



SCHOOL DISTRICT NO. 1  
IN THE CITY AND COUNTY OF DENVER  
DENVER, COLORADO

## AGENDA

### **BOARD OF EDUCATION MEETING**

ADMINISTRATION BUILDING  
900 GRANT STREET  
FIRST FLOOR BOARD ROOM  
**August 20, 2009**

OPENING OF MEETING – 5:00 p.m.

Call to Order  
Pledge of Allegiance  
Roll Call

### BOARD MEMBER REPORTS

#### *Recognition of Schools Achieving CSAP Growth Percentile of 65 or Higher:*

- *Beach Court Elementary School (Principal Frank Roti)*
- *West Denver Prep (Principal Chris Gibbons)*
- *Denver School of Science and Technology (Principals Bill Kurtz and Rich Harrison)*
- *McMeen Elementary School (Principal Michael DeGuire)*
- *Stedman Elementary School (Principal Deborah Johnson-Graham)*
- *Steck Elementary School (Principal LaDawn Baity)*
- *Cowell Elementary School (Principal Thomas Elliott)*
- *Steele Elementary School (Principal Gene Boyer)*

#### *Recognition of the Purchasing Department for the Outstanding Agency Accreditation Achievement Award*

### SUPERINTENDENT'S REPORTS

#### *Proposed Policy Amendments: Policy IKF – Graduation Requirements and Policy IHCDA – Postsecondary Options*

#### *Proposed Policy Amendments: Discipline Policies*

#### *Stapleton Update*

#### *Budget Update*

\* *Items scheduled for action at this meeting are noted in italics*

\*\* *Items for information only*

CONSENT AGENDA\*

Board of Education

*Minutes of June 18, 2009*

*Minutes of June 25, 2009*

*Minutes of July 30, 2009*

**Gift Report**

***Motion to Approve Intergovernmental Agreement between the City and County of Denver and Denver Public Schools*** – The Board of Education will be asked to approve the Agreement regarding DPS participation in the November 3, 2009 election.

***Motion to Approve Amended Board of Education 2009-2010 Meeting Calendar*** – The Board of Education will be asked to approve an amended version of the 2009-2010 meeting calendar.

Finance and Audit

***Motion to Approve Denver Scholarship Foundation Management of the Scott Trust*** – The Board of Education will be asked to approve that the Denver Scholarship Foundation will begin to manage the Scott Trust.

***Motion to Approve Amendments to the Professional Compensation System for Teachers*** – The Board of Education will be asked to approve amendments to the ProComp Agreement for the 2009-2010 year.

***Motion to Approve Sound Body / Sound Mind Contract with Denver Public Schools*** – The Board of Education will be asked to approve the grant contract between DPS and Sound Body / Sound Mind.

***Motion to Approve Intergovernmental Agreement Between Denver Public Schools and the City and County of Denver regarding Property Transfer*** - The Board of Education will be asked to approve an Intergovernmental Agreement between DPS and the City and County of Denver that would transfer a small parcel of DPS property that is a part of Fairview Elementary located 2715 West 11th Avenue 80204 to the City of Denver for the purposes of reopening the 11<sup>th</sup> Avenue as a thoroughfare street.

***Motion to Approve Easement between Denver Public Schools and the City and County of Denver regarding Storm Sewer*** - The Board of Education will be asked to grant an easement to the City and County of Denver to tie into the storm sewer to help resolve a drainage issue at Columbian Elementary located at 2925 W. 40th Avenue 80211.

***Motion to Approve Intergovernmental Agreement between Denver Public Schools and the City and County of Denver regarding East High School Construction*** - The Board of Education will be asked to approve an amendment to the February 2006 Cooperative Agreement between DPS and the City and County of Denver's Park and Recreation Department to allow the East High School Tennis program to purchase and construct a storage structure for its tennis equipment where the team practices in City Park.

\* Items scheduled for action at this meeting are noted in italics

\*\* Items for information only

***Motion to Approve Intergovernmental Agreement between Denver Public Schools and the City and County of Denver regarding Amessee Elementary School Construction*** - The Board of Education will be asked to approve a Cooperative (Intergovernmental) Agreement between DPS and the City and County of Denver's Park and Recreation Department permitting DPS to install part of Amessee Elementary School's Learning Landscape equipment on the City's Elmendorf Park property which is adjacent to the school.

***Motion to Approve Additional Funds for the Cory Elementary School Construction Budget*** - The Board will be asked to approve additional funds for the Cory Elementary School Steele Building Renovations construction budget (Project No. 8058) because required changes to the original scope of work due to unforeseen conditions have increased the cost to complete the project.

***Motion to Approve the Contract between Denver Public Schools and Andrews Food Service*** - The Board of Education will be asked to approve the agreement with Andrews Food Service to provide fresh produce items for Enterprise Management's Food and Nutrition Services and to authorize the President of the Board of Education to sign the contract on behalf of Denver Public Schools.

***Motion to Approve the Lease Agreement between Denver Public Schools and the City and County of Denver*** – The Board of Education will be asked to approve the Lease Agreement for the DPS Bus Terminal located at 4850 Brighton Boulevard.

#### Chief Operating Officer

##### *Human Resources*

***Motion to Approve the Personnel Transaction Report*** – The Board of Education will be asked to approve the Personnel Transaction Report for August, 2009, which contains information regarding employee activity such as appointments, resignations, and transfers.

***Motion to Approve Agreement for 2009-2012 between Denver Public Schools and Amalgamated Transit Union, Division 1563*** – The Board of Education will be asked to approve the 2009-2012 negotiated contract between DPS and ATU.

***Motion to Approve Agreement for 2009-2012 between Denver Public Schools and Association of Building, Grounds, and Warehouse Service Personnel*** – The Board of Education will be asked to approve the 2009-2012 negotiated contract between DPS and ABGW.

#### Office of School Reform and Innovation

***Motion to Approve the (Amended) Math and Science Leadership Academy Waiver Request to the Colorado State Board of Education*** – The Board of Education will be asked to approve the Colorado statute waiver request regarding MSLA to the Colorado State Board of Education.

\* Items scheduled for action at this meeting are noted in italics

\*\* Items for information only

OLD BUSINESS

NEW BUSINESS\*\*

Chief Academic Officer

*Policy Review*

***Amendments to Policy IHCDA- Postsecondary Options** – The Board of Education will be given a first reading of proposed amendments to Policy IHCDA.*

***Amendments to Policy IKF – Graduation Requirements** – The Board of Education will be given a first reading of proposed amendments to Policy IKF.*

***Amendments to Policy EBCC – Bomb Threats** - The Board of Education will be given a first reading of proposed amendments to Policy EBCC.*

***Amendments to Policy JK-R – Discipline Procedures** - The Board of Education will be given a first reading of proposed amendments to Policy JK-R.*

***Amendments to Policy JICH – Drug and Alcohol Use** - The Board of Education will be given a first reading of proposed amendments to Policy JICH.*

***Amendments to Policy JICH-R – Drug and Alcohol Use Procedures** - The Board of Education will be given a first reading of proposed amendments to Policy JICH-R.*

***Amendments to Policy JICC – Student Conduct on Buses** - The Board of Education will be given a first reading of proposed amendments to Policy JICC.*

***Amendments to Policy JICC-R – Student Conduct on Buses Procedures** - The Board of Education will be given a first reading of proposed amendments to Policy JICC-R.*

***Amendments to Policy JI – Student Rights** - The Board of Education will be given a first reading of proposed amendments to Policy JI.*

***Amendments to Policy JICG – Tobacco Use** - The Board of Education will be given a first reading of proposed amendments to Policy JICG.*

***Amendments to Policy JBB – Sexual Harassment** - The Board of Education will be given a first reading of proposed amendments to Policy JBB.*

***Amendments to Policy JICA – Dress Code** - The Board of Education will be given a first reading of proposed amendments to Policy JICA.*

***Amendments to Policy EEAEC – Student Conduct on Buses** - The Board of Education will be given a first reading of proposed amendments to Policy EEAEC.*

***Amendments to Policy ECAC – Vandalism** - The Board of Education will be given a first reading of proposed amendments to Policy ECAC.*

***Amendments to Policy ECACA – Burglaries** - The Board of Education will be given a first reading of proposed amendments to Policy ECACA.*

***Amendments to Policy JICDE – Bullying** - The Board of Education will be given a first reading of proposed amendments to Policy JICDE.*

***Amendments to Policy JBBA – Harassment** - The Board of Education will be given a first reading of proposed amendments to Policy JBBA.*

***Amendments to Policy JLF – Reporting Child Abuse** - The Board of Education will be given a first reading of proposed amendments to Policy JLF.*

\* *Items scheduled for action at this meeting are noted in italics*

\*\* *Items for information only*

*Amendments to Policy JLF-R – Reporting Child Abuse Procedures - The Board of Education will be given a first reading of proposed amendments to Policy JLF-R.*

ADJOURNMENT

PUBLIC COMMENT – 6:30 – 7:30 p.m.

- \* *Items scheduled for action at this meeting are noted in italics*
- \*\* *Items for information only*

School District No. 1  
in the City and County of Denver and State of Colorado

**Board of Education**

**PROCLAMATION**

***WHEREAS,***

**BEACH COURT ELEMENTARY SCHOOL  
WEST DENVER PREPARATORY  
DENVER SCHOOL OF SCIENCE AND TECHNOLOGY  
MCMEEN ELEMENTARY SCHOOL  
STEDMAN ELEMENTARY SCHOOL  
STECK ELEMENTARY SCHOOL  
COWELL ELEMENTARY SCHOOL  
STEELE ELEMENTARY SCHOOL**

have distinguished themselves by achieving significant CSAP Growth for the 2008-2009 school year; and

***WHEREAS,*** being bestowed this honor adds to the growing achievements of Beach Court Elementary School and Principal Frank Roti; West Denver Prep and Principal Chris Gibbons; Denver School of Science and Technology and Principals Bill Kurtz and Rich Harrison; McMeen Elementary School and Principal Michael DeGuire; Stedman Elementary School and Principal Deborah Johnson-Graham; Steck Elementary School and Principal LaDawn Baity; Cowell Elementary School and Principal Thomas Elliott; and Steele Elementary School and Principal Gene Boyer.

***NOW, THEREFORE, BE IT PROCLAIMED*** that the Board of Education of School District No. 1 in the City and County of Denver and the State of Colorado this date, August 20, 2009, expresses its congratulations to Beach Court Elementary School, West Denver Prep; Denver School of Science and Technology; McMeen Elementary School; Stedman Elementary School; Steck Elementary School; Cowell Elementary School; and Steele Elementary School for outstanding performance, thereby bringing great honor and pride to the community, the Denver Public Schools, and the City of Denver.

Let this proclamation be entered into the official records of the school district.



**BOARD OF EDUCATION**

Theresa K. Pena, President  
Michelle Moss, Vice President  
Jill Conrad, Secretary  
Bruce L. Hoyt, Treasurer  
Arturo Jimenez  
Jeanne Kaplan  
Kevin Patterson  
Tom Boasberg, Superintendent

School District No. 1  
in the City and County of Denver and State of Colorado

**Board of Education**

**PROCLAMATION**

***WHEREAS,***

**THE DENVER PUBLIC SCHOOLS PURCHASING DEPARTMENT**

has distinguished itself by receiving the Outstanding Agency Accreditation Achievement Award-OA4 by the National Institute of Governmental Purchasing; and

***WHEREAS,*** being bestowed this honor adds to the growing achievements of the Denver Public School Purchasing Department; let it be known that Michael Thomas, Director of Purchasing, and the entire Purchasing Department have accomplished this goal, which places them in the top five percent of all public purchasing agencies in the country for having a body of standards that exemplify an excellent solid purchasing program. The National Institute of Governmental Purchasing uses a lengthy check list to evaluate the policies, procedures, forms, and standards that govern how public purchases are to be conducted. This is the first time that such an award has been made to Denver Public Schools.

***NOW, THEREFORE, BE IT PROCLAIMED*** that the Board of Education of School District No. 1 in the City and County of Denver and the State of Colorado this date, August 20, 2009, expresses its congratulations to the DPS Purchasing Department for outstanding performance, thereby bringing great honor and pride to the community, the Denver Public Schools, and the City of Denver.

Let this proclamation be entered into the official records of the school district.

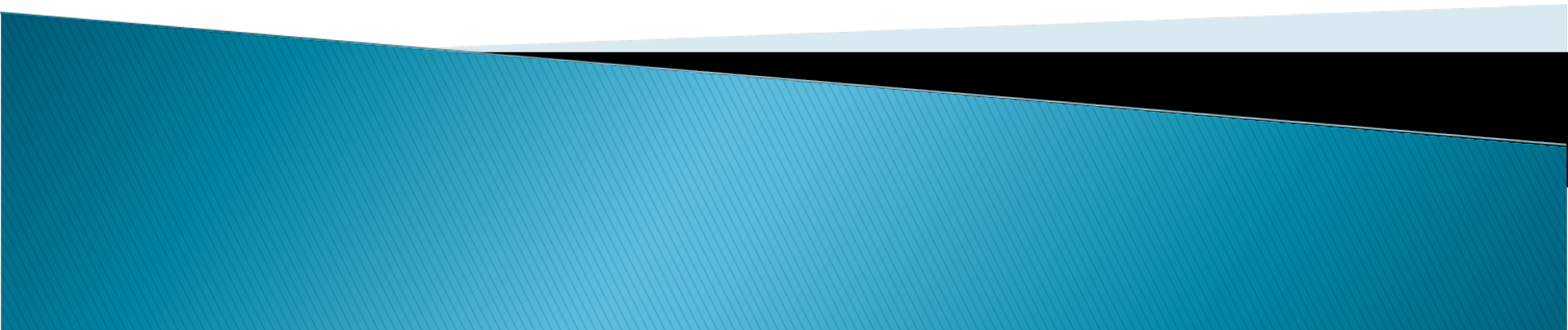


**BOARD OF EDUCATION**

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Jeanne Kaplan  
Kevin Patterson  
Tom Boasberg, Superintendent

# Stapleton Capacity Update

August 20, 2009

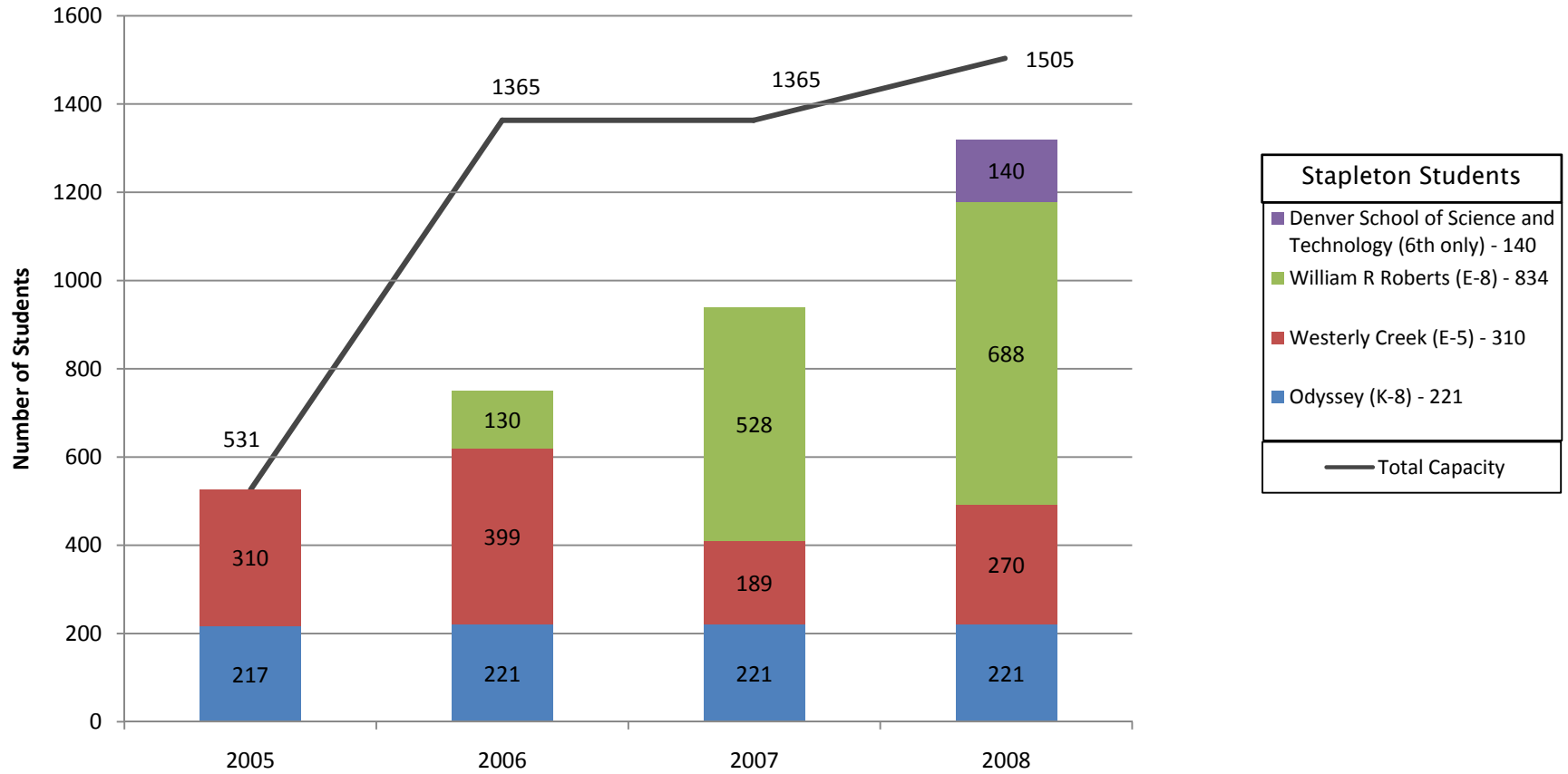


# Background

- DPS currently has 2 traditional schools in Stapleton (Westerly Creek and William Roberts), and 2 charter schools (DSST & Odyssey K–8 – located in the Westerly Creek building)
  - Westerly Creek and William Roberts are projected to serve over 1,150 E–8 students in 2009–10
  - Odyssey is capped at 225 K–8 students; DSST will serve 750 6–12 students when 8<sup>th</sup> grade is added in 2010
- Stapleton development led by Forest City, which develops both the homes and infrastructure (e.g., roads, sewers, parks) in cooperation with the city of Denver
- Infrastructure development at Stapleton is funded through Tax Increment Financing (TIF) and increased property tax mill levy.
  - Denver Urban Renewal Authority (DURA) administers the TIF program used to fund “trunk” infrastructure, including schools.
  - Park Creek Metro District administers the use of property taxes to fund “in–tract” infrastructure.
- TIF planned to fund development of up to 4 DPS elementary and 1 DPS middle schools:
  - Land to be donated by Forest City; limited to 45 acres
  - DPS to purchase land and fund development of a high school (land purchased in December 2008)
- Recently–updated enrollment projections show the school–age population in Stapleton is growing rapidly with facilities nearing capacity.

