more extensive hearing in order to make a proper decision on the contemplated action. An informal hearing, however, does not generally include representation by counsel, the ability to confront and cross-examine witnesses or the ability to call witnesses to verify the student's version of the incident.
 5. **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.
 6. **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 that case, an informal hearing will be held as soon as is practicable.
 7. **Notification Following Suspension:** If a student is suspended, the administrator delegated the authority to suspend shall immediately notify the parent, guardian, or legal custodian that the student has been

suspended, the grounds for such suspension, and the period of such suspension. The notification shall include the time and place for the parent, guardian, or legal custodian to meet with the administrator to review the suspension.

8. **Removal from School Grounds:** A suspended student must leave the school building and the school grounds immediately after the parent, guardian, or legal custodian and the administrator have determined the best way to transfer custody of the student to the parent, guardian, or legal custodian or designee. The removal includes all district properties and activities during the duration of the suspension.
9. **Re-admittance:** No student shall be re-admitted to school until a meeting with the parent, guardian or legal custodian has taken place or until, in the opinion of the administrator, the parent, guardian, or legal custodian has substantially agreed to review the suspension with the administrator. However, if the administrator cannot contact the parent, guardian, or legal custodian or if the parent, guardian, or legal custodian repeatedly fails to appear for scheduled meetings, the administrator may readmit the student. The purpose of the re-admittance conference shall be to answer questions about the suspension, clarify expectations regarding behavior, and consider alternatives or intervention to assist the student. The meeting shall also address whether there is a need to develop a remedial discipline plan for the pupil in an effort to prevent further disciplinary action.

II. Procedure for Suspension of Ten Days or More

- a. If the suspension is for more than ten days, the student shall have the

opportunity to request a review of the suspension.

1. The review shall be heard by an appropriate official of the district.
2. The student may appeal the determination made at the review to the board of education. The decision of the board of education is final.

III. Procedure for Expulsion or Denial of Admission

- a. In the event that the district contemplates action denying admission to any student or prospective student or expelling any student, the following procedures shall be followed:

1. Notice: Not less than ten calendar days prior to the date of the hearing, the superintendent or an appropriate administrative officer of the district shall cause written notice of the hearing to be delivered to the student and parent, guardian or legal custodian. Such delivery may be by United States mail addressed to the last known address of the student or parent, guardian or legal custodian.
2. Emergency Notice: In the event the superintendent or designee determines that an emergency exists necessitating a shorter period of notice, the period of notice may be shortened to the extent the superintendent may direct, provided that the student or parent, guardian, or legal custodian have actual notice of the hearing prior to the time it is held.
3. Contents of Notice: The notice shall contain the following basic information:
 - i. A statement of the basic reasons alleged for the contemplated denial of admission or expulsion.
 - ii. A statement of the date, time, and place of the hearing in the event one is requested.

- iii. A statement that the student may be present at the hearing and hear all information against him or her, that he or she will have an opportunity to present such information which is relevant, and that he or she may be accompanied and represented by his or her parent, guardian, or legal representative and an attorney.

- iv. A statement that failure to participate in such hearing constitutes a waiver of further rights in the matter.

IV. Conduct of Hearing

- a. The superintendent or hearing officer will preside over the hearing.
- b. Representation of Counsel: At the hearing the student (at his/her expense) may be represented by counsel. If the student is represented by counsel, then the student or student's parent must notify the superintendent or designee of this fact by phone or in writing when an expulsion hearing is requested, and in no event later than three business days prior to the hearing date. Failure to provide timely notification of attorney representation will result in a continuance of the hearing and corresponding extension of the period of suspension to allow the district to obtain legal counsel.
- c. Witnesses: The student will be afforded the opportunity to confront and cross-examine witnesses called by the school administration. The student may call his or her own witnesses. The school administration may cross-examine the witnesses called by the student.
 1. The hearing officer may limit the number of witnesses and exclude certain evidence. Basis for such exclusion include but are not limited to (a) relevance of evidence or

witness's testimony and (b) duplication of testimony or evidence of other testimony or evidence.

- d. A tape recording of the hearing shall be made.
- e. If a hearing officer conducts the hearing, the hearing officer shall make specific, written factual findings and shall promptly submit those findings and a recommendation regarding the expulsion to the superintendent.
- f. The superintendent will review the hearing officer's factual findings and recommendation or, if the superintendent conducts the hearing, the superintendent will make factual findings. The superintendent will issue a written decision within five days after the hearing conducted by the superintendent or the hearing officer.

record includes notices and other documents concerning the suspension and expulsion, the transcript of the testimony at the hearing, if any, the hearing exhibits, the findings and recommendation of the hearing officer or superintendent, the superintendent's written decision, and other documents concerning the expulsion. The student may be represented by counsel at the appeal. Representatives of the district and of the student may make brief statements to the board of education, but no new evidence will be presented unless such evidence was not reasonably discoverable at the time of the hearing.

- c. The board of education will make a final determination regarding the expulsion of the student and will inform the student and his or her parent(s) of the right to judicial review.

V. Appeal

- a. The student and his or her parent(s) may appeal the superintendent's written decision to the board of education. Such request must be made in writing and within five working days of receipt of the superintendent's decision. Failure to request an appeal within five days of receipt of the written decision will result in a waiver of the right to appeal and the superintendent's written decision will become final. The written request for appeal will state the grounds for appealing the superintendent's written decision. The grounds for appeal must be one of the following: (a) the superintendent's decision is not supported by the facts established at the hearing; (b) the student was not afforded procedural due process; or (c) the student was expelled in violation of board policy. The superintendent or designee may address matters raised in the request for appeal for inclusion in the record to be considered by the board of education.
- b. If an appeal is properly requested, the board of education will review the record concerning the expulsion. The

VI. Re-Admittance

- 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.
 3. The offense for which the student was expelled does not constitute a crime against property.
- b. If the district has no actual knowledge of the name of the victim, the expelled student shall be prohibited from enrolling or re-enrolling only upon request of the victim or a member of the victim's immediate family.

VII. Procedure for Crimes of Violence

a. Whenever the district receives a report that a student at least 12 years of age, but less than 18 years of age, has been charged in juvenile or state district court with a crime of violence or unlawful sexual behavior, as defined by state law, the student may be subject to suspension or expulsion proceedings. As soon as is practicable, the board shall conduct a hearing, which may be in executive session to the extent allowed by law, to determine the following:

1. Whether the student has exhibited behavior of a type which is detrimental to the safety, welfare, and morals of other students or school personnel.
2. Whether educating the student in 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 and/or school personnel.

VIII. Contents of Notice

a. The student and/or parents, guardian or legal custodian shall be given prior notice of the hearing. Such notice shall include:

1. The date, time and place of the hearing;
2. Notification that the student and/or parents, guardian, or legal custodian may be present at the hearing and may be represented by legal counsel at their expense.
3. Notification that the hearing will be before the board of education or designee.
4. Notification that testimony and information may be presented under oath and that the student and/or representative may question individuals presenting information, but

that technical rules of evidence are not applicable.

5. If the board of education or designee, in accordance with the proceeding determinations, concludes that the student should not be educated in the schools of the district, the board of education or superintendent shall determine whether sufficient grounds exist to suspend or expel the student at that time. If sufficient grounds for suspension or expulsion exist, the process may proceed.
6. Alternatively, the board of education or designee may wait until the conclusion of the juvenile or criminal proceedings to consider the suspension or expulsion matter, in which case an appropriate alternate education program, including, but not limited to, an on-line program authorized by state law or a home-based education program shall be established for the student during the interim period. The student shall not be permitted to return to the education program in his or her school until there has been a disposition of the charges. The time the student spends in an alternate education program shall not be considered a period of suspension or expulsion.
7. Hearings shall occur as soon as practicable and shall be consistent with the procedures for suspension or expulsion. If the designee conducts the hearing, he or she shall report to the board at its next meeting on each case acted upon, briefly describing the circumstances and the reasons for his or her action. The student may, within five business days of the decision, appeal the decision to the board of education, which shall review the matter on the record.
8. Students with Disabilities: If a student with a disability is charged with a crime of violence, the student shall not be expelled from school unless a determination has been

made by a duly convened staffing team that the misconduct was not a manifestation of the student's disability.

9. Any information made available to the district concerning the filed crime of violence charges shall be used by the board or designee for the purposes set forth herein, but shall remain confidential unless otherwise available to the general public by law.

IX. Procedure for Classroom Removal

- a. The following procedures shall be followed for any disciplinary removal of a student from the classroom:
 1. A teacher may remove a student from his or her classroom for one day for causing a material and substantial disruption in the classroom through behavior that is initiated, willful and overt.
 2. Prior to any disciplinary removal of a student from the classroom, the teacher shall provide the same level of due process to which the student would be entitled for a suspension from school of ten days or less, as described in Board Regulation JKD/JKE-R. The teacher should consult with the principal or principal's designee to ensure that the student is receiving due process and an appropriate level of discipline for his or her behavior.
 3. The teacher shall inform the principal or principal's designee of the assignment and other coursework to be completed by the student during the period of removal and shall contact the student's parent or legal guardian as soon as possible after the removal to request their attendance at a conference concerning the removal.
 4. The teacher may develop a behavior plan approved by the principal or principal's designee after a student's first one-day classroom removal during any grading period (hexter,

quarter, trimester or semester) and shall develop such a plan after a student's second one-day classroom removal during any grading period. This behavior plan shall indicate that a third such incident during the grading period will result in the student's removal from the classroom for the remainder of the grading period. The teacher shall provide a copy of the behavior plan, as well as a copy of any revisions thereto, to the student and his or her parent or legal guardian.

5. A teacher who removes a student from the classroom for the remainder of the grading period shall prepare lesson plans, assignments and other coursework, and quizzes and exams for the student for the remainder of the grading period and provide copies of these to the principal or principal's designee. The teacher must grade and return the student's work so that the student may complete and receive credit for the course.
6. Disciplinary classroom removals shall not count as suspensions for purposes of declaring a student as "habitually disruptive."
7. A teacher's ability to remove a disabled student from the classroom for disciplinary purposes shall be subject to governing law and the terms and conditions of the student's IEP or 504 Plan. In general, any one day disciplinary removal of a disabled student from the classroom will be permissible unless it constitutes a change of placement when considered in connection with any suspensions and prior removals the student may have received during the school year. In general, any such change in placement, or the disciplinary removal of a disabled student from the classroom for the remainder of a grading term, must be preceded by a determination made by the student's IEP or 504 team that the student's alleged conduct was not

a manifestation of his or her disability.

X. Reporting Suspensions Longer than Ten Days & Expulsions Requiring Superintendent's Action

- a. The superintendent shall report each case requiring action by the superintendent at the next meeting of the board, briefly describing the circumstances and the reasons for the action taken.
- b. The board shall annually report to the State Board of Education the number of students expelled from the district.
- c. The principal shall communicate discipline information concerning any student enrolled in the school to any teacher or counselor who has direct contact with the student.
- d. Those persons receiving information shall maintain the confidentiality of the information and shall not communicate the information to any other person.
- e. When disciplinary information is communicated, a copy of the information will be mailed to the student and the student's parent, guardian, or legal custodian within 30 days of the original communication.
- f. If the student or the student's parent, guardian, or legal custodian wishes to challenge the accuracy of the disciplinary information, the procedures in Board Policy JRA/JRC, Section 6, (Requests to Amend Education Records), should be followed.

Grounds for Suspension/ Expulsion (JKD/JKE-E)

- a. The following shall be grounds for suspension or expulsion:
 1. Continued willful disobedience or open and persistent defiance of proper authority.
 2. Willful destruction or defacing of school property.