# Total Students and Capacity for Stapleton Area

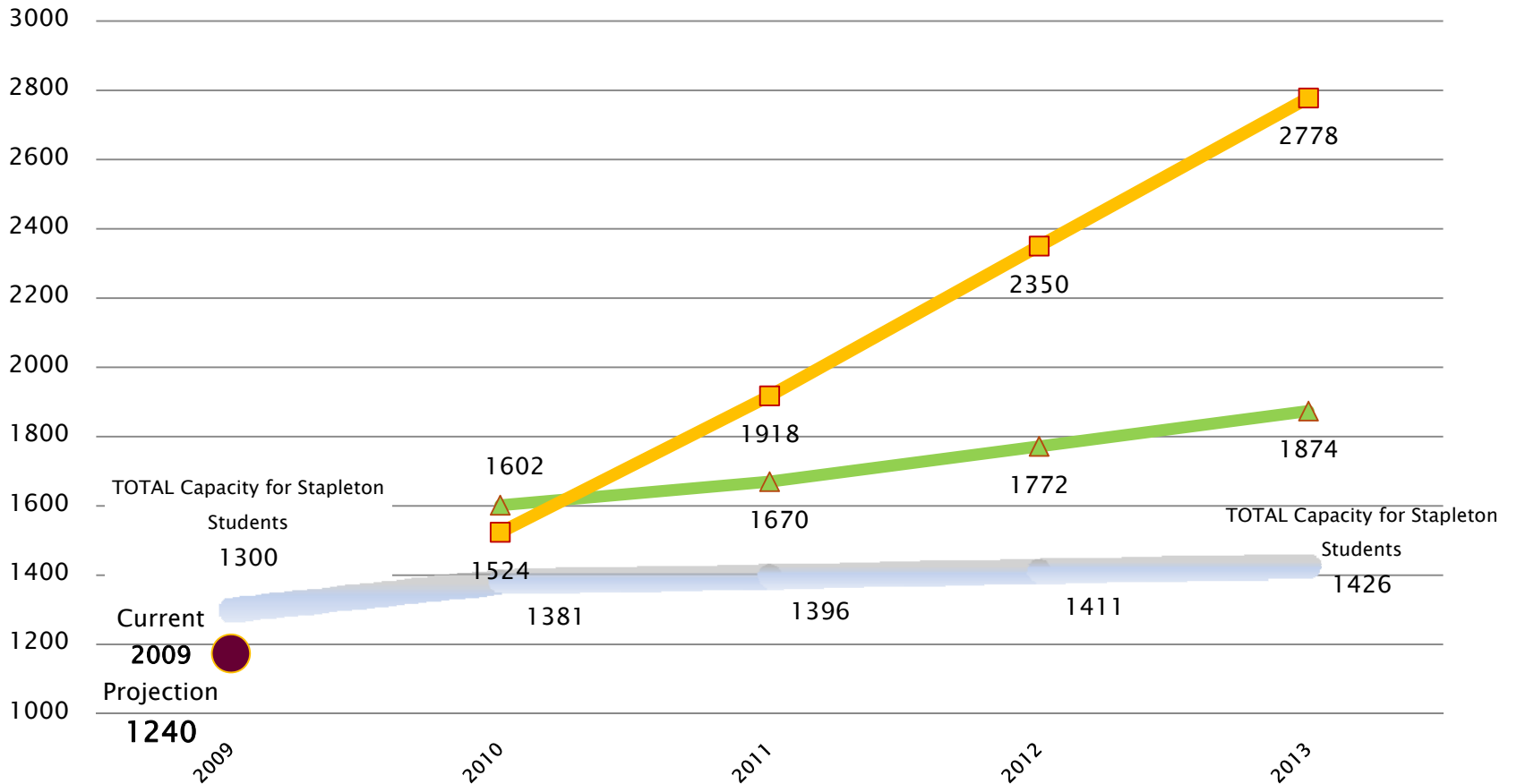
## Early Childhood through Eighth Grade



**Total Students      527                      750                      938                      1319**

# Membership Forecast Scenarios Westerly Creek and William R. Roberts

(and portions of Odyssey Charter School, Denver School of Science and Technology, and Denver Language School)



Capacity reflects the total building capacity (100%) of Westerly Creek and William R. Roberts , 30% of the capacity of Odyssey Charter, 30% of the capacity of Denver Language School (DLS, opening 2010) and 15% of Denver School of Science and Technology (DSST)

— TOTAL Capacity for Stapleton Students    —▲— LOW    —■— HIGH    —●— Current 2009 Projection

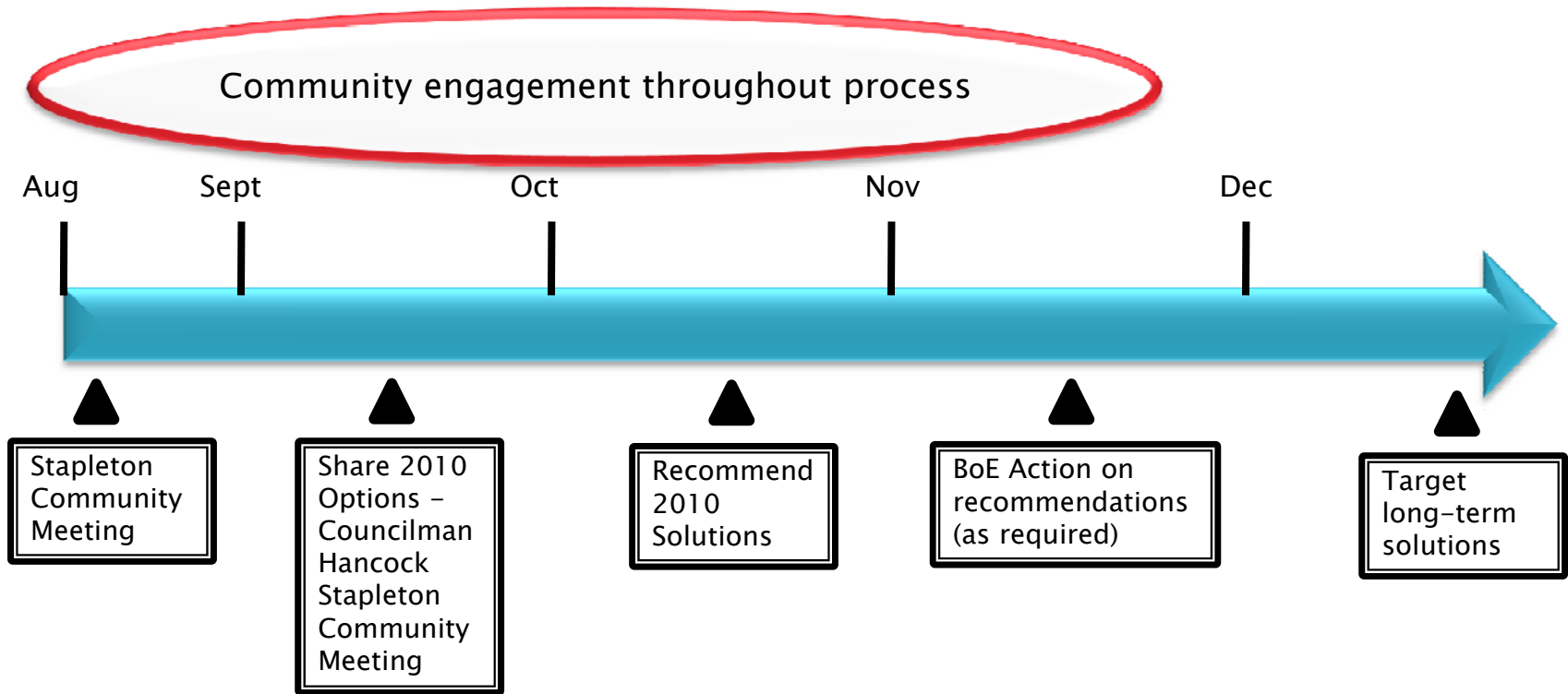
# Status

- 2009–10: Believe we can serve the projected enrollment, but near maximum capacity expected.
- 2010–11: Expected gap for serving projected students is **150–225 seats** – will need to identify options for implementation in 2010 and beyond.
- 2011–12: Expected gap for serving projected students in 2011 is **300–500 seats** with significantly more seats needed in 2012 – other options are required including a new school building by 2011 or 2012 at the latest.
- DURA has indicated that current available TIF funding is insufficient at this time to fund a new school building

# DPS Next Steps

- Work jointly with members of the Stapleton community to develop list of short/mid-term options and assess feasibility (Aug–Sept).
- Jointly share list of options with broader Stapleton community at meeting led by Councilman Hancock (Sept).
- Prioritize options and present recommended 2010 school year solutions to Stapleton community (Oct).
  - Include options for 2011 also
- Finalize recommendations and complete any Board action required in time for communication & Choice window opening (Nov).
- Concurrently work with key stakeholders (Forest City Stapleton, City of Denver, DURA, Park Creek Metro District, Stapleton Foundation) to pursue longer-term options focused on development of a 3<sup>rd</sup> school – including identification of potential funding solutions (Aug ongoing).

# 2009 Timeline



- Work closely with members of the Stapleton community to identify, evaluate and prioritize options to address near-term capacity concerns – meetings being scheduled
- Councilman Hancock & State Senator Johnston engaged to assist in this process
- Ethan Hemming and Yana Smith leading DPS efforts.
- Longer-term solutions require support/engagement from Forest City/Stapleton, DURA, City of Denver, Park Creek Metro District & Stapleton Foundation.



Denver Public Schools

# Fiscal Year 2009-10 Budget Update

August 20, 2009



## Adopted 2009-2010 Budget

- Board of Education adopted a balanced budget for fiscal year 2009-2010 on June 18, 2009
  - the budget can be viewed on the DPS Budget Office website at:  
[http://businessmanuals.dpsk12.org/09-10/0910\\_Adopted\\_Budget.pdf](http://businessmanuals.dpsk12.org/09-10/0910_Adopted_Budget.pdf)
- In order to achieve a balanced budget, the district implemented the equivalent of a 1% reduction to school and departmental budgets
- The Adopted budget included a state required fiscal emergency reserve of \$10.4M or 1.93% of total program funding.
  - This reserve was partially funded through a reduction of budgeted compensation increases by 1.93%, or \$5.2M

# Update on State of Colorado budget and its impact on DPS



Denver Public Schools

- State budget year ending June 30, 2009:
  - Required rescissions during the year and finished with a \$250M shortfall
  - DPS received a rescission during FY0809 of \$2.6M
  - The state shortfall was rolled into the 0910 budget year
- State budget year ending June 30, 2010:
  - Significant budget cuts during the legislative session (\$1.4B)
  - Additional budget cuts announced this week of \$320M; no cuts to K-12 other than crisis factor reserve
  - It is likely the \$10.4M held in the “crisis factor reserve” will NOT be released.
  - Rescission could be higher based upon updated revenue forecasts (Sept & Dec 2009)
- State budget year ending June 30, 2011:
  - On 7/15/09, the Governor’s Office (OSPB) stated the need for a \$200M cut to K-12 in FY1011, estimated impact to DPS ~\$20M
  - On 8/18/09, the Governor stated that there are no General Fund increases in base budget for K-12 in FY1011, estimated impact to DPS ~\$5-8M
  - Revenue forecast in September will be used to establish 10-11 budget targets.

# Action taken by DPS and others to stabilize budgets



- To balance their budgets, both the City of Denver and the State of Colorado have had to make significant reductions to programs, departments and staff (through a reduction in force and unpaid furlough days).
- Due to the large share of DPS general fund spent on compensation and the compounding effects of recurring increases, the district offered the following compensation increases to its employees:
  - Classified unions received no base building increase; they did receive recurring step increases PLUS a 2% one-time stipend
    - ATU & ABGW have settled, with others progressing in negotiations
  - Central staff received no base building increase and step increases are on hold; central office staff are receiving a 2% one-time stipend

MINUTES OF THE REGULAR MEETING (09-15) OF THE  
BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 1,  
IN THE CITY AND COUNTY OF DENVER AND STATE OF COLORADO  
HELD IN THE BOARD ROOM, 900 GRANT STREET  
5:30 P.M., THURSDAY, JUNE 18, 2009

**I. Call to Order – 5:00 p.m.**

Pledge of Allegiance

Roll Call

Treasurer Bruce Hoyt called the meeting to order at 5:43 p.m. The following Board of Education members were present: Ms. Jill Conrad, Mr. Bruce Hoyt, Mr. Arturo Jiménez, Mrs. Jeannie Kaplan, and Kevin Patterson (by telephone). President Theresa Peña arrived at 6:40 p.m. Mrs. Michelle Moss was absent and excused.

**II. Board Member Reports**

There was none.

**III. Superintendent's Report**

Asset Disposition Presentation

David Suppes, Chief Operating Officer, presented the report. A copy of this report is appended to the minutes of this meeting.

**IV. Consent Agenda**

Assistant Secretary Jacquie Lucero read the Agenda items. In accordance with Consent Agenda procedures, the following items were removed from the Consent Agenda and held for discussion:

Resolution Regarding Innovation School Application for Cole Arts and Science Academy

Motion to Adopt Policy A – Policy Framework for Accelerating Gains in Academic Achievement for All Students

Motion to Authorize Disposition of Certain Facilities/Real Property and Authorize District Staff Regarding Disposition Process of Facilities/Real Property

Resolution to Approve the Charter School Application for Denver Green School

Resolution to Approve the Charter School Application for Denver Language School

Resolution to Approve the Charter School Application for Denver School of Science and Technology

Resolution to Approve the Charter School Application for KIPP

Resolution to Approve the Charter School Application for SOAR

Resolution to Approve the Charter School Application for West Denver Prep

Resolution to Deny the Charter School Application for Denver Standards and Challenges School

Resolution to Deny the Charter School Application for Girls Athletic Leadership School

Resolution to Deny the Charter School Application for Global Outreach Charter Academy

Resolution to Deny the Charter School Application for Global Village Academy

Resolution to Deny the Charter School Application for Southwest Neighborhood Academy

Resolution Regarding Placement of Denver School of Science and Technology #2 in Green Valley Ranch K-12 Facility

Ms. Conrad moved that all matters on the Consent Agenda not held be approved. Mrs. Kaplan seconded the motion. The motion passed unanimously and the following items were approved:

**Board of Education**

Minutes of the Board of Education Regular Meeting of May 21, 2009; the Special Telephone Board of Education Meeting of May 30, 2009; the Special Board of Education Meeting of June 2009 – Copies are appended to the minutes of this meeting.

Gift Report – A copy is appended to the minutes of this meeting.

2009-2010 Board of Education Meeting Calendar – A copy of this calendar is appended to the minutes of this meeting.

Finance and Audit

Motion to Approve the Consolidated Application for Grant Funds for No Child Left Behind – A copy of this motion is appended to the minutes of this meeting.

Motion to Approve Large Grant Awards – A copy of this motion, approval of the large grant awards for National Clean Diesel Funding Assistance Program, Carol M. White Physical Education Program, and Improving Literacy through School Libraries, is appended to the minutes of this meeting.

Motion to Approve Contract for Temporary Employment Services for the Human Resources Department – A copy of this motion, approval of contracts with the Job Store and J. Kent Staffing for temporary employment services, is appended to the minutes of this meeting.

Motion to Approve Amendment to Green Valley Ranch (GVR) Construction Contract A copy of this motion, approval of the amendment to the GVR construction contract modifying Article 12 of the Agreement, is appended to the minutes of this meeting.

**Chief Operating Officer**

Budget and Finance

Resolution Adopting the Denver Public Schools Employer Contribution Rate for July 1, 2009, through December 31, 2009, to the Denver Public Schools Retirement System - A copy of this resolution is appended to the minutes of this meeting.

Resolution Adopting the Supplemental Budget for the Fiscal Year Beginning July 1, 2008, and Ending June 30, 2009 - A copy of this resolution is appended to the minutes of this meeting.

Resolution Approving the Supplemental Budget Appropriation for Expenditures during the Fiscal Year Beginning July 1, 2008, and Ending June 30, 2009 - A copy of this resolution, to appropriate the moneys to be expended in each fund, is appended to the minutes of this meeting.

Resolution Setting Forth the Identification and Filing of the Supplemental Adopted Budget and Appropriation Resolution and Copies Thereof - A copy of this resolution, to direct that the Supplemental Adopted Budget be labeled as such and signed by the Board President and to cause the Board Secretary to have this Supplemental Budget on file for public inspection, is appended to the minutes of this meeting.

Resolution Amending the Proposed Budget for the Fiscal Year Beginning July 1, 2009, and Ending June 30, 2010 - A copy of this resolution, identifying the specific adjustments to the revenues and expenditures of all funds from the proposed budget, is appended to the minutes of this meeting.

Resolution Authorizing the Use of the Beginning Fund Balance during the Fiscal Year Beginning July 1, 2009, and Ending June 30, 2010 - A copy of this resolution, authorizing, in accordance with SB 03-149, the expenditure of the Beginning Fund balance of specified funds as anticipated in the recommended budget, to state the purpose for which the expenditure is made and to state the school district's plan to ensure the use of Beginning Fund balance will not lead to an ongoing deficit, is appended to the minutes of this meeting.

Resolution Adopting the Budget for the Fiscal Year Beginning July 1, 2009, and Ending June 30, 2010 - A copy of this resolution, adopting the recommended budget as presented and amended, is appended to the minutes of this meeting.

Resolution Approving the Adopted Budget Appropriation for Expenditures during the Fiscal Year Beginning July 1, 2009, and Ending June 30, 2010 - A copy of this resolution, appropriating the moneys to be expended in each fund, is appended to the minutes of this meeting.

Resolution Setting Forth the Identification and Filing of the Adopted Budget and Appropriation Resolution and Copies Thereof - A copy of this resolution, to direct that the Adopted Budget be labeled as such and signed by the Board President and to cause the Board Secretary to have this Adopted Budget on file for public inspection, is appended to the minutes of this meeting.

Resolution Authorizing the Chief Financial Officer to Borrow Unencumbered Funds Authorizing the use of available cash and investments in other funds to alleviate General Fund cash deficits first, prior to borrowing funds from the state, as required by the State Treasurer's Interest Free Loan Program. State law permits the Board of Education to borrow unencumbered moneys from any one fund, except the Bond Redemption Fund, for the use of another fund at any time. A copy of this resolution is appended to the minutes of this meeting.

Resolution Authorizing the Participation by the District in the State Treasurer's Interest Free Loan Program - A copy of this resolution, authorizing participation, in accordance with HB 03-1274, by the district in the State Treasurer's Interest Free Loan Program which provides the funds based on projected cash flows of revenues and expenditures anticipated in the 2009-2010 Adopted Budget, is appended to the minutes of this meeting.

Payment of Insurance Premiums for 2009-2010 to the Colorado School Districts Self-Insurance Pool - A copy of this motion, approval of the premiums for the 2009-2010 school entity liability, automobile liability, and property insurance coverage with the Colorado School District Self-Insurance Pool, is appended to the minutes of this meeting.

Tuition Rates – A copy of this motion, approval of the 2009-2010 tuition rates for non-resident students, foreign students, and special education services, is appended to the minutes of this meeting.

TABOR Reserve – A copy of this motion, approval of the use of real property as collateral for the purposes of funding emergencies for the one-year period ending June 30, 2009, in accordance with TABOR, is appended to the minutes of this meeting.

### Facilities

Motion to Approve Facility Use Agreement for Denver Venture School – A copy of this motion is appended to the minutes of this meeting.

Motion to Approve Facility Use Agreement for Pioneer Charter School – A copy of this motion is appended to the minutes of this meeting.

Motion to Approve Facility Use Agreement for West Denver Prep School – Harvey Park Campus – A copy of this motion is appended to the minutes of this meeting.

Motion to Approve Facility Use Agreement for KIPP Denver Collegiate High School  
A copy of this motion is appended to the minutes of this meeting.

Motion to Approve Facility Use Agreement for Math, Science, and Leadership Academy Performance School – A copy of this motion is appended to the minutes of this meeting.

Motion to Approve Facility Use Agreement for Envision Leadership Charter School – A copy of this motion is appended to the minutes of this meeting.

Motion to Approve Facility Use Agreement for Manny Martinez (Edison) Middle School – A copy of this motion is appended to the minutes of this meeting.

Motion to Approve Permanent Non-Exclusive Easement – A copy of this motion, approval of the permanent non-exclusive easement regarding wastewater, is appended to the minutes of this meeting.

### Human Resources

Motion to Approve the Personnel Transaction Report – A copy of this report is appended to the minutes of this meeting.

## **Chief Academic Officer**

Motion to Approve Grade Reconfiguration at Emerson Street School and Florence Crittenton – A copy of this motion, approval of grade reconfigurations for Emerson Street School – add grade 6; and Florence Crittenton - to discontinue grades six through eight, is appended to the minutes of this meeting.

## **Office of School Reform and Innovation**

Motion to Approve Statutory Timeline for Consideration of Charter School Applications for the 2010-2011 School Year – A copy of this motion is appended to the minutes of this meeting.

Motion to Approve Charter School Contract between Denver Public Schools and Ridge View Academy – A copy of this motion is appended to the minutes of this meeting.

Motion to Approve Charter School Contract between Denver Public Schools and West Denver Prep – A copy of this motion is appended to the minutes of this meeting.

Motion to Approve Charter School Contract between Denver Public Schools and Northeast Academy – A copy of this motion is appended to the minutes of this meeting.

Motion to Approve Charter School Contract between Denver Public Schools and KIPP Denver Collegiate High School – A copy of this motion is appended to the minutes of this meeting.

## **Policy Change**

Motion to Approve Amendment to Policies KCD and KCD-R – A copy of these policies, approval of updated Policies KCD and KCD-R regarding grants, gifts, and donations, is appended to the minutes of this meeting.

Motion to Approve Amendments to Student Fees for Policy JQ – A copy of this policy, to update the fees listed in the Policy for the 2009-2010 school year, is appended to the minutes of this meeting.

## **OLD BUSINESS**

There was none.

## **NEW BUSINESS**

There was none.

## **DISCUSSION OF HELD AGENDA ITEMS**

### **Resolution #3151 – Regarding Innovation School Application for Cole Arts and Science Academy**

After discussion, Mrs. Kaplan moved approval of this resolution. Ms. Conrad seconded the motion. Voting “Yes” - Ms. Conrad, Mr. Hoyt, Mr. Jiménez, Mrs. Kaplan, and Mr. Patterson (by telephone). Ms. Peña had not yet arrived. Mrs. Moss was absent and excused. The motion passed. A copy of this resolution is appended to the minutes of this meeting.

### **Motion to Adopt Policy A – Policy Framework for Accelerating Gains in Academic Achievement for All Students**

After discussion, Ms. Conrad moved approval of this motion. Mrs. Kaplan seconded the motion. Voting “Yes” - Ms. Conrad, Mr. Hoyt, Mr. Jiménez, Mrs. Kaplan, Mr. Patterson and Ms. Peña (by telephone). Mrs. Moss was absent and excused. The motion passed. A copy of this motion is appended to the minutes of this meeting.

### **Motion to Authorize Disposition of Certain Facilities/Real Property and Authorize District Staff regarding Disposition Process of Facilities/Real Property**

After discussion, Mr. Hoyt moved approval of this motion. Mr. Jiménez seconded the motion. Voting “Yes” - Ms. Conrad, Mr. Hoyt, Mr. Jiménez, Mrs. Kaplan, Mr. Patterson and Ms. Peña (by telephone). Mrs. Moss was absent and excused. The motion passed. A copy of this motion is appended to the minutes of this meeting.

Mr. Hoyt recessed the Regular Meeting at 6:05 p.m., and convened the Public Comments Session at 6:36 p.m.

## **PUBLIC COMMENT SESSION**

The Public Comment Session began at 6:36 p.m. and adjourned at 8:56 p.m. A copy of the Speakers List is appended to the minutes of this meeting

Ms. Peña reconvened the Board meeting at 9:07 p.m.

## **DISCUSSION OF HELD AGENDA ITEMS**

### **Resolution #3152 to Approve the Charter School Application for Denver Green School**

After discussion, Ms. Conrad moved approval of this resolution. Mr. seconded the motion. Voting “Yes” - Ms. Conrad, Mr. Hoyt, Mr. Jiménez, Mrs. Kaplan, Mr. Patterson (by telephone), and Ms. Peña. Mrs. Moss was absent and excused. The motion passed. A copy of this resolution is appended to the minutes of this meeting.