3. 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 disabled 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 disabling condition.
4. Declaration as a habitually disruptive student for which expulsion shall be mandatory. For purposes of this paragraph, a "habitually disruptive student" means a child who is suspended three times in any one school year for one or more of the grounds stated in Board Exhibit JKD/JKE-E in Paragraph 1 (Continued Willful Disobedience), Paragraph 2 (Willful Destruction of Property), Paragraph 3 (Behavior Which is Detrimental), or Paragraph 5 (Serious Violation); under circumstances that cause a material and substantial disruption; occurring while at school, or on school grounds, at a school-sanctioned activity or event, or while being transported in a school-approved vehicle; and involving behavior that is initiated, willful, and overt on the part of the student. No child shall be declared to be a "habitually disruptive student" prior to the development of a remedial discipline plan for such child in accordance with the conduct and discipline code of the district.
5. 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 as defined in C.R.S. 22-33-106(1)(d)(II) without the authorization of the school or the school district unless the student has brought such a weapon inadvertently and immediately upon discovering its presence informed and delivered the weapon to a teacher, administrator or other authorized person; the distribution,

trade, exchange, or 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 first or second degree assault pursuant to Part 2, Article 3, Title 18, C.R.S.

6. Repeated interference with a school's ability to provide educational opportunities to other students.
7. 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.
8. Incidents of assault upon, disorderly conduct toward, harassment of, the making of a knowingly false allegation of child abuse against, or any criminal act directed toward a school teacher or school employee, for which a minimum of a three day suspension shall be mandatory. Further suspension or expulsion shall be imposed if injury or damage to property has occurred. (See District Policy GBGB, Staff Personnel Security and Safety.)

Suspension/Expulsion of Students with Disabilities (JK-2)

- a. Students with disabilities are not immune from the district's disciplinary process nor are they entitled to participate in programs when their behavior impairs the education of other students; however, they are subject to the special conditions described below.

I. Suspension or Removal

- a. Students with disabilities may not be suspended or removed to another setting in excess of ten consecutive schools days, or subjected to a series of suspensions or removals during the school year (or during a single placement within the school year) that

constitute a change of placement, unless a determination has been made by a duly convened IEP team that the misconduct constituting grounds for suspension or removal for longer than this period was not a manifestation of the student's disability. (This provision does not apply to placement in an appropriate interim alternative educational setting.)

- b. If the IEP team determines that the student's conduct was a manifestation of the student's disability, the suspension or removal may not exceed ten school days, and the appropriateness of the student's IEP shall be reviewed and any necessary revisions shall be made.
- c. If the IEP team determines that the student's conduct was not a manifestation of the student's disability, the student may be suspended or removed longer than ten school days but must continue to receive the educational services determined by the IEP team. Also, within ten school days of a suspension or removal longer than ten school days, the IEP team shall conduct a functional behavioral assessment of the student and either develops a behavior intervention plan or review and modify the student's existing behavioral intervention plan as appropriate.

II. Dangerous Students

- a. The principal or designee shall immediately remove a student with a disability from a situation in which he or she poses a threat of physical harm to himself or herself or to other persons by placing the student in an appropriate alternative setting or by suspending the student, as described above. The IEP team may change a disabled student's placement to an appropriate interim alternative educational setting for not more than 45 calendar days if (1) the student has carried a weapon to school or to a school function; (2) the student knowingly possessed, used, sold or

solicited the same of a controlled substance while at the school or at a school function; or (3) if a hearing officer so orders. Such placement in an interim alternative educational setting is permissible even if the disabled student's behavior was a manifestation or his or her disability.

III. Expulsion

- a. Prior to the proposed expulsion of a student with a disability, a determination must be made by a duly convened IEP team whether the misconduct constituting grounds for expulsion was a manifestation of the student's disability. If the IEP team determines that the student's conduct was a manifestation of the student's disability, the expulsion proceedings shall be discontinued, the appropriateness of the student's IEP shall be reviewed and necessary revisions shall be made. If the IEP team determines that the student's conduct was not a manifestation of the student's disability, the student may be expelled but must continue to receive educational services as determined by the IEP team.

IV. Unidentified Disabled Students

- a. If a student has not been identified as disabled but the district has received some prior indication that he/she may be disabled, then this policy will apply to that student until an appropriate determination has been completed. If an IEP team determines that a disability exists, these regulations will continue to apply.

Suspensions/Expulsion of Students with Disabilities (JK-2-R)

- a. Nothing in these regulations shall prohibit an IEP team from establishing consequences for disruptive or unacceptable behavior as a part of the student's IEP. The plan shall be subject to all procedural safeguards established by the IEP process and shall be in compliance with the Individuals with

Disabilities education Act, education of Exceptional Children Act and board policy.

I. Change of Placement

- a. Students with disabilities may be suspended or removed from school for violations of the student code of conduct so long as the removal does not constitute a change in placement.
- b. The following removals result in a disciplinary change of placement:
 1. Removal of more than ten consecutive school days.
 2. A series of removals up to ten days each that constitute a pattern because they cumulate to more than ten school days in a school year and because of such factors as the length of each removal, the total number of days of the removals and the proximity of the removals to one another.
 3. Placement in an interim alternative educational setting by the district for up to 45 days for drug or weapons violations.
 4. Placement in an interim alternative educational setting by a hearing officer for up to 45 days.
- c. During any removal beyond ten days in any given school year, services shall be provided to the extent necessary to enable the student to continue to appropriately progress in the general curriculum and appropriately advance toward the goals of the IEP. Once a child has been removed from school beyond ten days, the district shall conduct a functional behavioral assessment or review and modify an existing behavior intervention plan and review and modify the IEP, if appropriate.

II. Manifestation Determination

- a. When a disciplinary change in placement is being considered related

to a disabled student's behavior, the student's IEP team, parent and others who are knowledgeable of the student's disability and behavior shall review the relationship between the student's disability and the behavior. Such a review must take place immediately, if possible, but no later than ten school days from the date of the decision to take disciplinary action.

- b. The team will determine whether the student's behavior is a manifestation of the disability and whether the student's disability impaired his or her ability to control or understand the impact and consequences of the behavior.

III. Disciplinary Action for Behavior that is not a Manifestation

- a. If the team determines that the behavior was not a manifestation of the disability, disciplinary procedures shall be applied to the student in the same manner as applied to non-disabled students, and services shall be provided consistent with this policy.

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

- a. If the team determines that the behavior was a manifestation of the disability, the student may not be disciplined for such behavior but will be treated in accordance with his or her IEP, any behavioral intervention plan and this policy.
- b. Disabled students carrying weapons, knowingly possessing or using illegal drugs or selling or soliciting the sale of a controlled substance at school or at a school function may be unilaterally removed to an alternative educational setting for the same amount of time as would be applied to a non-disabled student, but not more than 45 calendar days in any given school year.
- c. A CDE-appointed hearing officer may order removal to an interim alternative setting for up to 45 calendar days when

the district demonstrates by substantial evidence that maintaining the student's current placement is substantially likely to result in injury to the student or others.

- d. The interim alternative educational setting and services to be provided shall be determined by the IEP team and will enable the student to progress in the general curriculum and receive the services, including those on the IEP that will enable the student to meet his or her IEP goals and including services designed to prevent the behavior from recurring.

V. Expedited Hearings

- a. An expedited due process hearing must occur within 20 school days of the date of the complaint requesting the hearing is filed. The hearing officer must make a determination within ten school days after the hearing.
 - 1. The parent/guardian disagrees with the IEP team's manifestation determination or with any decision regarding placement.
 - 2. The parent/guardian disagrees with the proposed new placement following an interim alternative educational placement.
- b. An expedited due process hearing with a final decision due in no more than ten school days is available when the district believes it is dangerous for the student to be returned to the previous placement.
- c. During any challenge to a manifestation determination or a placement that is not an interim alternative educational placement; the student will stay in his or her current educational placement.
- d. During any challenge to a placement in an interim alternative educational placement, or to a manifestation determination related to behavior that led to such placement, the student will

stay in the interim alternative educational setting pending the decision of the hearing officer but no longer than 45 school days unless the hearing officer orders additional days or unless the district and parents agree to additional days.

Educational Alternatives for Expelled Students (JKF)

VI. Students not Identified as Disabled

- a. Students who are not identified as disabled but contend that they should be identified as disabled after discipline is proposed, are subject to the same disciplinary measures applied to children without disabilities unless the district had "knowledge" of the potential disability.
 - b. The district is deemed to have "knowledge" when:
 - 1. The parent/guardian has expressed concern in writing that the student needs special education.
 - 2. The student's behavior or performance has demonstrated a need for special education.
 - 3. The student's teacher or other district personnel have expressed concern about the student's behavior or performance to the director of special education or other district personnel through the district's referral process.
 - c. If one of the basis for knowledge existed and the district either conducted an evaluation and determined that the student is not a student with disabilities or determined that an evaluation was not required and provided notice to the parent, the district will not be considered to have knowledge of the potential disability.
 - d. If a request for evaluation is made during the period the student is subject to disciplinary measures, the evaluation will be expedited. However, the student may nevertheless be disciplined the same as a non-disabled student would be disciplined for similar behavior.
- a. Upon request of a student or the student's parent/guardian, the district shall provide educational services deemed appropriate by the district for any student expelled from the district. The educational services will be designed to enable the student to return to a district school or successfully complete the GED, or enroll in a non-public, non-parochial school.
 - b. Educational services may include tutoring, alternative educational programs, including on-line programs authorized by state law, or vocational education programs that provide instruction in the academic areas of reading, writing, mathematics, science and social studies. In addition to educational services, the student or parent/guardian may request any of the services provided by the district through agreements with state agencies and community organizations for at-risk students.
 - c. The district shall determine the amount of credit the student shall receive toward graduation for the educational services provided.
 - d. Educational services provided by the district shall be designed to provide a second chance for the student to succeed in achieving an education. While receiving educational services, a student may be suspended or expelled pursuant to the discipline code of the district. Except as required by federal law for special education students, any student who is suspended or expelled while receiving educational services pursuant to this policy shall not receive further services until the period of suspension or expulsion is completed.
 - e. The educational services may be provided directly by the district or through agreements with state agencies and community organizations entered into pursuant to state law. The services need not be provided on school district property.

- f. Students who are expelled for conduct or behavior involving a threat of harm to district students or personnel shall be served through home-bound tutoring or in an alternative school setting designed to address such conduct or behavior, at the discretion of the district.
- g. The superintendent may apply for monies through the expelled student services grant program established by Colorado law to assist in providing such services.
- h. All expelled students receiving services will be included in the district's pupil enrollment, including those expelled prior to the October count date.

Educational Alternatives for Expelled Students (JKF-R)

- a. All requests for services for expelled students must be made in writing to the principal by the notice of expulsion.
- b. Within ten school days of receiving the request, the principal will notify the student and the parent/guardian of the goal in providing educational services, the services to be provided by the district and the amount of credit the student will receive.
- c. In-house suspension is a disciplinary response to student misconduct.

Alternatives to Suspension (JKDA)

- a. In-house suspension is a disciplinary response to student misconduct. A student may be excluded from participation in regular school activities, but remain in the school environment and receive continuous educational information, supervision and discipline. He or she shall be under close supervision and may be required to do assignments developed by his or her regular teachers. Full or partial credit may be given for class work completed by a student who is under in-house suspension.

I. Parental Co-Attendance

- a. As an alternative to suspension, a student may remain in school if his or

her parent, guardian, or legal custodian, with the consent of his or her teachers, attends class with the student for a period of time specified by the suspending authority. If the parent, guardian, or legal custodian does not agree or fails to attend class with the student, the student shall be suspended in accordance with this policy and the accompanying regulations.

- b. This alternative shall not be considered if expulsion proceedings are to be initiated or if the conduct giving rise to disciplinary action involves a threat to the welfare or safety of other students or school personnel.