### **Resolution #3153 to Approve the Charter School Application for Denver Language School**

After discussion, Ms. Conrad moved approval of this resolution. Mrs. seconded the motion. Voting “Yes” - Ms. Conrad, Mr. Hoyt, Mr. Jiménez, Mrs. Kaplan, Mr. Patterson (by telephone), and Ms. Peña. Mrs. Moss was absent and excused. The motion passed. A copy of this resolution is appended to the minutes of this meeting.

### **Resolution #3154 to Approve the Charter School Application for Denver School of Science and Technology**

After discussion, Ms. Conrad moved approval of this resolution. Mr. seconded the motion. Voting “Yes” - Ms. Conrad, Mr. Hoyt, Mrs. Kaplan, Mr. Patterson (by telephone), and Ms. Peña. Voting “No” – Mr. Jiménez. Mrs. Moss was absent and excused. The motion passed. A copy of this resolution is appended to the minutes of this meeting.

### **Resolution #3155 to Approve the Charter School Application for KIPP Academy Middle School**

After discussion, Ms. Conrad moved approval of this resolution. Mr. seconded the motion. Voting “Yes” - Ms. Conrad, Mr. Hoyt, Mr. Jiménez, Mrs. Kaplan, Mr. Patterson (by telephone), and Ms. Peña. Mrs. Moss was absent and excused. The motion passed. A copy of this resolution is appended to the minutes of this meeting.

### **Resolution #3156 to Approve the Charter School Application for SOAR**

After discussion, Ms. Conrad moved approval of this resolution. Mr. seconded the motion. Voting “Yes” - Ms. Conrad, Mr. Hoyt, Mr. Jiménez, Mrs. Kaplan, Mr. Patterson (by telephone), and Ms. Peña. Mrs. Moss was absent and excused. The motion passed. A copy of this resolution is appended to the minutes of this meeting.

### **Resolution #3157 to Approve the Charter School Application for West Denver Prep**

After discussion, Ms. Conrad moved approval of this resolution. Mr. seconded the motion. Voting “Yes” - Ms. Conrad, Mr. Hoyt, Mr. Jiménez, Mrs. Kaplan, Mr. Patterson (by telephone),

and Ms. Peña. Mrs. Moss was absent and excused. The motion passed. A copy of this resolution is appended to the minutes of this meeting.

Resolution #3158 to Deny the Charter School Application for Denver Standards and Challenges School

After discussion, Ms. Conrad moved approval of this resolution. Mr. seconded the motion. Voting “Yes” - Ms. Conrad, Mr. Hoyt, Mr. Jiménez, Mrs. Kaplan, Mr. Patterson (by telephone), and Ms. Peña. Mrs. Moss was absent and excused. The motion passed. A copy of this resolution is appended to the minutes of this meeting.

Resolution #3159 to Deny the Charter School Application for Girls Athletic Leadership School

After discussion, Ms. Conrad moved approval of this resolution. Mr. seconded the motion. Voting “Yes” - Ms. Conrad, Mr. Hoyt, Mr. Jiménez, Mr. Patterson (by telephone), and Ms. Peña. Voting “No” – Mrs. Kaplan. Mrs. Moss was absent and excused. The motion passed. A copy of this resolution is appended to the minutes of this meeting.

Resolution #3160 to Deny the Charter School Application for Global Outreach Charter Academy

After discussion, Ms. Conrad moved approval of this resolution. Mr. seconded the motion. Voting “Yes” - Ms. Conrad, Mr. Hoyt, Mr. Jiménez, Mrs. Kaplan, Mr. Patterson (by telephone), and Ms. Peña. Mrs. Moss was absent and excused. The motion passed. A copy of this resolution is appended to the minutes of this meeting.

Resolution #3161 to Deny the Charter School Application for Global Village Academy

After discussion, Mrs. Kaplan moved approval of this resolution. Mr. seconded the motion. Voting “Yes” - Mr. Hoyt, Mr. Jiménez, Mrs. Kaplan, and Ms. Peña. Voting “No” – Ms. Conrad and Mr. Patterson (by telephone). Mrs. Moss was absent and excused. The motion passed. A copy of this resolution is appended to the minutes of this meeting.

Resolution #3162 to Deny the Charter School Application for Southwest Neighborhood Academy

After discussion, Ms. Conrad moved approval of this resolution. Mr. seconded the motion. Voting “Yes” - Ms. Conrad, Mr. Hoyt, Mr. Jiménez, Mrs. Kaplan, Mr. Patterson (by telephone), and Ms. Peña. Mrs. Moss was absent and excused. The motion passed. A copy of this resolution is appended to the minutes of this meeting.

Resolution #3163 regarding Placement of Denver School of Science and  
Technology #2 in Green Valley Ranch K-12 Facility

After discussion, Ms. Conrad moved approval of this resolution. Mr. Hoyt seconded the motion. Voting “Yes” - Ms. Conrad, Mr. Hoyt, Mr. Jiménez, Mrs. Kaplan, Mr. Patterson (by telephone), and Ms. Peña. Mrs. Moss was absent and excused. The motion passed. A copy of this resolution is appended to the minutes of this meeting.

Ms. Peña adjourned the meeting at 10:25 p.m.

Jill Conrad, Secretary  
Board of Education

MINUTES OF THE SPECIAL MEETING (09-16) OF THE  
BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 1,  
IN THE CITY AND COUNTY OF DENVER AND STATE OF COLORADO  
HELD IN THE BOARD ROOM, 900 GRANT STREET  
4:30 P.M., THURSDAY, JUNE 25, 2009

**I. Call to Order – 4:30 p.m.**

Pledge of Allegiance

Roll Call

President Theresa Peña called the meeting to order at 4:50 p.m. The following Board of Education members were present: Ms. Jill Conrad, Mr. Bruce Hoyt, Mrs. Jeanne Kaplan, and Ms. Theresa Peña. Mr. Arturo Jiménez, Mrs. Michelle Moss, and Mr. Kevin Patterson were absent and excused.

**IV. Consent Agenda**

Chief Operating Officer

Motion to Approve Amendments to Professional Teachers Compensation System Agreement – Approval of amendments to the ProComp Agreement regarding clarification of the duties of the ProComp Trust Board and its relationship to the Transition Team. A copy of this motion is appended to minutes of this meeting.

Motion to Approve Amended Personnel Transaction Report - A copy of this report is appended to the minutes of this meeting.

Ms. Peña adjourned the meeting at 4:55 p.m.

Jill Conrad, Secretary  
Board of Education

MINUTES OF THE SPECIAL TELEPHONE MEETING (09-17) OF THE  
BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 1,  
IN THE CITY AND COUNTY OF DENVER AND STATE OF COLORADO  
8:00 A.M., THURSDAY, JULY 30, 2009

I. **Call to Order – 8:00 A.m.**

Pledge of Allegiance

Roll Call

President Theresa Peña called the meeting to order at 8:05 A.m. The following Board of Education members were present by telephone: Ms. Jill Conrad, Mr. Arturo Jiménez, Mrs. Jeanne Kaplan, and Ms. Theresa Peña. Mr. Bruce Hoyt, Mrs. Michelle Moss, and Mr. Kevin Patterson were absent and excused.

IV. **Consent Agenda**

Office of School Reform and Innovation

Motion to Approve the Math and Science Leadership Academy Waiver Request to the Colorado State Board of Education – Approval of the Colorado statute waiver request regarding the Math and Science Leadership Academy (MSLA) to the Colorado State Board of Education. A copy of this motion is appended to minutes of this meeting.

Motion to Ratify the Memorandum of Understanding between the Denver Public Schools and Denver Classroom Teachers Association regarding Math and Science Leadership Academy – Approval of the Memorandum of Understanding (MOU) between Denver Public Schools and the Denver Classroom Teachers Association (DCTA) regarding the Math and Science Leadership Academy (MSLA). A copy of this motion is appended to minutes of this meeting.

Motion to Approve Contract between Denver Public Schools and Rocky Mountain School of Expeditionary Learning (RMSEL) - A copy of this motion is appended to minutes of this meeting.

Ms. Peña adjourned the meeting at 8:15 a.m.

Jill Conrad, Secretary  
Board of Education

**GIFT REPORT  
AUGUST 2009**

<b>AMOUNT</b>	<b>RECIPIENT</b>	<b>DONOR</b>	<b>INTENDED USE OF GIFT</b>
\$1,000.00	University Park Elementary School	Channel 4	Fit 4 Colorado School Challenge
\$540.00	University Park Elementary School	Niketown Denver	Nike 5K
\$1,000.00	Martin Luther King Early College	Jared Polis Foundation	Teacher recognition award
\$3,000.00	Martin Luther King Early College	College for Every Student	Support for leadership and mentoring program
\$5,000.00	Martin Luther King Early College	National Civic League	MetLife Foundation Ambassadors in Education award
\$1,000.00	Skinner Middle School	Regis University	Athletics and student activities
\$500.00	East High School	Helen Gray Productions	Boys soccer
\$1,670.49	East High School	Class of 1937	Constitutional Scholars
\$630.00	East High School	Randy and Cyndyn Bridge	Baseball
\$2,000.00	East High School	Temple Hoyne Buell Foundation	Constitutional Scholars
\$500.00	East High School	The Brendle Group	Green Club
\$1,000.00	East High School	Susan Rogers	Renovation of Choir Room
\$1,000.00	East High School	Sheila Lehrburger	Renovation of Choir Room
\$1,000.00	East High School	Daniel Perlman	Renovation of Choir Room
\$1,000.00	East High School	Margaret and Timothy Holcomb	Renovation of Choir Room
\$1,400.00	North High School	Margaret Black	Instrumental Music Department
\$3,025.00	North High School	J. Michael Dowling	Harry King Scholarship Fund
\$1,500.00	North High School	Metro Volunteers	Graduating senior scholarship
\$1,200.00	North High School	Myriam DeLeon	Purchase of clinic supplies and for pupil assistance
\$540.00	North High School	University of Colorado	Pupil assistance
\$917.00	North High School	American Lung Association	Implementation of NOT Program
\$5,000.00	North High School	Norac, Inc.	Awards of \$1,000 to five North teachers
\$500.00	North High School	Omni Institute	Parent outreach programs
\$500.00	North High School	Northwest Optimist Club of Denver	Boy's basketball programs
\$500.00	North High School	Denver Foundation	Parent/student College Access programs
\$1,000.00	North High School	DPS Board of Education	Boy's basketball program
\$1,500.00	North High School	Frank Jones	Scholarship for qualifying student
\$1,000.00	North High School	Janice and James Campbell	School library and football uniforms
\$5,000.00	South High School	Anonymous	Support football team
\$55,612.00	Emily Griffith Opportunity School	Emily Griffith Foundation	Kingdom Scholarship, WISC Program, Walcott Scholarship
\$100,034.49		<b>It is recommended that these gifts be accepted and that appropriate letters of thanks be sent by the Board of Education President to the donors.</b>	

**MOTION**

I move that the Board of Education approve the Intergovernmental Agreement between the City and County of Denver and Denver Public Schools regarding participation in the November 3, 2009 election.

**MOTION**

I move that the Board of Education approve the amended 2009-2010 Board of Education meeting calendar.

**BOARD OF EDUCATION MEETINGS/ACTIVITES  
2009 – 2010 SCHOOL YEAR**

<u><b>JULY 2009</b></u>	<u><b>AUGUST 2009</b></u>	<u><b>SEPTEMBER 2009</b></u>	<u><b>OCTOBER 2009</b></u>
<p>11/16 Work Session 4:30 – 8:30 pm</p> <p>11/19 Regular Meeting 5:00 – 6:30 pm Public Hearing 6:30 – 7:30 pm</p>	<p>12/14 Work Session 4:30 – 8:30 pm</p> <p>12/17 Regular Meeting 5:00 – 6:30 pm Public Hearing 6:30 – 7:30 pm</p>	<p>1/19 Work Session 4:30 – 8:30 pm</p> <p>1/21 Regular Meeting 5:00 – 6:30 pm Public Hearing 6:30 – 7:30 pm</p>	<p>10/1 <b>Focus on Achievement Study Session</b> 4:30 – 8:30 pm</p> <p>10/12 Work Session 4:30 – 8:30 pm</p> <p>10/15 Regular Meeting 5:00 – 6:30 pm Public Hearing 6:30 – 7:30 pm</p> <p>2/4 <b>Focus on Achievement Study Session</b> 4:30 – 8:30 pm</p> <p>2/16 Work Session 4:30 – 8:30 pm</p> <p>2/18 Regular Meeting 5:00 – 6:30 pm Public Hearing 6:30 – 7:30 pm</p> <p><b>Monday, February 15 is President's Day</b></p>
<u><b>MARCH 2010</b></u>	<u><b>APRIL 2010</b></u>	<u><b>MAY 2010</b></u>	<u><b>JUNE 2010</b></u>
<p>3/15 Work Session 4:30 – 8:30 pm</p> <p>3/18 Regular Meeting 5:00 – 6:30 pm Public Hearing 6:30 – 7:30 pm</p>	<p>4/12 Work Session 4:30 – 8:30 pm</p> <p>4/15 Regular Meeting 5:00 – 6:30 pm Public Hearing 6:30 – 7:30 pm</p>	<p>5/17 Work Session 4:30 – 8:30 pm</p> <p>5/20 Regular Meeting 5:00 – 6:30 pm Public Hearing 6:30 – 7:30 pm</p>	<p>6/14 Work Session 4:30 – 8:30 pm</p> <p>6/17 Regular Meeting 5:00 – 6:30 pm Public Hearing 6:30 – 7:30 p</p> <p>6/28 <b>Focus on Achievement Study Session</b> 4:30 – 8:30 pm</p>

**MOTION**

I move that the Board of Education approve negotiation of the final terms and conditions of the Scott Trust Engagement Letter and Custodian Agreement providing for the Denver Scholarship Foundation to manage the Scott Trust Fund.

DENVER PUBLIC SCHOOLS  
Interdepartmental Communication

To: Board of Education  
From: Lisa Relou, Director of Internal Communication & Marketing  
Date: August 14, 2009  
Subject: Scott Trust Management

Background on Request to Transfer Scott Trust administration to Denver Scholarship Foundation

Michael Bennet and Barbara Berv asked that two scholarship trusts (the Cook Trust and the Scott Trust) managed by the district be transferred to DSF to be managed by them henceforth. The Cook Trust has already been transferred. We are currently working to have the Scott Trust transferred. I need confirmation of support for the transfer of the trust administration which involves the following:

- Creation of a simple contract - MOU (not a board resolution) between DSF and DPS. A draft of such an agreement is attached, and we intend to finalize this with DSF within the next 1-2 weeks.
- Previously awarded Scott Trust Scholarships will continue to be managed by DPS until these students graduate (see rationale below)
- Future payments from the Scott Trust that are not needed to meet the obligation of previously awarded scholarships will go to DSF to be awarded as via DSF as Scott Trust Scholarships, under DSF policies.
- Scholarships paid for through DSF, but with Scott Trust dollars, will be designated and communicated as Scott Trust scholarships.
- DSF will report annually to the district and to the trust the name of future students awarded and the amount awarded.
- DPS retains ultimate authority per the terms of the Scott Trust to establish criteria and procedures for scholarships, such criteria to include per the trust terms "merit and need," and non-discrimination. DPS will adopt DSF procedures to promote efficiency.

About the Scott Trust

The Scott Trust currently funds 21 students and the district usually receives about \$80K each year to fund the scholarships. Controller, Marjorie Uhlar, has been administering the trust monies. The district banks enough to cover the amount due to each student through four years of college. Scholarship recipients were chosen through nominations made by school

counselors. It is a merit and needs-based scholarship.

Rationale: Why DPS will continue to manage current scholars

- Financial Aid Qualification
  
- DSF cannot provide scholarship support to students who cannot qualify for federal financial aid. Realizing that DPS didn't make that a stipulation for its current list of Scott Trust scholars, it would be best if DPS handles the current scholars throughout their tenure as scholars.
  
- Students Attending Out-of-State Colleges or Universities
  
- DSF policy specifically supports tuition only for attendance in Colorado institutions.

Scott Trust Engagement Letter and Custodian Agreement

To: \_\_\_\_\_

Under the terms of this Engagement Letter and Custodian Agreement (this “Letter” or this “Agreement”), Denver Public Schools (“DPS”) retains Denver Scholarship Foundation (“DSF”) to manage and supervise the Scott Trust Fund for student scholarships as set forth in Exhibit \_\_\_\_, which becomes incorporated by reference to this Agreement. This Agreement will be effective as of \_\_\_\_\_ [date].

Pursuant to this Letter, DPS is entering into a custodial relationship with DSF (in such capacity, the “Custodian”). DPS agrees to forward and deliver to the Custodian all funds and proceeds of the Scott Trust and any assets later added to it to disburse in conformance with the donor’s original intent as set forth in this Agreement. Furthermore, DPS authorizes the Custodian to take any other action that it reasonably believes to be appropriate with respect to the Scott Trust under the terms hereof. It is understood and agreed that DSF is acting as DPS’s agent for purposes of administering the Scott Trust and DSF is not assuming any duties with respect to Scott Trust other than those set forth in this Letter.

Scholarships. Every year the Custodian will contribute from its own funds an amount that is equal to the contribution from the Scott Trust with respect to a particular DSF scholarship recipient. The Custodian will manage and administer the Scott Trust funds in accordance with current and amended DSF scholarship policy guidelines, provided, however, that the qualified recipient:

- has and maintains a 2.5 grade point average or higher per the requirement of the Scott Trust.

From the date of award by the Custodian, the availability of the scholarship to eligible recipients is five years. The Custodian may use reasonable discretion in applying the foregoing requirement to particular circumstances. DSF reserves the right to amend its scholarship policy, and will notify DPS of any such amendment.

Acknowledgement. For all scholarships funded with any proceeds of the Scott Trust, the Custodian agrees to provide a written notice of award to the scholarship recipient that includes an acknowledgement that fifty percent of the scholarship award funds were from the Scott Trust. Likewise, DPS represents that the Scott Trust agrees and understands that all prospective scholarship awards by the Custodian are limited to recipients who enroll and attend participating postsecondary schools located in Colorado.

Compliance with Law. Under this Agreement, the Custodian will perform its duties and obligations under the applicable Federal and state laws and rules as regulations require.

Notice of Changes. The Custodian will notify DPS of any changes to its status as a not-for-profit entity within a reasonable time after the change.

Authority. DPS represents and warrants that it has full power and authority to enter into this Agreement and to designate DSF as the Custodian, on a discretionary basis, to manage the Scott Trust.

No Assignments. No assignment of the rights and duties of this relationship can be made by either party without the other's written consent.

Termination. It is understood that either party may terminate this Agreement without penalty by giving 30-day advance written notice to the other party.

Entire Understanding. This Engagement Letter and Custodian Agreement shall constitute our entire understanding and cannot be amended except by a written instrument executed by the parties.

Dated: \_\_\_\_\_.

Accepted and approved by \_\_\_\_\_ [DPS Representative] on \_\_\_\_\_ [date].  
[Signature]

Accepted and approved by \_\_\_\_\_ [DSF Representative] on \_\_\_\_\_ [date].  
[Signature]

Board of Education  
August 20, 2009

FINANCE AND AUDIT COMMITTEE – ProComp Trust Agreement Amendments

**MOTION**

I move that the Board of Education approve the amendments to the Professional Compensation System for Teachers Trust Agreement.

# Denver Public Schools

OFFICE OF SCHOOL REFORM AND  
INNOVATION

[www.dpsk12.org](http://www.dpsk12.org)



**To:** Board of Education  
**From:** Kristin Waters, Assistant to the Superintendent for Innovation and Reform  
**Subject:** Recommendation for Approval of Amendments to the ProComp Trust Agreement  
**Date:** August 13, 2009

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In the fall of 2008, negotiations between the Denver Public Schools and the Denver Classroom Teachers Association resulted in amendments to the ProComp Agreement. As a result, amendments to the ProComp Trust Agreement are now also required so that the two agreements (ProComp Agreement and ProComp Trust Agreement) are aligned. Modifications to the ProComp Trust Agreement must be approved by both the DPS Board of Education and by the DCTA Board of Directors.

The necessary changes to the ProComp Trust Agreement have been made and were approved by the DCTA Board of Directors in spring 2009. Bruce Hoyt, who serves on the ProComp Trust Board, and staff are recommending that the changes to the ProComp Trust agreement be approved by the DPS BOE.

**MOTION**

I move that the Board of Education approve the grant contract between Denver Public Schools and Sound Body / Sound Mind.

# Denver Public Schools

DIVISION OF TEACHING AND LEARNING

ERIC LARSON  
TELEPHONE 720-423-3814  
FAX 720-423-3294  
Eric\_Larson@dpsk12.org



## MEMO

DATE JULY 30, 2009  
TO DENVER PUBLIC SCHOOLS BOARD OF EDUCATION  
FROM ERIC LARSON, PHYSICAL EDUCATION COORDINATOR  
RE SOUND BODY SOUND MIND GRANT

Sound Body Sound Mind is a comprehensive school and community physical fitness program established to promote self-confidence and healthy lifestyle choices. Sound Body Sound Mind provides each participating school with state-of-the-art exercise equipment, funding for professional development and the necessary tools to monitor student progress at each facility.

### Funders:

- Anschutz Foundation
- Timothy & Bernadette Marquez Foundation

### Participating Schools:

- George Washington High School
- Abraham Lincoln High School
- Bruce Randolph
- Denver Center for International Studies

**Fitness Center:** Each school will be supplied with \$50,000 of fitness equipment. Equipment will provide physical education teachers with the tools to offer instruction in a variety of motor skills and physical activities designed to enhance the physical, mental, and social or emotional development of every student. The fitness centers are designed to address multiple types of physical activities from cardiovascular and strength to flexibility, balance and power. Final equipment selection will be based on the recommendation of Sound Body Sound Mind staff and tailored to meet the unique needs of each school. DPS will offer Fitness For Life course tailored to the fitness center. Each school will provide supervised after-school access to the SBSM fitness center at least 3 days per week and 2 hours per day for community use.