Expulsion Prevention for At-Risk Students (JKG)

- a. District personnel shall enforce provisions of the student code of conduct so that students demonstrating unacceptable behavior and their parents, guardians or legal custodians understand that such behavior shall not be tolerated and shall be dealt with according to the code.
- b. However, it is the belief of the board that all available alternatives should be explored to help students who are at risk of expulsion before expulsion becomes a necessary step. Expulsion shall be regarded as a punishment of last resort. The principal of each school shall work with the professional staff to identify students who are at risk of suspension or expulsion. Students who may be at risk are those who have or are likely to be declared habitually truant or habitually disruptive.
- c. Working with the student's parent/guardian, the district shall provide students who are identified as at risk of suspension with information about support services needed to help them avoid expulsion. Such services may include:
 - 1. Educational services (tutoring, alternative educational programs or vocational programs that provide instruction in the

academic areas of reading, writing, mathematics, science and social studies).

2. Counseling services.
 3. Drug or alcohol addiction programs.
 4. Family preservation services.
- d. In some cases, a remedial discipline plan may be the means by which various intervention and prevention services are identified and made available to a student. Support services may be provided through agreements with appropriate local governmental agencies, community-based organizations and institutions of higher education. All such agreements shall utilize standardized forms which have been reviewed by legal counsel.
- e. The failure of the school district to identify a student for participation in an expulsion prevention program or the failure of such program to remediate a student's behavior shall not be grounds to prevent school personnel from proceeding with appropriate disciplinary measures.

Student Records (JRA/JRC)

I. Content and Custody of Records

- a. "Permanent student records" contain required student information, including the personal data, enrollment history and academic performance records listed in Board Policy JRA/JRC. This information must be retained permanently by the district and is the only material that will be sent out in response to requests for student records.
- b. Additionally, optional student documentation may also be retained at the school in a student's "cumulative file" for the use of district staff. Material in a student's cumulative file will not be retained after that student has withdrawn or graduated from the district. Discipline, special education and psychological testing records shall be maintained separately and have

individual retention guidelines, described in Board Policy JRA/JRC.

- c. All requests for inspection and review of education records and requests for copies of such records, as well as disclosure of personally identifiable information except as provided by law, shall be maintained as a part of each individual's record.
- d. The student records custodian for students currently enrolled in the district shall be the principal of the school in which the student is enrolled. The student records custodian for students no longer enrolled in the district shall be the Director of Special education.

II. Parental Access to Records

- a. A parent/guardian ("parent") and any student 18 years 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 student educational records.
- b. The student records custodian or designee shall provide such personnel as may be necessary to explain and interpret the student records when this is requested by the parent or eligible student.
- c. The principal, upon receipt of the written request, shall provide access to inspect and review the records. Procedures for making requests and viewing records are described in regulation JRA/JRC-E.

III. Requesting Records from Other School Districts

- a. When a student transfers to this school district from another district, the

receiving school shall request the student's records from the transferring district if the records have not already been forwarded to the receiving school.

IV. Transferring Records to Other School Districts

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

V. Requesting & Receiving Information & Records from State Agencies

- a. Within the bounds of state law, school district personnel shall seek to obtain such information regarding students as is required to perform their legal duties and responsibilities, including protecting public safety and the safety of the student. Such information may be obtained from the judicial department or any state agency that performs duties and functions under the Colorado Children's Code.
- b. School district personnel receiving such information shall use it only in the performance of their legal duties and responsibilities and shall otherwise maintain the confidentiality of all information obtained.
- c. 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").

VI. Requests to Amend Education Records

- a. A parent or eligible student may ask the district to amend a record they believe is inaccurate, misleading or otherwise violates the privacy rights of the

student, by writing to the school principal, clearly identifying the part of the record they want changed and specifying why it should be amended.

- b. If the principal, after consulting with any other person having relevant information, denies the request to amend the record, the parent or eligible student may make a written appeal to the Director of Special education. If this appeal also does not result in a record change, the parent or eligible student may direct a written request to the superintendent for a formal hearing. (Procedures for all steps in requesting an amendment to a student record are described in Board Exhibit JRA/JRC-E).
- c. If a student record remains unchanged after appeals and a formal hearing, the parent or eligible student has the right to have a statement and explanation of disagreement included as a permanent part of the student record. This statement will be disclosed to other parties along with the record.

VII. Disclosure with Written Consent

- a. Whenever the district is required by law or policy to seek written consent prior to disclosing personally identifiable information regarding a student, the notice provided to the parent/guardian or eligible student shall contain the following:
 1. The specific records to be released.
 2. The specific reasons for such release.
 3. The specific identity of any person, agency or organization requesting such information and the intended uses of the information.
 4. The method or manner by which the records will be released.
 5. The right to review or receive a copy of the records to be released.

- b. Parental consent shall only be valid for the specific instance for which it was given. Consent for a student to participate in any course, school activity, special education program or in any other school program shall not constitute the specific written consent required.
- c. All signed consent forms shall be retained by the school district.

VIII. Disclosure without Written Consent

- a. The school district will disclose personally identifiable information from parent or eligible student only to those persons or entities allowed under federal or state law to receive such information in this manner.
- b. 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.

IX. Disclosure to Other Parties

- a. Except as noted in Section 5 of this policy, the school shall not disclose student records to other individuals or parties without prior written consent of the parent or eligible student.
- b. Personal information will only be released to a third party with the assurance it will be kept confidential.

X. Disclosure of Directory Information

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

- b. Directory information which may be released may include the student's name, date and place of birth, major fields 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 this section.

XI. Annual Notification of Rights

- a. The district will notify parents or eligible students of their rights pursuant to this policy at the beginning of each school year. Eligible students who are disabled or whose primary or home language is not English will be notified in a format that it is likely to inform them of their rights. Copies of a detailed statement of student and parent rights of this policy and of the related forms and regulations shall be on file in the office of each building principal and of each individual who carries out procedures relative to this policy. A copy of the Family Educational Rights and Privacy Act may be obtained from the Family Policy Compliance Office, U. S. Department of education, 400 Maryland Avenue, SW, Washington, DC 20202-4605.

XII. Waivers

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

**Student Records/Release of Information
About Students
(JRA/JRC-E)**

**I. Notification to Parents & Students of
Rights Concerning Student School
Records**

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

1. The right to inspect and review the student's education records within three working days of the district receiving a request for access. A parent/guardian or eligible student who wishes to inspect or review the student's education records should follow the procedure described in regulation JRA/JRC.
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 violate the privacy rights of the student. A parent or eligible student who wishes to amend a record they believe is inaccurate, misleading or otherwise violates the privacy rights of the student may do so by following the procedure described in Board Regulation JRA/JRC.
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.

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

1. 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, instruction 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.

2. Officials of another school or school system in which the student seeks or intends to enroll. In this case, disciplinary information may be included. 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.
3. Authorities named in FERPA and accompanying federal regulations, including comptroller general of the United States, secretary of education and state educational authorities.
4. Any educational institution, government agency or organization to which the student has applied for financial aid.
5. 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.

6. 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.
 7. Accrediting institutions.
 8. In emergency situations to appropriate persons if the information is necessary to protect the health and safety of the student or others.
 9. 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.
 10. 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.
 11. 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.
- c. 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
- d. The right to refuse to permit the designation of any or all of the categories of directory information.
1. The district is permitted by law to disclose directory information without written consent of the parent/guardian or eligible student. The parent/guardian 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.
 2. 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.
- e. The right to request that information not be provided to military recruiting officers.
1. 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. (See Policy KLMA for details.)
- f. The right to request in writing that information not be provided to Colorado's Medicaid agency, Health Care Policy and Financing (HCPF), and the right to request that Medicaid not be billed by the district for health services provided to a Medicaid-enrolled student.

**Student Acceptable Internet, Network and
Email Use Agreement
(JS)**

- a. The purpose of this agreement is to ensure that the use of internet, email network resources and digital content in the Thompson School District is consistent with the district's mission, goals, and objectives. The district requires all users in the Thompson Schools to read, sign and agree to the terms of the following Acceptable Use Policy (AUP). Student use of district technology resources accessed from off campus and use of personal technology devices while on or near school campus, in school vehicles and at school-sponsored activities, shall also adhere to the terms of this agreement. The Thompson School District reserves the right to modify terms and conditions at any time. The latest version is available from the district website at www.thompsonschoools.org. Please read this document carefully before signing.
- b. Telecommunications and networked services have significantly expanded the informational and instructional resources available to schools "and individual students". Access to these resources will enable students to expand their learning horizons as they explore thousands of libraries and databases while exchanging information with other users across the globe. Providing students with opportunities to develop skills to effectively locate, evaluate, and ethically use such resources is fundamental in the preparation of contributing citizens and future employees.
- c. The goal of the Thompson District in providing these services is to promote educational excellence in the district and to facilitate resource sharing, innovation and communication. In addition, the system will be used to improve school and district communication, enhance productivity, and assist students in upgrading their skills. The system will also assist the district in sharing information with the local community, including parents, social service agencies, government agencies, and businesses.
- d. The access and resources available are to be used for educational purposes only. With

access to information and people all over the world comes the possibility of accessing material that may not be considered to be of educational value in the context of the school setting. The district has taken precautions to restrict access to inappropriate or offensive materials. Secure Computing SmartFilter filtering and Secure Computing Sidewinder firewall systems are in use that meet CIPA (Children's Internet Protection Act) mandates, but it is impossible to control the quality of all materials that might be accessed. We firmly believe that the value of information and interaction available through the network far outweighs the possibility that users may encounter material that is not consistent with the educational goals of the district.

- e. Internet access is coordinated through a complex association of government agencies and regional and state networks. Smooth operation of this network depends on the proper conduct of the users. In general, such conduct involves efficient, ethical and legal utilization of the network resources. This document contains guidelines to make you aware of the responsibilities expected of you as a Thompson School District Internet/network/email user. If you violate any of these provisions, your account will be terminated. Depending on the nature of the violation, you may also be denied access to the Internet/network/email and/or be subject to other disciplinary or legal action.
- f. The signatures at the end of this document are legally binding and indicate the parties who signed it have read the terms and conditions carefully and understand their significance.

**Internet/Network/Email - Terms and
Conditions of Use
(JS-E)**

- a. Students are responsible for good behavior on the school district computer networks and email accounts, just as they are in a classroom or on a school campus. General rules and policies for behavior and communications in the district apply. Users

are subject to all local, state and federal laws. Illegal activities are strictly forbidden.

- b. The network and email accounts are provided for students to conduct research and communicate with others. They are to be used for educational and other school related uses only. Access is a privilege – not a right, and is given to students who agree to act in a considerate and responsible manner. Access entails responsibility. Inappropriate use will result in a suspension or cancellation of privileges and may also result in other penalties. Authorized personnel may close an account at any time as warranted. The administration, faculty and staff may also request authorized personnel to deny, revoke, or suspend specific user accounts.
- c. Users are expected to abide by generally accepted rules of network and email etiquette and to conduct themselves in a responsible, ethical, and polite manner while utilizing network and email resources. These rules include, but are not limited to, the following:
 - 1. Be polite. DO not send abusive messages to others.
 - 2. Use appropriate language. Do not use obscene, profane, lewd, vulgar, disrespectful, threatening or inflammatory language or swear, use vulgarities or any other inappropriate language. Harassment and personal attacks, including the use of prejudicial, discriminatory, racist or sexist language, are prohibited.
 - 3. Do not reveal personal information such as name, age, addresses, telephone numbers, or location, and do not reveal such information about others, except in District staff approved, protected situations. We encourage the responsible use of an online user identity.
 - 4. Do not repost or forward personal communications without the sender's consent.
 - 5. Do not use the network or email messages in a way that disrupts the use

of the network by others. Abuse of resources is prohibited, such as the sending of annoying or unnecessary messages to a large number of people or other functions that might restrict or interrupt data flow.