**Professional Development:** Physical Education instructors will receive three areas of professional development support: 1) Fitness for Life curriculum; 2) FitnessGram testing, data collection and reporting; and 3) On-site orientation to SBSM equipment. The training will occur during the Fall 2009 semester.

**Evaluation:** The evaluation strategy has three main components: 1) Use of the FitnessGram test to measure fitness levels of students enrolled in the Fitness for Life courses at the beginning and end of each semester that the course is offered; 2) Collection of raw data on usage of the fitness centers by students and community members as well as school day attendance for Fitness for Life classes; and 3) Utilization of teacher logs to measure moderate-to-vigorous physical activity.

**MOTION**

I move that the Board of Education approve the Intergovernmental Agreement between the City and County of Denver and Denver Public Schools regarding a Temporary Construction Easement and to transfer a small portion of Fairview property to improve Fairview parking lot.

DENVER PUBLIC SCHOOLS  
Interdepartmental Communication

To: Board of Education  
From: Trena Deane, Executive Director of Facility Management  
Date: August 12, 2009  
Subject: Request To Approve An Intergovernmental Agreement Between Denver Public Schools And The City And County Of Denver To Grant A Temporary Construction Easement And Transfer A Small Portion Of Fairview Property To Improve Fairview Parking Lot.

Purpose.

Denver Public Schools (“DPS”) would like to enter into an Agreement to transfer a small portion of Fairview Elementary School property (“Property”) located along 11<sup>th</sup> Avenue between Lipan Street and Kalamath Street to the City and County of Denver (the “City”), which is particularly described in Exhibit A. In exchange, the City will improve the parking lot south of 11<sup>th</sup> Avenue and install a drop-off lane along the north side of 11<sup>th</sup> Avenue adjacent to the school. Moreover, there will be a dedicated right-of-way from Lipan Street to the mid-block between Lipan Street and Kalamath Street, which is particularly described in Exhibit B.

As shown in Exhibit B, the improvements to the DPS parking lot will consist of an asphalt overlay, re-striping, and redefining spaces. Additionally, south of the school, the City will install a parking lane for passengers drop off and pick up. Then, in the right of way north of the DPS parking lot, the City will install trees, three (3) benches, and a trash receptacle on the concrete pad. DPS, however, will be responsible for the maintenance and upkeep of these amenities. Before the City can install any amenities, DPS will need to obtain a major encumbrance permit.

To accomplish this, the Board will need to approve the Intergovernmental Agreement authorizing the Property transfer and granting a temporary construction easement to the City and execute a General Warranty Deed to the transfer the Property to the City, which is attached as Exhibit C. Attached for the Board’s review and approval are the documents the City requires.

- The (proposed) Intergovernmental Agreement
- Exhibit A – Transferred Property’s legal description and survey
- Exhibit B – Proposed Improvements
- Exhibit C - General Warranty Deed

After the City re-opens the street as a thoroughfare and completes the installation of the improvements, DPS will be responsible for the maintenance and upkeep of the area where the City intends to install trees, benches and a trash receptacle as well as the expenses and costs associated with the parking lot enhancements.

Recommendation.

Approve the Intergovernmental Agreement, temporary construction easement and sign the General Warranty transferring a small portion of the Fairview Property to the City. In exchange, the City will install, improve and construct the parking lot, curb, and the area adjacent to the school.

Process.

This communication will be forwarded to all School Board members before the work session scheduled for August 17, 2009 and the next legislative meeting on August 20, 2009, when this action will be presented for approval to the Board of Education.

***The Board of Education approves the Intergovernmental Agreement on the terms set forth herein. The Board of Education authorizes officers of the Board and Staff to implement this action.***

Board of Education  
August 20, 2009

FINANCE AND AUDIT COMMITTEE – Columbian Elementary School

**MOTION**

I move that the Board of Education approve the easement to the City and County of Denver (“City”) at Columbian Elementary School located at 4030 Federal Boulevard, Denver, CO 80211.

DENVER PUBLIC SCHOOLS  
Interdepartmental Communication

To: Board of Education  
From: Trena Deane, Facility Management Executive Director  
Date: August 14, 2009  
Subject: Request Approval of an Easement to the City and County of Denver

Purpose.

Facility Management requests the Board of Education to grant an easement to the City and County of Denver (“City”) to construct and tie-in the storm sewer drain and outlet pipe at Columbian Elementary School located at 4030 Federal Boulevard, Denver, CO 80211 (the “Project”), as described in Exhibit A.

Facts on the Issue.

The proposed easement is part of the Project underway at Columbian Elementary School. The purpose of the easement is to help improve the drainage and flow of water at the school site. Consequently, the City will require the District to grant an easement to its Wastewater Department. The District, however, will continue to be responsible for any required maintenance including expenditures and costs associated with its prospective upkeep and repair. Attached for the Board of Education’s review and approval is the legal description of the easement.

Recommendation.

Approve granting an easement to the City so the proposed storm sewer drain may be installed at Columbian Elementary School.

Process.

This communication will be forwarded to all School Board members by August 17, 2009 and at the next legislative meeting on August 20, 2009 this action will be presented to the Board of Education for approval.

***The Board of Education approves the Wastewater easement on the terms set forth herein. The Board of Education authorizes officers of the Board and Staff to implement this action.***

DENVER PUBLIC SCHOOLS  
Interdepartmental Communication

To: Board of Education  
Through: Trena Deane, Executive Director of Facility Management  
From: Michael J Hickman, Deputy General Counsel  
Date: August 14, 2009

Subject: First Amendment of the February 2006 Cooperative Agreement between the City and County of Denver and Denver Public Schools

SUGGESTED MOTION

I MOVE THAT THE BOARD OF EDUCATION APPROVE AMENDING THE COOPERATIVE AGREEMENT WITH THE CITY AND COUNTY OF DENVER PURSUIT TO THE TERMS IN THE MEMORANDUM TO THE BOARD OF EDUCATION DATED AUGUST 14 2009. THE BOARD OF EDUCATION AUTHORIZES OFFICERS OF THE BOARD AND STAFF TO NEGOTIATE, EXECUTE, AND IMPLEMENT THE AMENDMENT.

DENVER PUBLIC SCHOOLS  
Interdepartmental Communication

To: Board of Education  
Through: Trena Deane, Executive Director of Facility Management  
From: Michael J Hickman, Deputy General Counsel  
Date: August 14, 2009

Subject: Request to Amend the Cooperative Agreement with the City and County of Denver for Construction and Use of Tennis Courts at City Park

Purpose.

Authorize Denver Public Schools' ("DPS") officers and staff to negotiate an amendment to the Cooperative Agreement ("First Amendment") the City and County of Denver (the "City") and Denver Public Schools ("DPS" or collectively, the "Parties") approved in February 2006.

Facts on the Issue.

Since the parties finalized the February 2006 Cooperative Agreement, DPS has installed and renovated the tennis courts at City Park as the parties intended. Now, East High School has the additional parking it needed and its tennis team has access and use of the City Park tennis courts on the days and scheduled times needed for practice. In turn, the City Park tennis courts have been expanded and are in good condition. The Cooperative Agreement embodies the good gained when the City and DPS mutually develop, share, use and maintain facilities that benefit their common constituency.

Recently, a sponsoring organization of the East High School tennis team would like to donate funds, materials and labor to build a structure by the City Park tennis courts to store the team's tennis equipment. The City has reviewed the submitted plans and approved the construction of the proposed structure. DPS has agreed to oversee the construction, installation, and management of storage structure and will maintain it afterwards. In all other respects the Cooperative Agreement will remain the same in that the City will continue to be responsible for all operations, maintenance, repairs and utilities for all of the tennis courts, except the proposed storage structure will become the sole responsibility of East High School and DPS Facilities Management.

Recommendation.

Approve an amendment to the Cooperative Agreement with the City and County of Denver to construct and maintain a structure to store the East High School tennis team's equipment by the City Park tennis courts as proposed herein and authorize officers of the Board and staff to implement this action.

Process.

This communication will be forwarded to all School Board members by February 10, 2006. At the next legislative meeting on February 16, 2006, this action will be presented, for approval, to the Board of Education.

*The Board of Education approves a cooperative agreement with the City and County of Denver for the construction and use of tennis courts at City Park based on the terms set forth herein. The Board of Education authorizes officers of the Board and Staff to negotiate and execute an agreement to implement this action.*

DENVER PUBLIC SCHOOLS  
Interdepartmental Communication

To: Board of Education  
Through: Trena Deane, Executive Director of Facility Management  
From: Michael J Hickman, Deputy General Counsel  
Date: August 14, 2009

Subject: Cooperative Agreement between the City and County of Denver and Denver Public Schools

SUGGESTED MOTION

I MOVE THAT THE BOARD OF EDUCATION APPROVE THE COOPERATIVE AGREEMENT WITH THE CITY AND COUNTY OF DENVER PURSUIT TO THE TERMS IN THE MEMORANDUM TO THE BOARD OF EDUCATION DATED AUGUST 14 2009. THE BOARD OF EDUCATION AUTHORIZES OFFICERS OF THE BOARD AND STAFF TO NEGOTIATE, EXECUTE, AND IMPLEMENT THE AMENDMENT.

DENVER PUBLIC SCHOOLS  
Interdepartmental Communication

To: Board of Education  
Through: Trena Deane, Executive Director of Facility Management  
From: Michael J Hickman, Deputy General Counsel  
Date: August 14, 2009

Subject: Request to Approve the Cooperative Agreement with the City and County of  
Denver Construct, Install and Use Amasse Learning Landscape in Elmendorf Park

Purpose.

Authorize Denver Public Schools' ("DPS") officers and staff to negotiate a Cooperative Agreement ("First Amendment") between the City and County of Denver (the "City") and Denver Public Schools ("DPS" or collectively, the "Parties") to construct the learning landscape at Amesse Elementary School that will also encroach onto Elmendorf Park ("Park").

Facts on the Issue.

The parties have agreed in principle that DPS may install on Park property some of the school's Learning Landscape equipment. Furthermore, the City and DPS understand that during school hours the school will have priority to use and access the Learning Landscape installed in the Park. The City understands that the Learning Landscape equipment installed and used in the Park will be DPS property. Therefore, DPS has agreed to maintain and keep at all times the Learning Landscape equipment in good condition and repair in accordance with the standards and conditions the City may require. Since the City has plans to renovate the Park ground and play area while DPS is installing the Learning Landscape at the school, the parties will work to mutually develop, share, use and maintain the proposed facilities in manner that will benefit both DPS and the City.

Recommendation.

Approve the officers of the Board and staff to negotiate and execute a Cooperative Agreement with the City and County of Denver to coordinate, share, construct and maintain the Amasse Elementary School Learning Landscape in a manner that is mutually beneficial with the City's ensuing project in Elmendorf Park.

Process.

This communication will be forwarded to School Board members by August 14, 2009 so that at the next legislative meeting on August 20, 2009 this action will be presented to the Board of Education for approval.

*The Board of Education approves a cooperative agreement with the City and County of Denver to build and install part of the Amesse Learning Landscape equipment in Elmendorf Park based on the terms set forth herein. The Board of Education authorizes officers of the Board and Staff to negotiate and execute an agreement to implement this action.*

Board of Education

August 20, 2009

FINANCE AND AUDIT COMMITTEE – Cory Elementary School

**MOTION**

I move that the Board of Education approve additional funds for the Cory Elementary School Steele Building Renovations construction budget.

DENVER PUBLIC SCHOOLS  
INTERDEPARTMENTAL COMMUNICATION

To Board of Education

Thru David Suppes, Chief Operating Officer

From Trena Deane, Executive Director, Facility Management

Date August 20, 2009

Subject Additional Contingency for the Cory ES & Steele Building Renovations Project, Project No. 8058

Scope of Procurement/Contract

The construction contract for the Cory ES and Steele ES Building Renovations project was approved by David Suppes, Chief Operating Officer, in May 2009. The scope of work includes ADA upgrades including elevator installation, restroom remodel, and flooring.

Rationale for Procurement/Contract

Several unanticipated conditions at Cory ES and Steele ES have contributed to increased costs, including unforeseen existing flooring conditions at Cory ES; and at Steele ES, unforeseen existing conditions at the new elevator shaft location, at the Auditorium ramp, in the renovated restrooms, and in remodeled Classroom 104. All additional costs will result in equitable value to the District.

Source of Funding

2008 General Obligation Bond.

The previously approved total construction cost is \$904,133, including a contingency amount of \$82,194.

Solicitation/Contracting Process

The RMA Group, Inc., was awarded the original contract through the bid process. Changes to the original scope will be priced by the RMA Group, subsequently reviewed by Larson Incitti Architects and their consultants, and when deemed reasonable, approved by Facility Management. Changes are only approved provided adequate BOE contingency exists.

Approval Requested

The current contract is expected to exceed the previously approved amount listed above. These increases could result in an amount estimated at \$150,000. This amount will result in a contract amount greater than the approval authority of the Executive Director as well as the COO (per purchasing procedures).

We are requesting the Board approve additional contingency in the amount of \$150,000.

This recommendation was reviewed by the Finance and Audit Committee on August 17, 2009.

**MOTION**

I move that the Board of Education approve the agreement with Andrews Food Service to provide fresh produce items for Enterprise Management's Food and Nutrition Services and to authorize the President of the Board of Education to sign the contract on behalf of Denver Public Schools.

**DENVER PUBLIC SCHOOLS**  
**Interdepartmental Communication**

To: Board of Education

From: Michael Thomas, Director of Purchasing

Date: August 20, 2009

Subject: Award Approvals – Request for Proposal BD1350

Scope of Proposal

The Request for Proposal BD1305 seeks Fresh Produce for Enterprise Management's Food and Nutrition Services, to provide fresh produce for the period of July 2009 to June 2010, with two one year renewal options to 2012.

Rationale for Proposal

The RFP was requested by Enterprise Management's Food and Nutrition Services, in order to solicit responses from qualified vendors to establish a source of fresh produce.

Source of Funding

Expenditures will be paid from the Department of Food and Nutrition Services' Enterprise Fund, (dollars earned from meals served to the Districts' children via Federal Reimbursement and cash sales).

Proposal Process

On May 20, 2009, RFP BD1350 was posted on the Purchasing Department's web site to contact potential sources. Five responses were reviewed and Purchasing is recommending awards to the lowest responsive, responsible vendors whose offers are most advantageous to the District.

Detail

This is a one year award, with a two year renewal option. The estimated value of this contract is \$917,028.00. If the two year renewals are exercised the total value will be \$2, 751,084.00.

Recommended Award

Approval is requested to award this bid to the vendor listed below. The estimated annual contract value is \$917,028.00.

Andrews Food Service

The award recommendation is to be reviewed by the Finance and Audit Committee on August 17, 2009.

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**MOTION**

I move that the Board of Education approve the Lease Agreement between Denver Public Schools and the City and County of Denver for the DPS Bus Terminal located at 4850 Brighton Boulevard.

DENVER PUBLIC SCHOOLS  
Interdepartmental Communication

To: Board of Education

From: Jeannine Balsamo, Manager of Real Estate Assets

Date: August 13, 2009

Subject: Approve Lease of the DPS Bus Terminal located at 4850 Brighton Boulevard between Denver Public Schools and the City & County of Denver

Purpose.

On June 18, 2009, the Board voted to begin a disposition process for the former bus terminal. This process is currently underway. Facility Management requests that the Board of Education approve the negotiation of a lease between Denver Public Schools and the City and County of Denver to use the former bus terminal for overflow vehicle storage from the Sheriff's Vehicle Impound Facility. The intent of the lease is to assist the City with a short-term, immediate need. The proposed term of the lease is one-year beginning September 1, 2009. The fee is \$3,000 for a one-year lease. All costs, including security, required to operate the facility will be the City's responsibility and any improvements the City may need must have advance written approval by DPS. Moreover, the City lease will not delay or encumber the disposition of the property or the removal underground tank at the site, which is scheduled for the end 2009. Should it be necessary, the lease may be renewed for up to three months at the discretion of DPS.

Recommendation.

Approve Facility Management personnel and staff to negotiate a lease for the Northeast Bus Terminal with the City and County of Denver.

Process.

This communication will be forwarded to all School Board members before the work session scheduled for August 17, 2009 and the next legislative meeting on August 20, 2009, when this action will be presented for approval to the Board of Education.

**MOTION**

I move that the Board of Education approve the amendments to the 2009-2012 Agreement between Denver Public Schools and the Amalgamated Transit Union, Division 1563.

**Denver Public Schools**

HUMAN RESOURCES  
900 Grant Street, Room 501  
Denver, Colorado 80203  
Tel 720-423-3900  
www.dpsk12.org



TO: Board of Education

FROM: Bart Muller

DATE: August 13, 2009

SUBJECT: Bargaining Agreement Revisions for Vote at August 20, 2009 Board of Education Meeting – ATU and ABGW

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The Agreements between Denver Public Schools and both the Amalgamated Transit Union (ATU) and the Association of Building, Grounds and Warehouse Service Personnel (ABGW) expired in 2009. Negotiations occurred over the summer and the tentative Agreements, including the salary negotiations for the 2009-2010 school year were approved by all parties subject to formal Board approvals. The membership of ABGW has already ratified their Agreement and membership of ATU is voting on their Agreement on August 15, 2009.

There were no substantial changes to either the ABGW or ATU contracts. I have highlighted the main changes for each group below:

**ABGW Contract Changes Summary**

Work day window expanded to start at 6:00 am.  
Restrictions on shift change notifications removed from contract.  
Overtime/Call-in payment procedures changed to reflect hours worked.  
Cap established for vacation carry-over.  
Notification period removed for terminating probationary employees.  
Posting procedure restrictions removed from contract.  
Annual salary survey established for skilled trades to keep up with market.

**ATU Contract Changes Summary**

Bid procedures clarified and streamlined to increase efficiency.  
Training requirements established for certain routes to enhance safety.  
Daily rotation process established for relief drivers.

Both agreements are attached in redline version for your review of the specific changes.

**MOTION**

I move that the Board of Education approve the amendments to the 2009-2012 Agreement between Denver Public Schools and the Association of building, Grounds, and Warehouse Service Personnel.

**Denver Public Schools**

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900 Grant Street, Room 501  
Denver, Colorado 80203  
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TO: Board of Education

FROM: Bart Muller

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**ATU Contract Changes Summary**

Bid procedures clarified and streamlined to increase efficiency.  
Training requirements established for certain routes to enhance safety.  
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Both agreements are attached in redline version for your review of the specific changes.

**SCHOOL DISTRICT NO. 1  
IN THE CITY AND COUNTY OF DENVER,  
STATE OF COLORADO  
(AMENDED) RESOLUTION NO. \_\_\_\_\_**

WHEREAS, on November 20, 2008, the Board of Education approved the application for the MATH AND SCIENCE LEADERSHIP ACADEMY; and

WHEREAS, the structures at the MATH AND SCIENCE LEADERHSIP ACADEMY include, but are not limited to, a management structure that has a Lead Teacher as the school leader instead of a principal, a teacher evaluation process that will be conducted by school staff members and the Lead Teacher, teachers hired at the school have agreed that they will not be evaluated by a licensed administrator, and the Lead Teacher will act in place of the principal for student discipline, and implementing these innovations requires waivers of the applicable school statutes and Colorado Department of Education Rules and Regulations; and

WHEREAS, in June 2009, the MATH AND SCIENCE LEADERSHIP ACADEMY filed the attached application with the Board of Education to request the necessary waivers from the State Board of Education in accordance with §22-2-117, C.R.S.; and

WHEREAS, the application by the MATH AND SCIENCE LEADERSHIP ACADEMY substantially complies with the requirements of §22-2-117, C.R.S.; and

WHEREAS, the Board of Education published notice, in accordance with § 22-2-117(2) C.R.S. that it will consider at this meeting approving submission of this application for such waivers to the State Board of Education; and

WHEREAS, the Board of Education has substantially complied with all notice requirement by posting notice in the Denver Post and three public places setting forth a description of the statutes sought to be waived, and the time and local of the meeting and public hearing; and

WHEREAS, the Board of Education has consulted with, and received the consent of, the District School Improvement & Accountability Committee regarding the application and request for waivers not less than sixty days prior to the Board's meeting and public hearing pursuant to §22-2-117, C.R.S.; and

WHEREAS, the waiver application for the Math and Science Leadership Academy has the consent of a majority of the teachers at the school; and

WHEREAS, the granting of these waivers will enhance educational opportunity within the district since complying with the requirements for which the waivers are requested significantly limits educational opportunity within the school district and the application specifies the manner in which the school will comply with the intent of the rules and statutes and shall be accountable with the State Board for such compliance.

NOW, THEREFORE, be it resolved that:

The application for waivers of C.R.S. §22-60.5-301, §22-9-106, §22-33-105(2)(a), §22-63-302(8), the corresponding Colorado Department of Education (CDE) Rules and Regulations, 1 CCR 301-37.3.03 and 3.06 on behalf of the MATH AND SCIENCE LEADERSHIP ACADEMY, be approved for submission to the Colorado State Board of Education in accordance with §22-2-117, C.R.S

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Theresa Peña, President

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Jill Conrad, Secretary

August 20, 2009

**Interdepartmental Memo  
Post Secondary Pathways, CTE & Arts  
Denver Public Schools**

To: School Board  
From: Scott Springer  
Through: Tom Boasberg, Ana Tilton, John Kechriotis  
Subject: Board Policy IHCDA PSEO, change to ASCENT  
Date: July 23, 2009

House Bill 1310, “Concurrent Enrollment” has passed the Colorado Legislative session and was signed by the Governor in May. This legislation repeals the current Post Secondary Education Options, Fast Track, and Fast College Fast Jobs; therefore it is necessary we change board policy.

Students who take advantage of this new concurrent enrollment program must have an academic plan of study, which we instituted for all schools this year. Students are eligible to participate in a 5<sup>th</sup> year, if they have met all their graduation requirements, have completed 12 college semester hours, and do not need remediation. One other new provision allows seniors to take up to one remedial college class each semester.

22-35-104. Enrollment in an institution of higher education-cooperative agreement. (1)  
(a) A qualified student enrolled in a high school of a school district who has applied to and received approval from the superintendent of the school district or his or her designee..... pursuant to subsection (2) of this section may register with and concurrently enroll in an institution of higher education in accordance with the provisions of this article.

We must be fully implemented, as a district, by 2012. This fall we will continue under current Post Secondary Education Options state procedures and transition to ASCENT after approval of new policy. It is my intention to be fully implemented by fall 2010, or at the latest January 2011.

c: Antwan Wilson

# Policy IHCD- ~~Postsecondary Options~~ Concurrent Enrollment

The chief purpose of a school is to educate those students in its charge. Students who are capable of and wish to pursue college level work while in high school should be enabled to do so.

Options shall be provided to students to enroll full-time or part-time in academically challenging courses at state institutions of higher education in order to gain exposure to rigorous educational experiences during the last two years of high school.

State law requires school districts to provide the mechanism through which students in ~~11th and 12th grades~~ **who are college ready** shall be provided options to apply credit earned at post-secondary state institutions toward high school graduation as well as a postsecondary degree or certificate. The law also requires school districts to provide parents or guardians of eligible students and students enrolled in each school district with information about the postsecondary enrollment options and related policies and procedures.

~~Postsecondary~~ **Concurrent** enrollment options, policies and regulations shall be consistent with applicable law. Objectives of the policies pertaining to ~~d~~ enrollment options shall be to:

1. Provide support to students enrolling in further formal education or in a socially responsible career within one year of graduation.
2. Expose students to rigorous academic experiences during ~~their last two years of high school~~.
3. Provide options to students for enrollment in full-time or part-time academically challenging courses at state institutions of higher education.
- 4. Provide option for Seniors to take a remedial college course for dual credit in math and/or English**
- 5. Provide a 5th year option for qualified students to earn an associates or career and technical certificate.**

Board of Education policies on ~~postsecondary~~ **concurrent** enrollment options shall be developed in collaboration with parents, students, staff and community representatives.

~~Adopted September 1, 1992 ☐☐LEGAL REFS.: C.R.S. 22-34-101 ☐C.R.S. 22-35-101 et seq. ☐1 CCR 301-1, Rule 2202 R 3.10 (2) ☐1 CCR 301-33, Rules 2235 R 1.0 et seq.~~

Adopted: **LEGAL REFS: C.R.S. HOUSE BILL 09-1319 CRS 22-35-101**

# Policy IKF- Graduation Requirements

**Note:** These requirements begin with the graduating class of 2011.

The high school diploma awarded by Denver Public Schools represents a high standard of quality in curriculum content, instruction, and student learning, and should be maintained as a document that reflects substantial effort by the student and the school district in preparation for the world of work or higher education.

## THE PERSONAL EDUCATION PLAN

Each student who enters a Denver Public Schools high school will develop a personal education plan (P.E.P.). This plan will set his/her intended course of study as he/she begins his/her journey toward graduation. The student and an academic adviser (this may be a teacher, counselor, dean administrator or other professional school staff member) will review and amend the P.E.P. each semester, prior to the development of a new class schedule (for students attending the 8th grade in the Denver Public Schools, the P.E.P. will be initiated during the spring semester of the 8th grade year). Schools may opt for an "advisement" class to provide for the P.E.P. This process will not only provide clear information and a focus on the future for the student, but also bring a new purpose to the important articulation between middle school and high school staff members.

## ~~DECLARED AREA OF FOCUS~~

~~The specific intent of this policy is to bring renewed meaning and focus to the experience of students in both the 11th and 12th grade years of study. One avenue toward this end is to require students to identify an area of academic interest. Every student, during the first semester of his/her junior year, will declare an "area of focus." The student will need to engage in at least 1.0 unit of study, beyond the graduation requirement, of a particular content area (but not necessarily beyond the required 240 semester hours), and develop a portfolio of his/her learning that demonstrates both the depth of his/her academic understanding and communicates his/her intended application of this understanding in life beyond high school graduation. This effort strongly supports a drive toward increased rigor and an experience during the senior year that is highly relevant to the continuation of their learning and life experiences.~~

## **Remove**

The course requirements stated are definitive. An individual school may not impose course requirements beyond those stated as a condition of graduation from high school, unless permission is granted by the Chief Academic Officer.

A high school principal may waive a given requirement if, in the principal's judgment, it is determined to be in the best educational interest of the student or if

required in order to provide each student with disabilities a Free Appropriate Public Education (FAPE).

A high school diploma from Denver Public Schools certifies that a student has fulfilled all graduation requirements in one of five course areas. A personalized education plan is required for each course area:

- Combined General Course of Study
- Achieving Personal Excellence (APEX)
- Combined General Program
- Work Experience and Study
- Designated Course of Study.

The Combined General Course of Study, Work Experience and Study, and the Designated Course of Study options are available only to students with identified special education needs or to students whose Individualized Education Program necessitates one of these courses of study. A student's course of study is not reflected in a differentiated diploma, but rather in the student's transcript. Every student diploma will state, "This diploma is reflective of the student's course of study as recorded on an official transcript."

## **REQUIRED UNITS OF STUDY**

### **General Course of Study**

Twenty-four (24) units of study (240 semester hours) shall be required in grades 9, 10, 11, and 12 for students to graduate from high school and receive a high school diploma. The content area requirements are as listed below.

#### **1. Language Arts**

A minimum of forty semester hours (4 units) shall be earned including ten semester hours (1 unit) of Introduction to Literature and Composition 1 & 2 (9th Grade), ten semester hours (1 unit) of American Literature 1 & 2 (10th Grade), ten semester hours (1 unit) of upper division writing academic elective or world literature, and ten semester hours (1 unit) of other language arts.

#### **2. Social Studies**

~~Thirty semester hours (3 units) shall be earned: ten semester hours (1 unit) of Geography (9th Grade), ten semester hours (1 unit) in U.S. History (10th Grade),~~

~~five semester hours (.5 units) in Civics (11th Grade), and five semester hours (.5 units) of other Social Studies are required.~~

Thirty semester hours (3 units) shall be earned: ten semester hours (1 unit) in U.S. History, five semester hours (.5 units) in Civics, and fifteen semester hours (1.5 units) of other Social Studies are required.

### 3. Science

~~Thirty semester hours (3 units) shall be earned including ten semester hours (1 unit) of Earth Science (year-long) (9th Grade), ten semester hours (1 unit) of Biology (year-long) (10th Grade), and ten semester hours (1 unit) of Chemistry or Physics. There will be an exam for Earth Science that students may take during eighth grade to test out of Earth Science in the ninth grade. However, the student will still be required to complete 30 semester hours of science credit, starting with Biology.~~

Thirty semester hours (3 units) shall be earned: Students will be required to complete 30 semester hours of science credit, 20 semester hours (2 units) must come from Earth Science, Biology, Chemistry, or Physics.

### 4. Mathematics

Forty semester hours (4 units) shall be earned. Ten semester hours (1 unit) of Algebra I or its integrated equivalent (9th Grade), ten semester hours (1 unit) of Geometry or its integrated equivalent (10th Grade), ten semester hours (1 unit) of Algebra II or the integrated equivalent, and ten semester hours (1 unit) of higher math from an approved course list are required. Except that the high school Algebra requirement will be waived for a student who successfully completes one year of algebra in middle school. However, such students will still be required to complete forty semester hours (4 units) of mathematics in high school, including ten semester hours (1 unit) of Geometry and 10 semester hours of Algebra II (1 unit). In no case, will students receive high school credit for courses completed in middle school.

### 5. Physical Education/Dance, Citywide Marching Band, ROTC, or DPL Athletics

Ten semester hours (1 unit) of Physical Education or Dance shall be earned or an equivalent shall exempt the student from this requirement. Equivalents shall include: Citywide Marching Band, ROTC, DPS Athletics.

Athletic sports that are sanctioned by the Denver Public Schools Board of Education and meet the criteria below may exempt a student from the physical education graduation requirement. No grade or credit will be given for athletic participation and such exemptions will not reduce the total number of hours required to earn a diploma. Both semesters of the physical education requirement may be exempted by athletic participation.

## Criteria governing physical education exemptions:

- a. The student must maintain academic eligibility for the entire season.
- b. One full sport season is required to exempt a student from five semester hours (5 units) of P.E. requirement,
- c. A student must be a high school freshman, sophomore, or junior to qualify for the exemption. Seniors who have not yet met the physical education requirement are not allowed to take this exemption and must enroll in a physical education course.
- d. The waiver must be requested in the same semester that the sport s played. (Rationale: this aligns the criteria of the Board policy and with the guidelines provided on the Criteria for Athletic Exemption form that is located on page 23 of the High School Procedures Guide. Provides clarification.)
- d. The waiver must be requested in the same semester that the sport is played.

## 6. Academic Electives

Twenty semester hours (2 units) shall be earned. ~~Ten semester hours (1 unit) of fine arts (Music, Art, Drama) must be earned.~~ Another ten semester hours (1 unit) shall be earned from an approved electives list.

**Ten semester hours (1 unit) of fine arts (Music, Art, Drama) or Career Technical Education (CTE) must be earned.**

## 7. World Languages

~~Twenty semester hours (2 units) of the same language shall be earned. Students will not have the option to waive one year of World Languages. However, a student may take a proficiency exam in eighth grade to test out of level one of a World Language. The student must then complete 20 semester hours of a higher level of the same language or take another language.~~

**Ten semester hours (1 unit) of a world language shall be earned.**

## 8. Community Service and Service Learning

Within the 240 semester hours (24 units) required for a diploma, a minimum of 220 semester hours (22 units) shall be earned in classroom-based instruction. Students may, therefore, earn and apply a maximum of twenty semester hours (2 units) of community service and/or service learning experience, approved by the school, toward graduation requirements. These experiences may include, but are not limited to, field or service experiences, work experiences, volunteering with community organizations, and internships.

## 9. Electives

Student must earn 50 semester hours of electives, of which 20 semester hours may be community service and service learning.

### General Course of Study Additional Information

At least four years (eight semesters) of attendance is required for students to complete grades 9, 10, 11, and 12 except that:

\* students with a 3.0 GPA who have completed all core curriculum/elective requirements and 240 credit hours (24 units) and all required assessments may graduate in seven semesters

\* students with a 3.5 GPA who have completed all core curriculum/elective requirements and 240 credit hours (24 units) and all required assessments may graduate in six semesters.

\* students with an Individual Education Program who are working towards a general course of study may earn up to 40 semester hours (4 units) in Special Education modified classes in only one core subject area. In addition, they may earn up to twenty semester hours (2 units) of Special Education modified credit in world language classes.

### ~~Achieving Personal Excellence (APEX) Requirements COURSE OF STUDY~~

### **Achieving Personal Excellence (ASCENT) Requirements COURSE OF STUDY**

~~Provided that the high school has approval by the Superintendent or his designee, students will be awarded an APEX diploma if they meet all of the requirements in one through five in the general course of study, earn 35 hours of elective credit, and meet the requirements to earn an Associate of Arts (A.A.), Associate of Science (A.S.), or Associate of Applied Science (A.A.S.) Degree from a community college or a certificate of career and technical education.~~

**Provided that the high school has approval by the Superintendent or his designee, students will be awarded an ASCENT diploma if they meet all of the requirements in one through five in the general course of study, earn 35 hours of elective credit, and meet the requirements to earn an Associate of Arts (A.A.), Associate of Science (A.S.), or Associate of Applied Science (A.A.S.) Degree from a community college or a certificate of career and technical education.**

## **Combined General Course of Study**

**The combined General Course of Study requirements are the same as those for the General Course of Study, except that students with an Individual Education Program may earn up to 140 semester hours (14 units) in Special Education modified courses in the core subject areas and world language classes.**

## **Work Experience and Study**

**Two hundred and forty semester hours (24 units) will be required in grades 9, 10, 11, and 12, and/or through the first semester in which the student's twenty-first (21st) birthday falls, from courses approved by the school principal and determined by the staffing team. Transcripts will reflect differences in program content. The content areas and work study requirements are as listed below. Numbers of units are stated as minimums:**

**1. Language Arts 3.0 Units**

**2. Social Studies 2.0 Units**

**3. Science 1.0 Unit**

**4. Mathematics 2.0 Units**

**5. Physical Education/ Dance, Citywide Marching Band, or ROTC 1.0 Unit (unless otherwise specified by IEP)**

**6. Electives**

**1.0 Unit in vocations and/or Transition Classes - Required**

**8.0 Units (may include work experience)**

**7. Work Experience and Study 6.0 Units of work experience earned in Special Education-coordinated work experience. Vocations/Transitions course must be taken and passed as a prerequisite or in conjunction with work experience/study**

**1. Language Arts 3.0 Units**

**2. Social Studies 2.0 Units**

**3. Science 1.0 Unit**

**4. Mathematics 2.0 Units**

**5. Physical Education/ Dance, Citywide Marching Band, or ROTC 1.0 Unit (unless otherwise specified by IEP)**

**6. Electives 1.0 Unit in vocations and/or Transition Classes - Required**

**8.0 Units (may include work experience)**

**7. Work Experience and Study 6.0 Units of work experience earned in Special Education-coordinated work experience. Vocations/Transitions course must be taken and passed as a prerequisite or in conjunction with work experience/study**

**Designated Course of Study Requirements:**

**The designated course of study will substitute for the curriculum/content standard approved by the Board of Education. In making determinations for earning a diploma, assessment instruments will be selected and administered so as to best ensure that when an assessment is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level rather than reflecting the student's impaired sensory, manual, or speaking skills.**

**1. Students with severe and profound disabling conditions that interfere with their ability to meet the requirements for either of the above courses of study and have satisfied the requirements of an Individualized Education Program shall graduate with a high school diploma.**

**2. Students may attend school in grades 9, 10, 11, and 12, and/or through the semester in which the student's twenty-first (21st) birthday falls, as determined by the IEP.**

**Transfer Students**

**A transfer student from outside the Denver Public Schools must meet the requirements to receive a diploma from the Denver Public Schools. All graduation requirements must be met prior to graduation, including attendance in the Denver Public Schools for at least two semesters, with a minimum of 50 semester hours (5 units) of credit earned.**

**Certificate of Attendance**

**Students who attend school regularly but do not meet the course of study requirements in any of the three courses of study areas may be awarded a Certificate of Attendance.**

**CROSS REF.:**

**IHCDA, Post Secondary Options/Concurrent Enrollment**

IHDB, Adult High School/GED Programs  
IKE, Promotion, Retention, and Acceleration of Students

Portions adopted April 22, 1977, September 17, 1981, April 7, 1994. June 1995  
Revised: August 21, 2008

Revised:  
May 19, 2005  
December 1996  
May 1997  
May 1999  
May 2000

## Policy EBCC- Bomb Threats

The Board acknowledges its basic responsibility to insure the safety of the students, ~~and under employees under~~ its care. At the same time, it wishes to deal firmly with bomb threats and to discourage this type of unwarranted disruption, which poses a danger to everyone in the school ~~or District facility. s even when it is merely a nuisance.~~

Therefore, the Board requires that procedures for dealing with bomb threats shall:

1. Aim first toward insuring the safety of students and personnel.
2. Aim also toward identification of the person or persons making the threat.
3. Require immediate reporting of any incident to the Denver Police Department and -the DPS Department of Safety & Security. ~~Department and the Denver Police Department~~the superintendent's and sheriff's offices.
4. Not require evacuation of the threatened building. The principal will make the decision to evacuate, in consultation with the police department and Safety and Security, complying with any direction given by the superintendent or any order given for evacuation by the police.
5. Establish staff responsibilities for searching the building for UTO's (unidentified threatening objects). The request of an employee to refuse to participate in a search shall be honored.
6. Provide that students shall not be dismissed from school until the end of the school day. Instead, if evacuated, they shall remain in designated areas until the principal and the police are satisfied that no danger exists. Teachers shall remain with their students and be responsible for them.
7. Provide that personnel of the District comply with procedures as currently established or as amended in the District's Emergency Response and Crisis Management plan- (ERCM).
8. The personnel of the ~~D~~istrict shall cooperate fully with the police, fire department and Safety and Security in planning and carrying out the response procedures for dealing with bomb threats. All personnel, including office and switchboard staff and custodians, shall be trained in and follow -the adopted procedures be given instructions for carrying out their responsibilities in the event of such situations.

Adopted September 10, 1969

~~Revised to conform with practice: date of manual adoption~~

Amended September 17, 2009

*Note: For further information, see "Emergency Procedure Plans," Denver Public Schools Division of Financial and Supportive Services.*

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# Policy JK-R- Student Conduct and Discipline Procedures

## INTRODUCTION

The following student conduct and discipline procedures are developed for the implementation of School Board Policy JK - Student Discipline. These procedures are designed to be consistent with the general purpose and principles outlined in Policy JK, as well as consistent with federal and state statutes, and local ordinances.

Student conduct which may be subject to disciplinary action includes those occurring during either curricular or extracurricular activities, in classrooms, in school buildings, on school grounds, or in district vehicles, when such conduct is detrimental to the school environment and to the welfare or safety of other students or school personnel.

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## **SECTION ONE: SCHOOL DISCIPLINE ADMINISTRATION**

### 1-1 Characteristics of Disciplinary Practices

- A. Successful disciplinary practices have the following characteristics:
1. They are explicit, reasonable, and timely.
  2. They have logical, fair, consistent, and age-appropriate consequences.
  3. They include a variety of prevention and intervention measures.
  4. They provide the opportunity for significant parent/guardian and student participation.
  5. They respond to individual differences among students with insight and sensitivity.
  6. They ensure the opportunity for students to obtain an education.
  7. They address the needs of the student who engaged in the misconduct, the needs of those who were affected by the misconduct, and the needs of the overall school community.

### 1-2 Staff Training

- A. Staff training will be provided as needed to ensure that the disciplinary program in each school is effective and that relevant policies and procedures are equitably applied.

### 1-3 Non-Discrimination

- A. School district staff responsible for implementing this Policy shall do so without discrimination based on ethnicity, race, color, religion, national origin, ancestry, gender, sexual orientation, age, or disability.
- B. Discipline for students with disabilities shall be in accordance with the student's individualized education program (IEP), any behavior intervention plan, 504 Plan, and Board Policy JKF (Discipline of Students with Disabilities).

### 1-4 Addressing Racial Disparities and Other Protected Class Disparities in School Discipline

A. Efforts shall be made to eliminate any racial disparities in school discipline. Staff members are specifically charged with monitoring the impact of their actions on students from racial and ethnic groups or other protected classes that have historically been over-represented among those students who are suspended, expelled, or referred to law enforcement.

### 1-5 Individual School Policies

1-6 A. Schools may adopt their own school rules and Codes of Conduct so long as they are consistent with this policy. Any such rules or codes shall be approved by the Superintendent or a designated District official and will be made available to students and their parents/guardians in a manner consistent with Section 1-6 of this policy prior to implementation.

### 1-7 Distribution

A. The District shall post this policy on the District web site and in each school, in English and Spanish. Copies of this policy and school rules will be made available, upon request, to each student and parent/guardian, and, upon request, translated in a language that the parent/guardian can understand.

B. Individual schools are encouraged to train their students on the contents of this policy and other school rules and Codes of Conduct they adopt.

## **SECTION TWO: INTERVENTIONS AND CONSEQUENCES**

## 2-1 General

A. Effective school discipline policies promote disciplinary responses that refrain from interrupting a student's education to the extent possible. Schools should minimize the use of out-of-school suspensions, recommendations for expulsion, and referrals to law enforcement, to the extent practicable while remaining consistent with state statute, local ordinances, and mandatory reporting laws.

## 2-2 Reasonable Consequences

A. Consequences should be reasonable, fair, age-appropriate, and should match the severity of the student's misbehavior, as well as consider the impact on the victim and/or community. Consequences that are paired with meaningful instruction and guidance (corrective feedback and re-teaching) offer students an opportunity to learn from their mistakes and contribute back to the school community, and are more likely to result in getting the student re-engaged in learning.

B. Any use of consequences should be carefully planned with well-defined outcomes in order to provide the greatest benefit. Positive consequences include systematic recognition for appropriate behavior and lead to an increase in that appropriate behavior. Negative consequences are designed to provide feedback to the student that his or her behavior is unacceptable and should not occur again.

## 2-3 Relevant Factors in Making Discipline Decisions

A. When choosing consequences for students' misbehavior, teachers, administrators, and staff must balance the District's goals of eliminating school disruptions and maximizing student instruction time. Prior to disciplining students, the following factors shall be considered:

1. Age, health, and disability or special education status of the student
2. Appropriateness of student's academic placement
3. Student's prior conduct and record of behavior
4. Student's attitude
5. Level of parent/guardian's cooperation and involvement
6. Student's willingness to repair the harm

7. Seriousness of the offense and the degree of harm caused
8. Impact of the incident on overall school community.
  - A. The availability of prevention and intervention programs that are designed to address student misbehavior should also be considered prior to disciplining students.

#### 2-4 Interventions

A. When misconduct occurs, schools shall investigate the circumstances and gather facts that will help to determine appropriate interventions and consequences for that student, with emphasis on correcting student misbehavior through school-based resources at the lowest possible level. Interventions should provide students an opportunity to learn from their mistakes, and re-engage the student in learning. All interventions should balance the needs of the student, the needs of those directly affected by the behavior, and needs of the overall school community.