- d. Users are not permitted to use computing resources for personal gain or commercial purposes, including advertising or purchasing products or services, political lobbying or campaigning, promoting personal or religious ideas or causes, or inciting action by others.
- e. Users are not permitted to transmit, receive, submit or publish any defamatory, prejudicial, discriminatory, abusive, obscene, profane, sexually oriented, threatening, offensive or illegal material. Students should not knowingly transmit, submit or publish inaccurate material. Students should notify school officials of any know infractions.
- f. Any attempt to harm, alter, or destroy data of another user or any data on the network or related systems or agencies is prohibited. This includes, but is not limited to, the uploading, emailing or creation of computer viruses.
- g. Damaging or altering computer systems or related hardware is prohibited. This can include installing or removing software/hardware without authorization. Electronic tampering with computer resources is not permitted. Gaining or attempting to gain unauthorized access to computers, networks, email accounts, files or data may result in cancellation of privileges and/or further disciplinary and/or legal action.
- h. Users must comply with all licensing and copyright laws. This includes the use of audio/video/graphics/software/text as well as the use of media distribution systems such as SAFARI, ETR, and CCTV. Copyright guidelines are available at every school library media center; misuse or plagiarism in any form will not be tolerated.
- i. Security on any network system is a high priority, especially when the system

involves many users. Users are prohibited from giving out passwords, using someone else's password, or impersonating other users on the network, Internet or email system. If you think you can identify any security problem on the district's computers or networks, you must notify authorized personnel or a school official. Do not demonstrate the problem to others. Security infractions may result in cancellation of privileges and/or further disciplinary action.

- j. Thompson School District makes no warranties of any kind, whether expressed or implied, for the service it is providing. We assume no responsibility or liability for any charges, costs or fees, nor for any damages that a user may suffer. This includes loss of data resulting from delays, non-deliveries, or service interruptions caused by accident, errors or omissions. Use of any information obtained via the Internet, network or email accounts is at your own risk. The district specifically denies any responsibility for the accuracy or quality of information obtained through its services.
- k. Although electronic communication and information is generally treated as private property, users on the district network do not have personal rights of privacy in anything they create, receive, send, or store on or through the network, on district computer systems, or through district-provided email accounts. Authorized personnel (which may include a student's parents or legal guardians) may review files and documents to maintain system integrity and ensure that users are using the system responsibly. The principal or designee also may review files, documents, email, or communication forums. Documents, files or emails related to or in support of illegal activities may be reported to the authorities.
- l. Web pages placed on the school network and/or Web server must be reviewed by authorized personnel to ensure that they adhere to the student code of conduct and the Guidelines for Thompson School District Web sites. Unauthorized access to and/or altering of web sites may result in disciplinary and/or legal action.

- m. Users are not permitted to use Internet chat rooms or instant messaging because of the potential danger to users and to network security. To protect student and system privacy and safety, it is a violation for anyone to directly access an Internet chat room through any Thompson School District computer unless specifically assigned by a teacher. Should anyone unintentionally enter a chat room site or encounter inappropriate content, he/she must immediately disconnect from that site and report the information to a teacher. Use of specific instructional Internet or network conferences through First Class or other closed, teacher-monitored environments are permitted.
- n. Student participation in non-teacher initiated and moderated instructional use of blogs, wikis, social networks, games or other interactive electronic environments is prohibited.
- o. Any violation of this policy will result in serious consequences which may include loss of computer privileges up to one year, dismissal from computer related classes, loss of all Internet/network and/or email access, a temporary ban from computer labs, and/or other consequences imposed by school district policies and/or local, state or federal law, where applicable.

**Public Complaints about
School Personnel
(KEB)**

- a. The board of education seeks to provide the highest quality service to the public and wishes to improve wherever service may be deficient. Therefore, the board invites constructive criticism from parents and patrons of the district and its schools. All significant complaints shall be investigated.
- b. The board trusts, values and supports its employees and seeks to protect them against unwarranted and unnecessary attacks. Therefore, all formal complaints by members of the public concerning school personnel shall be in writing and bear the signature of the complainant.

- c. Anyone who defames a district employee and damages a person's professional reputation, whether before students or any third party, may be subject to legal action brought by the employee.

**Public Complaints about School
Personnel
(KEB-R)**

I. Initial Communication

- a. A member of the public with a concern or complaint about a staff member should first try to resolve the matter directly and informally with the staff member concerned.

II. Review

- a. If the matter cannot be resolved informally at the initial level, the complainant should submit a written statement describing his concerns in a clear, specific and detailed manner and submit it to the building principal or the staff member's supervisor (for staff members who do not work in the building).
- b. The principal or supervisor shall investigate the facts and meet with the complainant and then with the staff person(s) named in the written statement in an effort to facilitate a mutually acceptable resolution. The issue shall be resolved within ten school days from receipt of the written statement unless the parties involved mutually agree to extend that period.

III. Appeal

- a. If the issue has not been resolved to the complainant's satisfaction, he or she may submit a written appeal within ten school days to the appropriate executive director. This director, or another designated director, will hold a conference of all parties involved within ten school days. The complainant will receive a written response within ten school days after the conference.

- b. The complainant may appeal this response to the superintendent within ten days of receiving it. If the appeal should reach the superintendent, he/she shall review all the written documents, may meet with any or all of the individuals involved, and shall notify the complainant in writing of his/her decision within twenty school days.
- c. In cases where a principal is the staff member concerned, the appropriate assistant superintendent will perform the actions assigned above to the principal, and appeal will be directly to the superintendent.

IV. Appeal to the Board of Education

- a. If the issue is still not resolved to the complainant's satisfaction, he or she may submit a written appeal within ten school days to the board of education. The board has the discretion to accept or reject the superintendent's resolution of the complaint.
- b. If the board of education rejects the superintendent's decision, it will hear the matter at the first regular session falling ten school days after the appeal has been filed, so that it will have the opportunity to read the written documents. The matter will be heard in closed session unless the staff member involved requests an open hearing.