B. There are three types of intervention strategies that are available to teachers and administrators: Administrative, Restorative, and Skill-based/Therapeutic.

1. Administrative Strategies are statutory, rule-based, or contract-based interventions done "to" the offender, such as:

- a. Removal from classroom
- b. Detention
- c. Suspension
- d. Expulsion.

2. Restorative Strategies are problem solving interventions done "with" the offender. They are driven by justice as much as is possible and focus on the harm caused and how it will be repaired. A successful restorative justice strategy may utilize collaboration in interventions with allied agencies and professionals. An assessment of the incident/conduct will be done, and a determination will be made by the school or District whether a face-to-face meeting with all parties is appropriate. Examples may include:

- a. Family group conferencing
- b. Victim-offender mediation
- c. Classroom peace circles
- d. Reparation of harm.

3. Therapeutic/Resource Strategies are done "by" the offender and require intrinsic motivational behavior change. Such interventions include:

- a. Mental health counseling
- b. Anger management classes
- c. Informal mentoring and behavior coaching.

C. Teachers and administrators should consider utilizing different types of strategies, or multiple strategies simultaneously, to deal with misbehavior, especially for 2<sup>nd</sup> or 3<sup>rd</sup> offenses. For example, in compliance with this Policy, the three types of interventions may be used in the following ways:

1. Independently (e.g., 1-day after-school detention)
2. As alternatives to each other (e.g., choice of mediation or 1-day suspension)
3. In conjunction with each other (e.g., 2-day in-school suspension along with anger management class and mediation).

D. Interventions can range from reminders, redirection, student/teacher conferences to classroom removal, behavior contracts, suspensions, recommendations for expulsion, and/or referral to law enforcement.

E. For examples of different types of interventions, see Attachment A.

### **SECTION THREE: DISCIPLINARY OFFENSES**

#### **3-1 Offenses and Consequences**

A. The offenses listed below consist of both rule violations and law violations. Rule violations can be addressed through the various interventions described above in Section 2-4, and law violations can be addressed through those interventions or through the juvenile and criminal justice systems.

B. The District and the Board of Education recognize that some school-based offenses victimize other students, and respect the rights of those affected by such offenses. When a law violation occurs in which a student is the victim, the school must immediately notify a parent or guardian of that student and notify him or her of the circumstances and how the school is responding to the incident. In this instance, the parent or guardian has the option of contacting law enforcement, and may request that the school facilitate that process. With full respect for those rights, the District and the Board of Education District strongly encourage informing parents and guardians of alternative strategies such as restorative justice, mediation, and other interventions for addressing the incident, and using such strategies instead of engaging the juvenile and criminal justice systems when appropriate and adequate to address both the victim's needs and the misconduct.

1. For the purpose of this section, those offenses listed below in 3-1(H) that victimize other students and are classified as Type Two or above may constitute law violations. If a school official is unsure whether a particular disciplinary offense constitutes a law violation, the DPS Safety and Security Office should be consulted.

C. When the victim of a law violation is a school or the District, or when there is no victim, incidents are to be resolved without the involvement of law enforcement whenever practicable, subject to the requirements listed below.

D. The potential consequences listed below include the appropriate references to the Discipline Ladder in Section 3-2, whether the offense can result in a recommendation of expulsion, and whether the offense can result in a "school referral." A school referral indicates when an offense may or shall result in the school contacting an outside individual or entity in response to the offense. There are five types of mandatory referrals:

1. Mandatory referral to law enforcement

a. For these offenses, the student must be referred to law enforcement.

i. Whenever the school notifies the police concerning student misconduct, the school must also immediately attempt to contact the parent/guardian of that student. For more information on the rights of students when being interrogated by law enforcement officials, see Policy JIH.

ii. For incidents of suspected child abuse, unlawful sexual behavior, unlawful sexual contact, or indecent exposure, see also Policy JLF, JLF-R, and the DPS Child Abuse and Neglect Protocol Bulletin. Offenders under 10 years of age are referred to Denver Department of Human Services. Offenders 10 years of age or older are referred to law enforcement.

b. These offenses are marked with an asterisk ("\*") below.

2. Optional referral to law enforcement

a. For these offenses, the student may be referred to law enforcement. However, these incidents are to be resolved without the involvement of law enforcement whenever practicable. The

discretionary exercise of a school official's authority to notify law enforcement should involve the consideration of a variety of factors. Those factors include, but are not limited to:

- i. Whether the misconduct was particularly egregious;
  - ii. Whether the student persists in misconduct after being told to cease such behavior, and continues to endanger the health, safety, or welfare of others;
  - iii. The age of the student engaging in misconduct (e.g., students under the age of 10 should not be referred to law enforcement);
  - iv. Whether the student has received prior warnings;
  - v. Whether the student's misconduct is specifically intended to cause, or irresponsibly causes, others physical harm or endangers the health, safety, or welfare of others;
  - vi. Whether the offense victimized another person, and that person expresses a desire to contact law enforcement.
- b. If a school official has any questions regarding the decision of whether to notify the police, he or she should contact DPS Safety and Security for consultation before notifying the police.
  - c. Whenever the school notifies the police concerning student misconduct, the school must also immediately attempt to contact the parent/guardian of that student. For more information on the rights of students when being interrogated by law enforcement officials, see Policy JIH.
  - d. These offenses are marked with a double asterisk ("\*\*") below.
3. Mandatory referral to Safety and Security
    - a. For these offenses, the school shall contact DPS Safety and Security to determine whether the offense should be reported to law enforcement.
    - b. These offenses are marked with a triple asterisk ("\*\*\*") below.
4. Mandatory referral to Title IX Officer
    - a. For these offenses, the District Title IX Officer should be contacted pursuant to DPS Policy JBB.
    - b. These offenses are marked with a quadruple asterisk ("\*\*\*\*") below.
5. Mandatory referral to fire department
    - a. For these offenses, the student must be referred to the fire department.

b. These offenses are marked with five asterisks ("\*\*\*\*\*") below.

DISCIPLINARY OFFENSE	CONSEQUENCES
<p><b>Type One Offenses</b></p> <ul style="list-style-type: none"> <li>• Classroom disruption</li> <li>• Excessive tardiness</li> <li>• Picking on, bothering, or distracting other students</li> <li>• Use of profanity or vulgarity</li> <li>• Dress code violation - <i>see Policy JICA</i></li> <li>• Minor disruption of school activity</li> <li>• Minor defiance of authority/disobedience (e.g., purposefully not following directions)</li> <li>• Verbal insults or put-downs</li> <li>• Use of cell phones, gameboys, and similar electronic devices at unauthorized times</li> <li>• Minor damage or defacement of school property</li> <li>• Tobacco offenses - <i>see Policy JICG</i></li> <li>• Unauthorized use of school equipment</li> <li>• Gambling</li> <li>• Minor physical aggression with another student (e.g., pushing, shoving)</li> <li>• Scholastic dishonesty</li> <li>• Other minor school-based misconduct</li> </ul>	<p>For Type One offenses, school officials shall refer to Level A of the Discipline Ladder (see Section 3-2 of this policy). If similar violations occur during the same school year, the intervention moves to the next level on the ladder (e.g., from Level A to Level B, and so on).</p> <p>Students shall not be recommended for expulsion for Type One offenses. The only exception to this is that persistent misconduct resulting in suspensions can lead to the student being declared "habitually disruptive," for which the student will be recommended for expulsion. See Section 6-7 of this policy for more information.</p>
<p><b>Type Two Offenses</b></p> <ul style="list-style-type: none"> <li>• False activation of a fire alarm*****</li> <li>• Possession of fireworks/firecrackers</li> </ul>	<p>For Type Two offenses, school officials shall refer to Level D of the Discipline Ladder (see Section 3-2 of this policy). If similar violations occur during the same school year, the intervention moves to a higher</p>

<ul style="list-style-type: none"> <li>• Bullying: Level I (e.g., verbal and written aggression or intimidation)- <i>see Policy JICDE</i></li> <li>• Harassment based on race, ethnicity, sexual orientation, gender identity, disability, or religion: Level I (e.g., verbal and written harassment) - <i>see Policy JBBA</i></li> <li>• Sexual harassment: Level I (e.g., verbal and written harassment)**** - <i>see Policy JBB</i></li> <li>• Consensual but inappropriate physical contact</li> <li>• Destruction or theft of school property, including graffiti (under \$500)</li> <li>• Severe defiance of authority/disobedience (e.g., demonstrating gross disrespect for school personnel)</li> <li>• Trespassing</li> <li>• Theft from an individual (under \$500)</li> <li>• Other school-based misconduct that disrupts the school environment</li> <li>• Recurring Type One offenses (after going through Levels A through C of the Discipline Ladder (see Section 3-2 of this Policy))</li> </ul>	<p>level on the ladder (e.g., from Level D to Level E, and so on).</p> <p>Students shall not be recommended for expulsion for Type Two offenses. The only exception to this is that persistent misconduct resulting in suspensions can lead to the student being declared "habitually disruptive," for which the student will be recommended for expulsion. See Section 6-7 of this policy for more information.</p> <p>A student may be referred to law enforcement for the offense of "trespassing" but only if, after being asked to leave the school campus, the trespassing student refuses.</p>
<p><b>Type Three Offenses</b></p> <ul style="list-style-type: none"> <li>• Bullying: Level II (e.g., physical acts of aggression or intimidation and repeat Level I behavior) - <i>see Policy JICDE</i></li> <li>• Harassment based on race, ethnicity, sexual orientation, gender identity, disability, or religion: Level II (e.g., acts of physical harassment and repeat Level I behavior) - <i>see Policy JBBA</i></li> <li>• Sexual harassment: Level II (e.g., acts of physical harassment and repeat Level I behavior)**** - (Policies JBB and JLF should be referenced to determine whether the student's behavior rose to the level of</li> </ul>	<p>For Type Three offenses, school officials shall refer to Level E of the Discipline Ladder (see Section 3-2 of this policy). If similar violations occur during the same school year, the intervention moves to a higher level on the ladder (e.g., from Level E to Level F).</p> <p>Students shall not be recommended for expulsion for Type Three offenses. The only exception to this is that persistent misconduct resulting in suspensions can lead to the student being declared "habitually disruptive," for which the student will be recommended for expulsion. See Section 6-7 of this</p>

<p>an offense that must be reported to law enforcement or the Denver Department of Human Services.)</p> <ul style="list-style-type: none"> <li>• Fighting: Level I (may include incidents that result in minor injuries like cuts, scrapes, and bloody noses)</li> <li>• Being under the influence of drugs or alcohol - <i>see Policies JICH, JICH-R</i></li> <li>• Possession of alcohol or unauthorized (but legal) drugs</li> <li>• Possession of illegal drugs**</li> <li>• Destruction or theft of school property, including graffiti (\$500 - \$5000)**</li> <li>• Theft from an individual (\$500 - \$5000)</li> <li>• Other school-based misconduct that substantially disrupts the school environment</li> <li>• Recurring Type Two offenses</li> </ul>	<p>policy for more information.</p>
<p><b>Type Four Offenses</b></p> <ul style="list-style-type: none"> <li>• Arson</li> <li>• Fighting: Level II (including incidents with significant injuries, but which do not rise to the level of the Type Five offense "1<sup>st</sup> or 2<sup>nd</sup> degree assault")*** (Note: will be classified as 3<sup>rd</sup> degree assault for reporting purposes)</li> <li>• Destruction or theft of school property, including graffiti (over \$5000)**</li> <li>• Theft from an individual (over \$5000)</li> <li>• Possession of an explosive (non-fireworks/firecrackers) that seriously endangers the welfare or safety of other students or school personnel*</li> <li>• Willfully causing damage to the property of a school employee*</li> <li>• Assault, harassment, or false allegation of abuse against a school employee*</li> </ul>	<p>For Type Four offenses, school officials shall refer to Level F of the Discipline Ladder. If the misconduct has seriously endangered the welfare or safety of other students or school personnel, and the student's continued presence in the school constitutes a significant safety risk, the student may be recommended for expulsion.</p> <p>Persistent misconduct resulting in suspensions can lead to the student being declared "habitually disruptive," for which the student will be recommended for expulsion. See Section 6-7 of this policy for more information.</p>

<ul style="list-style-type: none"> <li>• Hazing activities (e.g., 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) **</li> <li>• Child Abuse *</li> <li>• Unlawful Sexual Behavior and/or Unlawful Sexual Contact, and/or Indecent Exposure *</li> <li>• Witness Intimidation or Retaliation *</li> <li>• Other student behavior presenting an active or ongoing danger to the welfare or safety of school occupants*</li> <li>• Recurring Type Three offenses**</li> </ul>	
<p><b>Type Five Offenses</b></p> <ul style="list-style-type: none"> <li>• Robbery*</li> <li>• First or second degree assault, and sexual assault*</li> <li>• Sale of, or intent to sell, unauthorized drugs or controlled substance*</li> <li>• Carrying, bringing, using, or possessing a knife or dangerous weapon without the authorization of the school or District (including any firearm or firearm facsimile that could reasonably be mistaken for an actual firearm, spring action or compressed air devices such as BB guns, fixed-blade knives with blades longer than 3", pocket knives with blades longer than 3.5", spring-loaded knives, and any other objects used or intended to be used to inflict death or serious bodily injury)*</li> </ul> <p>Habitual disruption (see Section 4-3 of this</p>	<p>The Discipline Ladder does not apply to Type Five Offenses. Students who commit these offenses are to be given a 3-10 day out-of-school suspension and, as required by state law, there will be a recommendation for expulsion and notification of law enforcement (with the exception of "habitual disruption").</p> <p>Note that "habitual disruption" is not an independent offense, but rather refers to a classification under state law in which persistent misconduct at any level can result in the student being declared "habitually disruptive," for which the student will be recommended for expulsion. See Section 6-7 of Policy JK-R for more information.</p>

policy; habitually disruptive students are eligible for expulsion, though not for referral to law enforcement)	
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E. DPS Safety and Security shall develop a list of school-based offenses that also constitute criminal violations. These violations must be reported to law enforcement to comply with statutory requirements. Each school, through its principal and/or designee, shall submit a written report of all such crimes, or suspected crimes, and submit them to DPS Safety and Security for District-wide compilation and prompt reporting to law enforcement.

F. What follows is a list of disciplinary offenses and the consequences that shall result from them.

### 3-2 Discipline Ladder

A. Six levels of intervention are defined in the discipline ladder. Disciplinary action should begin and be resolved at the lowest level possible, consistent with the nature of the violation. If similar violations continue, the intervention moves to a higher level on the ladder (e.g., from Level A to Level B). It is the intent of this policy that disciplinary offenses or violations are cumulative for a current school year. Past school years' referrals of a student should not be considered in determining the maximum consequence or ladder level for a disciplinary offense or violation during a current school year.

B. The discipline ladder is used to provide students with support so as to avoid future disciplinary action. At all levels of the disciplinary referral ladder, interventions considered may include any of the types referenced above in Section 2-4 of this policy.

C. See Attachment A for examples of different types of interventions, Attachment B for a simplified version of the Discipline Matrix, and Attachment C for a simplified version of the Discipline Ladder.

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### Discipline Ladder

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#### Level A - Teacher/Student

- The student is provided an opportunity to tell his/her version of the incident.
- The teacher or designated staff counsels with the student.
- One or more interventions are initiated as appropriate.
- Any interventions will be documented.

#### Level B - Teacher/Student/Parent

- The student is provided an opportunity to tell his/her version of the incident.
- The teacher or designated staff notifies the student's parent/guardian.
- The teacher counsels with the student and, if possible, the parent/guardian.
- One or more interventions are initiated as appropriate.
- Any interventions will be documented.

#### Level C - Teacher/Support Staff/Student/Parent

- If intervention at Level B has not been successful, the teacher or designated staff can determine whether to involve a social worker, nurse, guidance counselor, psychologist, or any other member of the school's support staff.
- The student is provided an opportunity to tell his/her version of the incident.
- The parent/guardian is notified.
- The teacher and any member of the support staff who has been involved will conference with the student and, if possible, the parent/guardian to provide support for correcting the misbehavior. If possible, all of the student's teachers will be included in the conference.
- One or more interventions are initiated as appropriate.
- Any referrals or interventions will be documented.

#### Level D - Administrative Level Referral

- The student is referred to the appropriate administrator or designated staff person.
- Documentation of the steps taken to intervene and change the student's behavior is provided.
- The student is provided an opportunity to tell his/her version of the incident.
- The administrator or designated staff person schedules a conference with the parent/guardian and determines if further consultation with support personnel is necessary.
- One or more interventions are initiated as appropriate.
- If necessary, in-school suspension of up to three days may be utilized (see Section 6-2 of this policy for more details).
- School officials should consider developing a behavior intervention plan for the student (in some cases, such a plan might be mandatory; see Section 5-3 of this policy).
- Referrals and interventions will be documented.

#### Level E - Suspension Options

- The student is referred to the appropriate administrator or designated staff person.

- Documentation of the steps taken to intervene and change the student's behavior is provided.
- The student is provided an opportunity to tell his/her version of the incident.
- The administrator or designated staff person schedules a conference with the parent/guardian and determines if further consultation with support personnel is necessary.
- One or more interventions are initiated as appropriate.
- If previous interventions have not been successful, the principal or principal's designee may consider the use of an in-school suspension of 1-3 days or a one-day out-of-school suspension (see Sections 6-2, 6-3, and 6-4 of this policy regarding the use of suspensions).
- Elementary school students shall not receive out-of-school suspensions for Type One offenses.
- School officials should consider developing a behavior intervention plan for the student (in some cases, such a plan might be mandatory; see Section 5-3 of this policy).
- Upon return to school after suspension, further steps to encourage positive behavior are to be considered.

#### Level F - Additional Suspension Options

- The student is referred to the appropriate administrator or designated staff person.
- Documentation of the steps taken to intervene and change the student's behavior is provided.
- The student is provided an opportunity to tell his/her version of the incident.
- The administrator or designated staff person schedules a conference with the parent/guardian and determines if further consultation with support personnel is necessary.
- One or more interventions are initiated as appropriate.
- If previous interventions have not been successful, the principal or principal's designee may issue an additional 1-3 day in-school suspension and/or a 1-3 day out-of-school suspension (see Sections 6-2, 6-3, and 6-4 of this policy regarding the use of suspensions).
- Elementary school students shall not receive out-of-school suspensions for Type One offenses.
- School officials should consider developing a behavior intervention plan for the student (in some cases, such a plan might be mandatory, see Section 5-3 of this policy).
- Persistent misconduct can result in the student being declared "habitually disruptive," for which the student will be recommended for expulsion. See Section 6-7 of this policy for more information.
- Upon return to school after suspension, further steps to encourage positive behavior are to be considered.

## **SECTION FOUR: DISRUPTIVE STUDENTS IN THE CLASSROOM**

### **4-1 Removal from Classroom**

A. The District acknowledges the important role and responsibility of teachers in an effective discipline plan. A classroom free of disruption is essential for learning. When a teacher judges it necessary to protect the instructional process, he or she may remove a disruptive student from class to an alternative setting. The Board of Education defines "Classroom Disruption" as a willful and substantial disobedience or open and persistent defiance, or repetitive interfering with the school's or teacher's ability to provide an appropriate learning environment in the classroom which cannot be managed through effective classroom management and/or the intervention strategies identified in this policy.

B. In the event a student is removed from the classroom, the teacher shall see that the student has his or her textbooks and class work to complete assignments. Each School Leadership Team ("SLT") should collaborate with the school's principal to formulate a plan regarding alternative setting(s) for students removed from a classroom by a teacher. The student will be returned to class only after the teacher has been consulted and a conference has been held with the student. As soon as reasonably possible the teacher or school principal (or designee) will contact the parent or legal guardian regarding the removal and request his or her attendance at a conference, if appropriate.

C. A behavior plan may be developed at this time, but must be developed after the second removal of the student from the class. The plan should be consistent with the building disciplinary plan. Conditions under which students will be returned to class after the second removal, including the time period which should expire before the student is returned, shall be part of the behavior plan if developed. A referral to the school intervention team (with adequate documentation) is appropriate. The student will be returned to class only after the teacher has been consulted and a conference has been held with the student.

D. Upon the third removal (with the exception of students with an active IEP), the student may be removed from the teacher's class for the remainder of the term. A referral to the school intervention team (with adequate documentation) is appropriate. Whether the student will be placed in a different education setting or suspended shall be consistent with this policy and IDEA regulations.

E. In the disciplinary plan the SLT (or designee) will incorporate the requirements of CRS 22-32-109.1 and Board policy concerning disorderly conduct toward, harassment of and making knowingly a false accusation of child abuse against a teacher. In implementing the disciplinary plan a teacher shall be protected from civil or criminal liability as provided by CRS 22-32-109.1 (9).

F. If a principal has evidence a teacher is referring an excessive number of students for disciplinary reasons, the principal shall review the classroom practices with the teacher and

try to determine if a more preventive approach is possible through change in practice, or if the teacher would benefit from staff development. However, this concern shall not be utilized as a reason for returning a student to class who has been excluded by the teacher without the conference referred to above.

## **SECTION FIVE: SUSPENSION AND EXPULSION PREVENTION**

### 5-1 General

A. Alternatives such as restorative or therapeutic interventions should be utilized to help students who are at risk of suspension or expulsion before such disciplinary measures become necessary.

B. The principal of each school or a designee shall work with the professional staff to identify students who are at risk of suspension or expulsion. Among those students who may be at risk are those who have been or are likely to be declared habitually truant or habitually disruptive.

C. At-risk students could be defined as those students with previous behavioral problems or students who were suspended, expelled, or removed from class at any point in the last calendar year.