School Information

ELEMENTARY SCHOOLS (K-5)	TELEPHONE #	PRINCIPAL	SCHOOL SECRETARY
Berthoud Elementary 560 Bunyan Ave. Berthoud, CO 80513	613-7500	Camilla LoJeske	Cindy Westbrook
B. F. Kitchen Elementary 915 Deborah Drive Loveland, CO 80537	613-5500	Kandi Smith	Wendy Cooper
Big Thompson Elementary 7702 W. Highway 34 Loveland, CO 80538	613-5600	Kendrick White	Debi Rom
Carrie Martin Elementary 4129 Joni Lane, Loveland, CO 80537	613-5700	Deanna Terry	Nancy Baranczyk
Centennial Elementary 1555 W. 37th St. Loveland, CO 80538	613-5800	Anne Marie Sanchez	Kim Lucero
Cottonwood Plains Elementary 525 Turman Drive Fort Collins, CO 80525	613-5900	David Patterson	Pam Svedman
Coyote Ridge Elementary 7115 Avondale Road Fort Collins, CO 80525	679-9400	Diane Spearnak	Susan Friede
Garfield Elementary (K-5) 720 Colorado Ave. Loveland, CO 80537	613-6000	Cheryl Cook	Rosanne Boudreau
Ivy Stockwell Elementary 175 Fifth St. Berthoud, CO 80513	613-6100	Rhonda Richer	Holly Ross
Laurene Edmondson Elementary 307 W. 49th St. Loveland, CO 80538	613-6300	Georgianna Dawson	Tammy Wildin
Lincoln Elementary 3312 N. Douglas Ave. Loveland, CO 80538	613-6200	Jorge Garcia	Mary Ann Johnson
Mary Blair Elementary 860 E. 29th St. Loveland, CO 80538	613-6400	Traci Gile	Diane Hidy

Monroe Elementary 1500 N. Monroe Ave. Loveland, CO 80538	613-6500	Sara Harp	Jennifer Kingston
Namaqua Elementary 209 N. County Road 19E Loveland, CO 80537	613-6600	Richard Bowles	Anita McComas
Ponderosa Elementary 4550 Florence Drive Loveland, CO 80538	679-9500	Lamb Caro	Sheri Fender
Sarah Milner Elementary 743 Jocelyn Drive Loveland, CO 80537	613-6700	Dale Bryant	June Brewer
Stansberry Elementary 407 E. 42nd St. Loveland, CO 80538	613-6800	Grant Waaler	Janet Richards
Truscott Elementary 211 W. 6th St. Loveland, CO 80537	613-6900	Wendy Fothergill	Marla Nolan
Van Buren Elementary 1811 W. 15th S. Loveland, CO 80538	613-7000	Kendrick White	Holly Garcia
Winona Elementary 201 S. Boise Avenue Loveland, CO 80537	613-7100	Larry Shores	Donna Mee
Early Childhood (Office) 800 S. Taft Avenue Loveland, CO 80537	613-5031/5052	Theresa Clements	Diana Klundt
New Vision Charter School 2366 E. First Street Loveland, CO 80537	593-6827	Carmella Schroeder	Frances Kotalik
Loveland Classical Schools 3835 SW 14th Street Loveland, CO 80537	670-0527	David Yu	TBA
MIDDLE SCHOOLS (6-8)	TELEPHONE #	PRINCIPAL	SCHOOL SECRETARY
Bill Reed Middle School 370 W. 4th St. Loveland, CO 80537	613-7200	Arnold Jahnke Mark Avery	Debbie Tesoriero

Conrad Ball Middle School 2660 N. Monroe Avenue Loveland 80538	613-7300	Scott Elias Tiffany Miller	Christine Sexton
Lucile Erwin Middle School 4700 Lucerne Avenue Loveland, CO 80538	613-7600	Diane Worner Tom Altepeter	Lindsey Smith-Pyle Carmen Williams
Turner Middle School 950 Massachusetts Avenue Berthoud, CO 80513	613-7400	Bill Siebers Christine Smith	Karen Caruso
Walt Clark Middle School 2605 Carlisle Drive Loveland, CO 80537	613-5400	Martha Gustafson Patti Buschjost	Vicki Moehling
HIGH SCHOOLS (9-12)	TELEPHONE #	PRINCIPAL	SCHOOL SECRETARY
Berthoud High School 850 Spartan Avenue Berthoud, CO 80513	613-7700	Christopher Garcia Mary Boettcher Christine Smith	Judith Rugg
Loveland High School 920 W. 29th St. Loveland, CO 80538	613-5200	Todd Ball Rick Frei Marc Heiser Deanna Dykstra Glenda Bates	Karen Hamilton
Mountain View High School 3500 Mountain Lion Drive Loveland, CO 80537	613-7800	Kevin Aten Tom Texeira Cindy Wiley Rick Logan	Pam Perez
Thompson Valley High School 1669 Eagle Drive, Loveland, CO 80537	613-7900	Mark Johnson Lanny Hass Kim Young Ernie Derrera	Pat Peter
Harold Ferguson High School 804 East Eisenhower, Loveland, CO 80537	613-5300	Sheila Pottorff	Carol Hetzel
SOARS – Administration Building 800 S. Taft Ave. Loveland, CO 80537	613-7575	Sheila Pottorff	Sandy Luna TBA

Discipline Code Review
Verification Form

I acknowledge that I have been provided with information to access the Discipline Code Book available on the Thompson School District website. I understand it is my responsibility to review this document with my student.

Parent Name Printed

Parent Signature

Date

Student Name Printed

Grade

Student Name

Date

www.thompsonschoools.org

Select Resources >
Parents >
Discipline Code



To be returned to school personnel by September 15, 2011

Thompson School District is an equal opportunity educational institution and will not discriminate on the basis of religion, veteran status, marital status, race, color, national origin, gender, sex, sexual orientation, age, or disability in its activities, programs or employment practices.

Prohibition against sexual harassment includes a prohibition against harassment based on religion, race, color, national origin, age, sex, disability, sexual orientation, veteran status or marital status.

For information regarding civil rights or grievance procedures, contact the Director of Human Resources, 800 S. Taft Avenue, Loveland, CO 80537 (970-613-5008) or the Office of Civil Rights, U. S. Department of education, Region VIII, 1244 Speer Blvd., Suite 310, Denver, CO 80204 (303-844-5695).

State law requires that the "Discipline Code" policies be printed in a handbook and distributed to all Thompson School District students and parents.



www.thompsonschoools.org