### 5-2 Behavior Intervention Plans

A. The use of behavior intervention plans to prevent or correct persistent discipline problems is strongly encouraged. The goals of the plan are to address the student's disruptive behavior and educational needs, and emphasize the importance of maintaining the child's enrollment in school.

B. To develop the plan, the principal or a designee will arrange for a meeting with the student, the student's parent/guardian, and any members of the staff whom the principal or designee believes should attend. The purpose of the meeting will be to address the reasons for the student's disruptive behavior and cooperatively to establish goals, objectives, and timelines to modify such behavior.

C. A written plan will be prepared that addresses the student's disruptive behavior, educational needs, and the steps necessary to keep the child in school. Functional behavioral assessments (see Attachment D) are encouraged in developing the plan. The plan will include incentives for good behavior and consequences if the student is disruptive in violation of the plan. The behavioral plan shall include a description of the support and educational services that will be provided by the school to help the student avoid future suspensions and expulsion.

1. The District must work with the student's parent or guardian in providing these services.
  2. Such services may be provided through agreements with appropriate local governmental agencies, community-based organizations, and institutions of higher education.
- D. Every effort will be provided for parent/guardian and teacher(s) input and involvement in the contract's development. Notification of the plan will be presented to the parent/guardian in a language he or she understands.
- E. The parent/guardian, student, and the principal or designee should sign the contract.
- F. Every effort will be made to ensure that a plan of services is in place and acted upon before any action is taken to suspend or expel a student, barring emergency situations in which immediate disciplinary action is necessary to ensure the safety of the school and its occupants.

#### 5-3 Mandatory Behavior Intervention Plans

A. There are two situations in which a behavior intervention plan must be developed: when a student has been twice removed from class for being disruptive; and when a student receives a suspension that counts toward being declared a "habitually disruptive student."

1. See Section 6-7 for more information on "habitually disruptive students."

### **SECTION SIX: SUSPENSIONS OR EXPULSIONS**

#### 6-1 General

A. Suspensions, both in-school and out-of-school, are only to be given in accordance with Section 3-1 of this policy.

B. A student may not be suspended for conduct that occurs off of school property and outside the school day unless the conduct substantially disrupts, or will substantially disrupt, the school environment, or seriously endangers the welfare or safety of other students or school personnel. In this instance, the provisions in Section 3-1 of this policy shall be followed.

C. Students who are suspended may not participate in extracurricular activities or school sponsored events during the period of the suspension. However, students on suspension during the administration of state assessments shall be provided an opportunity to take the test and may be allowed to participate in related test preparation activities, upon approval by the school principal or a designee.

D. The school shall provide the student with the opportunity to earn equivalent grades and credits as other students during the student's suspension, and the ability to make-up tests, final examinations, and complete class and homework assignments without penalty while on suspension or within a reasonable time following the completion of the suspension. The intent of this provision is to provide an opportunity for the student to reintegrate into the educational program of the district following the period of suspension.

#### 6-2 In-School Suspensions

A. Students with consistently problematic behavior patterns should not be allowed to disrupt the educational process; yet when these students are suspended from school it often adds to the problems of the students, the school, and the community. Therefore, the District and the Board of Education endorse the concept of in-school suspension.

B. The purpose of in-school suspension is to provide a more effective means of discipline than detention or out-of-school suspension. By using in-school suspension, students should not fall behind on school assignments, but should still learn from their mistakes and misbehavior. All in-school suspensions shall be imposed in a manner that is consistent with students' due process rights, as outlined in this and other policies. The following guidelines shall be observed:

1. Students shall be assigned to a special class, if available, where they shall be adequately supervised at all times. The in-school suspension supervisor shall see that each student has appropriate assignments and materials from his/her regular teachers.
2. The principal or a designee shall notify the parents/guardians at once by telephone if their child has been placed under in-school suspension. If the parent/guardian cannot be reached by phone, or if requested by the parent/guardian, there shall be a written notification in a language the parent/guardian can understand. Reasons for the in-school suspension shall be given, and a conference may be scheduled prior to the student's readmission to regular class.

#### 6-3 Out-of-school Suspensions

A. Students can only be suspended out-of-school if they commit a Type Three, Type Four, or Type Five offense (see Section 3-1 of this policy), or if they have reached Level E in the Discipline Ladder (see Section 3-2 of this policy).

B. Elementary school students shall not receive out-of-school suspensions for Type One offenses (see Section 3-2 of this policy).

#### 6-4 Procedures for Out-of-school Suspensions

A. The Board of Education delegates to each school principal, or to a person designated in writing by the principal, the authority to suspend a student out of school in a manner consistent with this policy. In exercising this authority, the principal or designee must follow the procedures prescribed to afford due process.

B. Before a student is suspended, he or she has the right to an informal conference with the principal or designee. At the conference, the student must:

1. Be allowed to call a parent or guardian, and have the parent or guardian attend the conference if they are able to within a reasonable amount of time.
2. Be informed of the charges and evidence against him or her.
3. Have an opportunity to respond to the charges, verbally or in writing, and present his or her version of events.
4. Be informed of the right not to submit a written statement, if a written statement is requested.
5. Have an opportunity to present evidence in his or her defense, including the right to have his or her witnesses interviewed by the principal or designee.

C. It is best practice for the principal, or principal's designee, to interview all known witnesses and to review all evidence prior to making a determination regarding suspensions.

D. If, after the informal conference, the principal or designee decides to suspend the student out of school, the school must make a reasonable attempt to contact the parent or guardian at once by phone. The school must also provide a written notice of suspension in a language that the parent/guardian can understand. Both the oral and written notices must inform the parent/guardian that the student has been suspended, and must include the grounds for the suspension, the period of the suspension, and offer to schedule a time and place for the parent/guardian to meet with the principal or designee to review the suspension prior to or concurrent with reinstatement. It must also state that make-up work will be provided during the period of suspension, and that the student has the right to appeal the suspension and how to do so.

E. If an emergency requires immediate removal of the student from school, the informal hearing shall follow as soon after the student's removal as practicable. If immediate removal from school is necessary, the school shall immediately notify the parent/guardian to determine the best way to transfer custody of the student to the parent/guardian.

F. If the suspension will count toward declaration of the student as "habitually disruptive," the parent/guardian and student must be so notified in writing, as discussed in Section 6-7 of this Policy.

G. Upon reinstatement from suspension of any student, the principal or designee shall attempt to meet with the student's parent or legal guardian to discuss the student's behavior and the

possible need for a behavior intervention plan (as discussed in Sections 5-2 and 5-3) for the student in an effort to prevent further disciplinary action.

H. For Type Three offenses (see Section 3-1 of this policy), if the student's presence in school presents a danger or severe disruption to the school and its occupants or additional time is needed to further investigate the incident, the principal has the option of extending the maximum one-day out-of-school suspension available under Section 3-1 by up to two days, for a total of three days.

I. For Type Four offenses (see Section 3-1 of this policy), if there has been a recommendation for expulsion, or a request for an extension of the suspension period made to the Superintendent or designee through Section 6-6 of this policy, the principal has the option of extending the maximum three-day out-of-school suspension available under Section 3-1 by up to two days, for a total of five days, if deemed necessary for the safety of the school.

#### 6-5 Out-of-school Suspension Appeal Rights

A. The student must be informed of his or her right to appeal an out-of-school suspension with the principal or designee in the notice of suspension.

B. The student shall have the following rights in the suspension appeal process:

1. The right to request a meeting with the principal or designee.
- 2. The right to a representative to be present at the meeting.
3. The right of the student, parent/guardian, and/or representative to address the principal or designee on the evidence and the appropriateness of the penalty.
4. The right to submit, or have a parent, guardian, or representative submit, a dissenting opinion regarding the suspension, and have it included in the student's disciplinary file.
5. The right to review, or have a parent, guardian, or representative review, any evidence relied upon in the suspension decision and which is reasonably available for production. The district shall not be obligated to produce evidence which would be in violation of the Family Education Rights and Privacy Act or without an individual(s) consent or Court order.

—C. The principal or designee will:

1. Review all written documents.
2. Make a determination of whether there was sufficient evidence to find:
  - a. That the alleged violation occurred, and

b. Whether the penalty imposed was appropriate.

3. Provide a written decision within five days of the meeting.

4. If it is determined that no violation occurred, all school records pertaining to the suspension will be expunged from the student's file, and a corrected copy of the student's file will be provided to the student's parent or guardian by mail.

5. If the penalty was not appropriate to the violation, all school records will be revised to indicate only the facts leading to the reduced penalty imposed by the principal or designee.

D. If the principal or designee denies the appeal, the student may pursue a second appeal of the suspension to a Superintendent designee.

E. The student shall have the following rights in the second appeal process:

1. The right to request a meeting with a Superintendent designee.

2. The right to a representative to be present at the meeting.

3. The right of the student, parent/guardian, and/or representative to address the Superintendent designee on the evidence and the appropriateness of the penalty.

4. The right to submit, or have a parent, guardian, or representative submit, a dissenting opinion regarding the suspension.

F. The Superintendent designee will:

1. Review all written documents.

2. Make a determination of whether there was sufficient evidence to find:

a. That the alleged violation occurred, and

b. Whether the penalty imposed was appropriate.

3. Provide a written decision within five days of the meeting.

4. If it is determined that no violation occurred, all school records pertaining to the suspension will be expunged from the student's file, and a corrected copy of the student's file will be provided to the student's parent or guardian by mail.

5. If the penalty was not appropriate to the violation, all school records will be revised to indicate only the facts leading to the reduced penalty imposed by the Superintendent designee.

#### 6-6 Extensions of Out-of-school Suspensions

A. The Board of Education delegates to the Superintendent or a designee the authority to extend a student's out-of-school suspension by up to ten (10) days as necessary, upon recommendation of the principal. The total period of suspension shall not exceed twenty-five (25) days.

B. A suspension shall only be extended if the student committed a Type Four or Type Five Offense (see Section 3-1 of this policy), the student's presence in school presents a danger or severe disruption to the school and its occupants, and either additional time is needed to further investigate an incident or there has been a recommendation to the Superintendent or designee to expel the student.

C. If an extension of the suspension is to be recommended, the principal or a designee shall make a reasonable attempt to notify a parent/guardian at once by telephone and shall follow up with a written notification in a language the parent/guardian can understand. Through this oral and written notification, the principal or designee shall attempt to schedule a conference with the parent/guardian to explain the reason for the extension.

D. If the suspension has been extended so that the total suspension is ten (10) days or more, and there has not been a recommendation of expulsion, the student is to receive the same right to a hearing as described below in Section 6-8 of this policy.

E. If a student's suspension is extended beyond a total of ten (10) days, the student must be provided with an alternative learning environment in which he or she shall have the opportunity to earn equivalent grades and credits as other students during the suspension period.

#### 6-7 Habitually Disruptive Students

A. A "habitually disruptive student" is a child who has been suspended out-of-school by the principal or a designee three (3) times during the course of a school year for causing a disruption in the classroom, on school grounds, in school vehicles, or at school activities or sanctioned events.

B. For violations which are counted toward declaration as a habitually disruptive student, consideration will be given to whether a change in the student's schedule is appropriate to address the disruptive behavior.

C. The student and parent/guardian must be notified in writing of each suspension counted toward declaring the student as habitually disruptive. The student and parent/guardian must be notified in writing and by telephone or other means at the home or the place of employment of the parent/guardian of the definition of "habitually disruptive student" and the mandatory

recommendation for expulsion of such students. This written notification must be provided in a language that the parent/legal guardian can understand.

#### 6-8 Procedures for Expulsion

A. The Board of Education delegates to the Superintendent the authority to expel for any period up to one (1) calendar year a student who does not qualify for admission to or continued attendance in the public schools of the district.

B. Procedures for expulsion of a student will be initiated by the school principal's recommendation to the Superintendent or a designee. The principal will, at the time of making such recommendation, give to the student and the student's parent/guardian written notice of the recommendation in a language that they can understand. The notice will contain:

1. A statement of the reasons for the recommended action.
2. A statement that a hearing on the question of expulsion will be held unless waived by the student or the parent/guardian within ten (10) days after the date of the notice.
3. A statement that the student may be present at the hearing to hear the evidence, may have an opportunity to present relevant evidence, and may be accompanied by a parent/guardian and a representative of choice.

C. Unless the student or parent/guardian expressly waives their right to a hearing, the Superintendent or designee shall not expel any child without a hearing at which evidence may be presented in the child's behalf by the parent, an attorney or an advocate of the parent/guardian's choice.

D. Hearings will be conducted by a hearing officer, who may not be a current employee of the school, the District, or the Board of Education. At the hearing, testimony and information will be presented under oath. Technical rules of evidence will not apply. The student, parent/guardian, or representative may question individuals presenting information.

1. Written statements made by the student may not be used as evidence unless his or her parent/guardian was present at the time it was signed by the student, or school officials had made reasonable attempts to have the parent/guardian present at the time of signing.

E. The Superintendent or designee will, following review of the recommended action and the report of the hearing officer take action on the recommended expulsion. A written opinion notifying the student and his or her parent/guardian of the action taken shall be issued within five (5) days of the hearing. The notice shall be in a language that the parent/guardian can understand.

F. The Superintendent or a designee will notify the student and his or her parent/guardian of their right to appeal the decision to the Board of Education within ten (10) days of the receipt of the notice. The notice shall be in a language that the parent/guardian can understand.

G. If an appeal is timely requested, the Board of Education will review the record and offer the opportunity for representatives of the District and the student to make statements to the Board of Education. The Board of Education will:

1. Make a determination of whether there was sufficient evidence to find:
  - a. That the alleged violation occurred, and
  - b. Whether the penalty imposed was appropriate.
2. Provide a written decision within five days of the meeting.
3. If it is determined that no violation occurred, all school records pertaining to the expulsion will be expunged from the student's file, and a corrected copy of the student's file will be provided to the student's parent or guardian by mail.
4. If the penalty was not appropriate to the violation, all school records will be revised to indicate only the facts leading to the reduced penalty imposed by the Board of Education.

H. Information will be provided to the parent/guardian of every expelled student regarding educational alternatives available during the period of expulsion. If the parent/guardian desires a home-based educational program, curricula at the appropriate grade level will be made available.

## **SECTION SEVEN: ANNUAL REVIEW AND DISCIPLINE COMMITTEES**

### **7-1 Annual Review and Report**

- A. Both individual schools and the District will evaluate and monitor the effectiveness of the school discipline plan using school disciplinary data disaggregated by race, ethnicity, and sex of student. This will allow schools and the District to: identify areas of need; target areas of concern; access professional development, supports, and services; and revise school procedures as needed.
- B. Schools will annually review their school climate and submit a written report in a form to be prescribed to the Board of Education, the Superintendent, and the District School Improvement and Accountability Council; based on the review, schools will make changes consistent with the intent of this and other policies.
- C. The review will include the following:
  1. Intervention and prevention strategies.

2. The number of referrals, in-school suspensions, out-of-school suspensions, expulsions, tickets, and arrests, disaggregated by race, ethnicity, age, grade, disability, and gender of the students, where available.

3. Differences in referrals among staff members.

4. The extent to which the policy, including but not limited to disciplinary action, is consistently applied to all students.

D. Based on the review, schools will make changes consistent with the intent of this and other policies.

#### 7-2 Discipline Committees

A. Schools are also encouraged to establish a discipline committee of school personnel, parents, and students to develop, monitor, and evaluate school discipline policy and school climate. The use of school discipline data is recommended in this process.

⇒ Revised August 21, 2008  
Revised September 17, 2009

#### LEGAL REFERENCES:

C.R.S. 22-32-109.1 (general policies on student conduct, safety, and welfare)

C.R.S. 22-32-126(5) (disclosure of disciplinary information)

C.R.S. 22-33-105 (suspension, expulsion, and denial of admission)

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

C.R.S. 22-33-106.3 (student statements used in expulsion hearings)

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

C.R.S. 18-3-202 through 204 (definitions of first, second, and third degree assault)

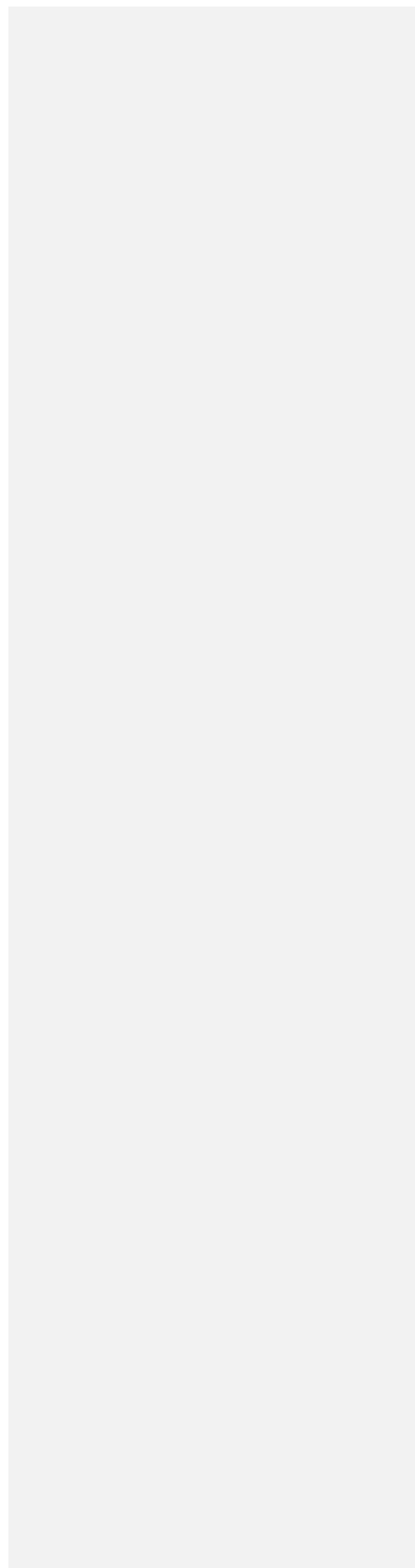
C.R.S. 18-8-704 through 706 (witness intimidation and retaliation)

C.R.S. 19-3-304 (Persons Required to Report Child Abuse / Neglect)

C.R.S. 19-1-103 (Child Abuse)

C.R.S. 16-22-102 (Unlawful Sexual Behavior, Unlawful Sexual Contact, Indecent Exposure)

Family Educational and Privacy Rights (FERP) 20 U.S.C. 1232g(h)



## Policy JICH- Drug and Alcohol Use by Students

Drug and/or alcohol use or possession by students is prohibited on any district property, district vehicles, or at any school or district sanctioned activity. Refer to DPS Policy JK and JK-R shall control student discipline related to drug and/or alcohol use or possession. See also JICH-R.

LEGAL REFS.: 20 U.S.C. 3221 (defines drug abuse education and prevention)  
20 U.S.C. 3224a, Drug-Free Schools and Communities Act of 1986, as amended in 1989  
C.R.S. 18-18-102 (3), (5)  
C.R.S. 18-18-407 (2)  
C.R.S. 22-1-110  
C.R.S. 22-33-106 (1)(d)

CROSS REFS.: IHAMA, Teaching about Drugs, Alcohol and Tobacco  
JIH, Student Interrogations, Searches and Arrests  
JKD/JKE, Suspension/Expulsion of Students  
JLCD, Administering Medicines to Students  
JK , JK-R, Student Discipline

## Policy JICH-R- Drug and Alcohol Use by Students

### Use

Students who are or appear to be under the influence of alcohol, narcotics or other dangerous or illegal chemical substances on school property or at school-sanctioned activities or while being transported in school district vehicles will be dealt with in the following manner:

1. If a student appears to be displaying unusual behavior possibly due to the use of some dangerous or illegal substance, a staff member should escort the student to the school nurse who will determine the seriousness of the situation.
  - a. Should the situation occur in the classroom and the student's behavior indicates that the student is unable to proceed safely to the nurse's office, assistance should be summoned from the principal or persons so designated by the principal to be in charge of such matters.
  - b. Should the situation occur outside of the classroom in any location where the school might have jurisdiction, a staff member should escort the student to the school nurse.
  - c. If the school nurse is not in the building, standard emergency procedures should be followed by designated personnel.
  - d. Staff members who have observed the display of unusual behavior should describe it briefly in writing, giving the date, time and place that it occurred. Such documents will be filed with the principal.
2. The principal or designee will contact the student's parents or guardian (or person so designated on the emergency card) and advise them that the student is displaying unusual or dangerous behavior. The principal or designee will describe the behavior to the parents but will not attempt to diagnose the student's condition.
3. If the medical situation warrants and aid is required and if home contact cannot be made, the principal or designee will call 911 for assistance. While waiting for parents or further medical aid, the student should not be left alone but should be placed in a quiet situation where the student will remain under observation.
4. Whether or not the student requires immediate medical attention, the principal or designee, in addition to contacting parents or guardian, will follow the procedures of due process. He will:
  - a. Discuss the situation with the student to identify possible legitimate medical problems as a cause for behavior, if the student's condition will allow.

b. Confer with the Denver Police Department ~~school resource officer assigned to the school~~ and the DPS Safety and Security Department.

### **Disciplinary action for use**

If after investigation, the principal is convinced that the student is/was using or is/was under the influence of alcohol, narcotics or other dangerous or illegal chemical substances, Policy JK and JK-R (Student Discipline) shall control disciplinary action related to the incident(s). T, the following ~~disciplinary actions will shall~~ be taken:- ~~However at any time the principal considers the offense to be sufficiently serious, he may recommend to the superintendent the extension of the five-day suspension for 10 days and/or expulsion.~~

~~1. The principal or designee will confer with the parent or guardian and the student. The principal or designee shall will:~~

a. Review the disciplinary options available;

b. Refer the student as appropriate to a staff member (e.g., social worker, counselor, student advisor) or community assistance agency (e.g., family counseling service, drug treatment program, alcohol detoxification center). The referral will be followed up with any other necessary action that the situation warrants:-

c. Develop a contract in writing with the parents and the student that will outline responsibilities of the parent, the student and the school in an effort to keep any further offenses from occurring. In addition the contract will specify constructive activities for the student during the period of suspension, if applicable, and specify a referral agency:-

~~2. The principal or designee will take the following disciplinary action in clearly substantiated cases:~~

a. ~~First offense~~

~~(1) The student will be suspended from school for one to five days.~~

~~(2) A recommendation for an additional 10 days' suspension by the superintendent will be made.~~

~~(3) Expulsion will be considered depending upon the severity of the case.~~

~~(4) The parent and student will sign a formal written memorandum which explains the penalty for~~

~~the second offense.~~

b. ~~Second offense~~

~~(1) The student will be suspended for one to five days, and the principal will recommend to the~~

~~superintendent that the student be suspended for an additional 10 days.~~

~~(2) Information concerning voluntary drug or alcohol treatment programs will be given to the~~

~~student and parent.~~

~~(3) Extension of the suspension for an 10 additional days will be considered by the superintendent.~~

~~(4) Expulsion will be considered depending on the severity of the case.~~

~~(5) Written evidence of the student's participation in a voluntary treatment or rehabilitation~~

~~program as specified above will be requested prior to consideration of an application for readmittance.~~

~~e. Third offense~~

~~(1) The student will be suspended, and the principal will recommend an additional 10 days'~~

~~suspension and that the student be expelled.~~

~~(2) Mandatory initiation of expulsion proceedings in accordance with Board policy will be~~

~~initiated.~~

~~(3) Expulsion will be considered by the superintendent.~~

~~(4) If the student participates in an appropriate rehabilitation program and is drug/alcohol free, the~~

~~district may consider readmittance to an appropriate alternative education program upon application.~~

### **Possession or distribution**

Students who possess or are engaged in selling, giving or exchanging alcohol, narcotics or other dangerous or illegal chemical substances or drug-containing paraphernalia on school property or at school-sanctioned activities or while being transported in school district vehicles will be treated in the following manner:

1. The first school staff member to come in contact with the evidence and/or contraband should document the facts of obtaining the evidence and/or contraband. Documentation should include whether the evidence and/or contraband was found in the student's possession. If so, the student's name and other pertinent information, location where the evidence and/or contraband was discovered, and a brief summary of the facts surrounding the case should be included.
2. The staff member who obtains the evidence or contraband should take it immediately to the principal or designee.
3. The principal or designee then should place the evidence and/or contraband in an envelope or suitable container that can be sealed. The envelope should be sealed and initialed by both the staff member who originally obtained the materials and the principal or designee. A list of the contraband will be placed in a separate envelope, sealed and filed separately.
4. The principal or designee ~~should~~ shall notify the Denver ~~Police Department~~ Police Department or if one is assigned, the DPD School Resource Officer ~~Department's juvenile division, information and education section, school resource officer~~ and the DPS Safety and Security Department program and request that ~~an an -officer someone from this office~~ take custody pick-up the sealed envelope containing of the evidence and/or contraband. This envelope should be handed to the police officer personally by the principal or designee. ~~If a school resource officer is not available, a call should be made through regular police channels.~~ Drug and alcohol contraband should not be retained by the school.
5. Students will be detained for the Denver Police ~~Department, juvenile division,~~ Department for the purpose of determining further appropriate action. ~~regular police department if the school resource officer is not available.~~
6. The principal or designee will contact the parents or guardian.

### **Disciplinary action for possession or distribution**

Policy JK and JK-R (Student Discipline) shall control disciplinary action related to the incident(s). Upon notification by the appropriate law enforcement agency that the evidence and/or contraband contains narcotics or other dangerous or illegal chemical substances or if possession of alcohol or drug-containing paraphernalia is involved, the principal or designee will complete the investigation.

If the principal is convinced that the student was in possession of alcohol,

narcotics or other dangerous drugs or illegal chemical substances or drug-containing paraphernalia in violation of ~~the accompanying district~~ policy, ~~the following~~ disciplinary action consistent with Policy JK and JK-R shall be taken. In addition, the following actions shall be taken:

~~a1.~~ The student will be referred as appropriate to a staff member (e.g., social worker, counselor, student advisor) or community assistance agency (e.g., family counseling service, drug treatment program, alcohol detoxification program). The referral will be followed up with other necessary action that the situation warrants.

~~b2.~~ The appropriate instructional superintendent should be notified as soon as possible.

~~c3.~~

~~The student will be suspended from school for five days.~~

~~4. The principal will recommend an additional 10 days' suspension and that the student be expelled and refe~~Develop a contract in writing with the parents and the student that will outline responsibilities of the parent, the student and the school in an effort to keep any further offenses from occurring. In addition the contract will specify constructive activities for the student during the period of suspension, if applicable, and specify a referral agency~~red to an appropriate voluntary drug treatment program.~~

~~5.~~ Mandatory initiation of expulsion proceeding according to Board policy, when applicable on Policy JK and JK-R, will be initiated in clearly substantiated cases.

~~6. Expulsion shall be considered by the superintendent.~~

Approved February 1, 1983

Revised September 17, 2009

CROSS REFS.: JIH, Student Interrogations, Searches and Arrests  
JKD/JKE, Suspension/Expulsion of Students  
KFA, Public Conduct on School Property

**Policy JICC- Student Conduct on Buses ~~(1214F)~~**

See Policy JICC-R and EEAEC, Student Conduct on Buses

CROSS REFS.: JICC-R, Student Conduct on Buses, ~~and subcodes~~  
JK and JK-R, Student Discipline, ~~and subcodes~~

EEAEC, Student Conduct on Buses

CONTRACT REF.: ATU Agreement, Article 16-School Staff and Bus Operator Relations

## Policy JICC-R - Student Conduct on School Buses

1. Only students and school personnel regularly assigned to the bus for a particular route or excursion will be allowed to ride on a school bus unless special permission is granted by the school official in charge.
2. While at a bus stop or pick-up point, students must:
  - a. Conduct themselves in an orderly manner
  - b. Avoid littering
  - c. Stay out of the street
  - d. Respect nearby private property rights
3. Student will take their seats promptly after boarding the bus. No seats may be reserved. Should the driver or bus assistant assign a student a seat, the student must comply. Students will remain in their seats while the bus is in motion.
4. Students may not open or close windows or emergency doors except when asked to do so by the driver or bus assistant. Students must keep their arms and heads inside the bus.
5. While a passenger on the bus, students must not:
  - a. Smoke (state regulation)
  - b. Throw any objects
  - c. Disturb the driver
  - d. Litter
  - e. Make loud or unnecessary noise
  - f. Eat food or drink beverages
  - g. Transport items which may endanger the health or safety of any other passengers
6. Students are encouraged to report to the driver or bus assistant any damage to seats or other parts of the bus.
7. Students who exit from a bus must never walk behind the bus. Students should obey all traffic controls for street crossings. If students must cross in front of the bus, they must do so approximately 10 feet in front of the bus.
8. Middle school and high school students must show upon request proper identification provided through each school as authorization to ride a bus.

Should any student persist in violating any of these rules, it will be the duty of the driver or bus assistant to notify the school principal or designee.

Policy JK and JK-R (Student Discipline) shall control student discipline related to misconduct by students on school buses, district vehicles, or any transportation provider utilized by the district.

Current practice codified 1993

Revised September 17, 2009

~~Approved: date of manual adoption~~

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## Policy JI- Student Rights and Responsibilities

Human rights accrue to all people simply because they are human. One's humanness cannot be denied because of temporary status as a student; nor should students be denied the opportunity to learn about and practice, in the school setting, behaviors that respect human rights, human dignity, equality, and safety.

Of equal importance is the right of school authorities, consistent with fundamental constitutional safeguards, to prescribe and control conduct in the schools. The difference between freedom expected by the students and the necessary restrictions of their actions in the rules set down by the schools to maintain good order can be bridged by appropriate conduct on the part of both.

### Student Rights

1. Students have the right to a safe and equitable education relevant to their needs and abilities.
2. Students have the right to be treated with respect by other students and school staff.
3. Students have the right to assemble and express themselves through speaking, writing, distributing, wearing or displaying symbols of ethnic, cultural, or political values such as buttons, badges, emblems, and armbands or through their mode of dress or grooming, except that the principal, or designee, may regulate expression, provided there is a factual basis for believing a specific form of expression by a specific student is causing or will cause substantial disruption or school activities or constitutes a health or safety hazard. Students shall also have the right to refrain from expressing themselves in these student-originated activities.
4. Students have the right to lodge a complaint or grievance with their principal, designee, or other appropriate administrator, if they feel their rights have been violated. If the subject of the complaint or grievance is the principal, the complaint or grievance shall be made to the supervising instructional superintendent and/or "Safe To Tell".

### Student Responsibilities

While on school grounds, in school facilities, in district-approved vehicles, at designated school bus stops, or at school-sponsored events, the responsibilities of students shall be as follows:

1. To help maintain an overall atmosphere conducive to learning, and to respect the principle that no student shall engage in any activity that disrupts or threatens to disrupt the school operation and/or interfere with the educational rights of others.

2. To refrain from any conduct which discriminates against other students on the basis of race, ethnicity, sex/gender, marital status, national origin, disability, religion, age, sexual orientation, or gender identity.

3. To respect all members of the school community, including other students, parents, and districtschool staff by refraining from using disrespectful language and gestures.

4. To promote the physical safety and personal security of all others by refraining from assaultive behavior, including fighting with students, staff, or other persons.

5. To treat the property of the school district with care and to refrain from stealing or damaging any property of the districtschool, staff, or other students.

6. To personally refrain from, and discourage others from bringing, carrying, possessing, or using any kind of weapon.

7. To refrain from using, possessing, buying, selling, or exchanging alcohol, narcotics, drugs, or controlled substances, including anabolic steroids and prescription drugs or other dangerous drugs and to refrain from selling or exchanging substances with the student represents as drugs or controlled substances.

8. To attend classes, be on time, and attempt to complete graduation requirements as prescribed by the Board of Education.

9. To return all district property to the school, or reimburse the school at replacement value of each item, prior to transfer from the district, grade level change within the district, or graduation.

10. To practice honesty in academic work and in all other transactions.

Policy JK and JK-R shall control student discipline.

Adopted: June 17, 1999

Revised: September 17, 2009

## Policy JICG- Use of Tobacco by Students

The following shall be expressly forbidden, and violation shall make the student subject to disciplinary action consistent with Policy JK and JK-R.

1. Use of tobacco by students in school buildings, ~~and on~~ school grounds, district vehicles, or any other district property;
2. Use of tobacco at school-sponsored activities.

Note: It is illegal in Colorado to sell tobacco products to anyone under 18 years of age.

Adopted May 27, ~~12~~1965  
Revised August 20, 1976  
Revised May 31, 1994

Revised September 17, 2009

LEGAL REFS.: C.R.S. 18-13-121  
C.R.S. 22-32-109  
C.R.S. 25-14-101  
C.R.S. 25-14-102 (2), (3)  
C.R.S. 25-14-103 (1) (f)

## Policy JBB- SEXUAL HARASSMENT (Student)

File JBB

Sexual Harassment

(Student)

### I. GENERAL STATEMENT OF POLICY

Sexual harassment, a form of discrimination in violation of federal and state law, is specifically prohibited. Every student within the School District shall have the opportunity to learn in an environment free from sexual harassment as defined by this policy. Complaints of sexual harassment will be promptly investigated by the procedures delineated in this policy and District Procedures.

### II. SEXUAL HARASSMENT DEFINED

For purposes of this policy, sexual harassment of a student consists of unwelcome and unsolicited sexual advances, requests for sexual favors, sexually motivated physical conduct (non-intimate body parts), or other verbal or physical conduct or communication of a sexual nature when:

1. a school employee causes a student to believe that he or she must submit to unwelcome sexual conduct in order to participate in a school program or activity, or when an employee of the School District causes a student to believe that the employee will make an educational decision based on whether or not the student submits to unwelcome sexual conduct; or
2. a school employee engages in unwelcome sexual conduct directed towards a student which is so severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with a student's ability to participate in or benefit from an educational program or activity, or creating an intimidating, hostile, threatening, or abusive educational environment; or
3. a student engages in unwelcome sexual conduct directed towards another student which is so severe, pervasive and objectively offensive that it effectively bars the victim's access to an educational opportunity or benefit.

Examples of conduct which may constitute sexual harassment include:

- sexual advances
- physical assault or contact of another's non-intimate body parts, such as patting, pinching, or constant brushing against another's body. (This prohibition does not preclude legitimate, non-sexual physical conduct such as the use of necessary restraints to avoid

physical harm to persons or property, or conduct such as a teacher's consoling hug of a young student, or one student's demonstration of a sports move requiring contact with another student.)

File JBB

- graffiti of a sexual nature
- sexual gestures
- sexual or dirty jokes
- touching oneself sexually or talking about one's sexual activity in front of others
- spreading rumors about or rating other students as to sexual activity or performance
- making false reports of sexual harassment.

However, whether the examples above or any gender-oriented conduct rises to the level of sexual harassment will depend on a whole host of factors; such as, the surrounding circumstances, expectations, and relationships.

Retaliation against any person for filing a grievance, participating in, or cooperating with an investigation is prohibited.

The principal/department head or designee shall notify the District's Title IX Officer and investigate all allegations of sexual harassment which state a claim under this policy in a prompt and equitable manner. The investigation shall determine whether reasonable cause exists to believe that the alleged conduct occurred and whether such conduct constitutes sexual harassment. If a violation of this policy is found, the principal or his/her designee shall appropriately discipline any student, teacher, administrators, or other school personnel who is found to have violated this policy, provide appropriate assistance to the victim, and/or take other appropriate action reasonably calculated to end the harassment. Discipline of a student for violation of this policy shall be consistent with Policy JK and JK-R (Student Discipline).

Adopted: April 1993

Revised: March 5, 1997

Revised: February 18, 1999

Revised: June 16, 2000

Revised: June 20, 2002

Revised September 17, 2009

LEGAL REFS.: Title IX of the Education Amendments of 1972, 20 U.S.C. Section 1681,  
et seq.

## Policy JICA- Student Dress

The Board believes that a student dress policy is an essential aspect of creating a school environment that is safe, conducive to learning and free from unnecessary disruption.

During the school day, while riding in school district vehicles, and at all school-related activities or functions, students shall adhere to a standard of dress and appearance that is appropriate.

Student dress and personal appearance shall meet reasonable standards of cleanliness and safety and must show respect for others. Personal appearance and dress that violate reasonable standards, demean, slur, or harass others through symbols, words or images, and/or substantially disrupt the educational process shall not be tolerated.

To establish the specific guidelines, which define appropriate dress, each school in conjunction with their Collaborative Decision-Making School Committee (CSCDM), should develop and publish suitable standards regarding dress and hygiene. Principals and their designees have the final authority to decide what is appropriate attire for students in school or participating in school related activities.

### Unacceptable items

The following items are deemed disruptive and are not acceptable on school grounds, in school district vehicles, or at school functions or activities:

1. Shorts, dresses, skirts or other similar clothing shorter than mid-thigh length
2. Sunglasses, hats or head scarves worn inside a building
3. Inappropriately sheer, tight, loose, or low-cut clothing that bares or exposes the stomach, back, breasts, buttocks, or genitalia. (For example, the following items are prohibited under this section: garments made of fishnet, mesh, or similar material, and midriffs, halter tops, backless clothing, tube tops. Muscle tops, revealing tank tops or sundresses, etc.)
4. Any clothing, paraphernalia, grooming, jewelry, hair coloring, accessories, or body adornments that are or contain any words, symbols, or pictures that:
  - Refer to drugs, tobacco, alcohol or weapons
  - Are of a sexual nature
  - Are obscene, profane, vulgar, lewd or legally libelous
  - By virtue of color, arrangement, trademark or other attribute denote membership in gangs, associations

or clubs which advocated drug use, violence or disruptive behavior

- Threaten the safety or welfare of any person
- Promote any activity prohibited by the student code of conduct
- Pose a threat or potential threat to the safety or welfare of any person
- Otherwise disrupt the sSchool's mission in delivering educationalals services

5. Inappropriate footwear, including rubber sole thongs (flip-flops) or bedroom slippers

6. Athletic wear, such as jogging suits (except that appropriate athletic clothing may be worn while participating in physical education classes or other athletic activities)

7. Underwear as outer wear

8. Inappropriate grooming or hygiene

9. Any other attire or grooming that is prohibited in the student dress code applicable to the particular school.

Policy JK and JK-R (Student Discipline) shall control discipline of a student in violation of this policy.

Exception

Exceptions to this policy may be made by pPrincipals or their designees to address a specific student's medical, religious, or other similar needs.

Adopted May 17, 1965

Revised August 20, 1976

Revised January 21, 1999

Revised June 21, 2001

Revised September 17, 2009

CROSS REF.: JK, JK-R, Student Conduct and Discipline

GBEBA, Staff Dress, Accessories, and Grooming for Certificated Staff (Teachers)

GBEBA-R, Staff Dress, Accessories, and Grooming for Certificated Staff (Teachers) procedures

## Policy EEAEC- Student Conduct on School Buses

1. Only students and school personnel regularly assigned to the bus for a particular route or excursion will be allowed to ride on a school bus unless special permission is granted by the school official in charge.

2. While at a bus stop or pick-up point, students must:

a. Conduct themselves in an orderly manner

b. Avoid littering

c. Stay out of the street

d. Respect nearby private property rights

3. Student will take their seats promptly after boarding the bus. No seats may be reserved. Should the driver or bus assistant assign a student a seat, the student must comply. Students will remain in their seats while the bus is in motion.

4. Students may not open or close windows or emergency doors except when asked to do so by the driver or bus assistant. Students must keep their arms and heads inside the bus.

5. While a passenger on the bus, students must not:

a. Smoke (state regulation)

b. Throw any objects

c. Disturb the driver

d. Litter

e. Make loud or unnecessary noise

f. Eat food or drink beverages

g. Transport items which may endanger the health or safety of any other passengers

6. Students are encouraged to report to the driver or bus assistant any damage to seats or other parts of the bus.

7. Students who exit from a bus must never walk behind the bus. Students should obey all traffic controls for street crossings. If students must cross in front of the bus, they must do so approximately 10 feet in front of the bus.

8 .Middle school and high school students must show upon request proper identification provided through each school as authorization to ride a bus.

Should any student persist in violating any of these rules, it will be the duty of the driver or bus assistant to notify the school principal or designee.

Policy JK and JK-R (Student Discipline) shall control student discipline related to misconduct by students on school buses, district vehicles, or any transportation provider utilized by the district.

Current practice codified 1993

Approved: date of manual adoption Revised September 17, 2009

Policy ECAC- Vandalism / Criminal Mischief

The school system's buildings and grounds are built and maintained with taxes levied on the community's taxpayers, and all damage caused must be paid for in the same way. Therefore, every citizen of the district, students, district employees, and members of the police department are urged by the Board to cooperate in reporting any incidents of vandalism to property belonging to the district and the name of the person or persons believed to be responsible. Each employee of the district shall report to the principal of the school, the facility administrator / manager, or the Department of Safety and Security every incident of vandalism / criminal mischief-known, known to him and, if known, the names of those responsible.

The superintendent, the principal, the facility administrator or their designee, including the investigating member of the ~~department of consultation with the~~ Safety and Security Department is authorized to sign a criminal complaint against persons suspected of vandalism against school property. Policy JK and JK-R shall control student discipline related to incidents of vandalism.

Students who willfully or maliciously destroy districtschool property through vandalism or arson or who create a hazard to the safety of other people on districtschool property may be referred to law enforcement authorities. Students who are caught vandalizing districtschool property may be suspended and/or expelled. (See Policy JK and JK-R Student Discipline).

It is the intent of the Board of Education to seek damages as permitted by law, and consistent with Policy JK and JK-R, from students and other persons who vandalize district school property and/or their parents or guardians.

Current practice codified 1993

Adopted: April 1994

Revised: November 16, 2000

Revised: September 17, 2009

LEGAL REFS.: C.R.S. 13-21-107

C.R.S. 19-3-113

C.R.S. 19-3-117

CROSS REFS.: GBGB, Staff Personal Security and Safety  
JKD/JKE, Suspension/Expulsion of Students

CONTRACT REF.: DCTA Agreement, Article 8 Teacher Assignments and Responsibilities, Section 8.16

## **Policy ECACA-R- Break-ins / Burglaries / Unlawful Building Entries**

All break-ins, burglaries or unlawful entries into a District facility must be reported to the police department and Safety and Security Department by the principal or by the person designated by the superintendent to be in charge of buildings during periods that schools are not in session. The principal or person designated by the superintendent will be responsible for preparing and reporting the theft of or damage to all equipment or property to the police department and the Safety and Security Department. This information will be included in the police report. The report must contain a list of stolen equipment, replacement for which must be requisitioned in accordance with regular purchasing procedures.

Break-ins, burglaries or unlawful entry into a District facility must be reported by telephone to the Facility Management Department by the facility manager. The facility manager will send a written report within 48 hours of the discovery of the incident.

In the event, the break-in, burglary or unlawful entry into a district facility is committed by a student, Policy JK and JK-R shall control discipline of the student.

Approved September 1, 1965

Revised September 17, 2009

## Policy JICDE- Bullying Prevention and Education

The mission of the Denver Public Schools, the center of learning for the community, is to guarantee that our children and youth acquire knowledge, skills and values to become self-sufficient citizens and lifelong learners. We can achieve this mission by providing personalized learning experience in an environment that is safe, conducive to learning and free from unnecessary disruption.

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

**DEFINITION:** Bullying is defined "as any written or verbal expression, or physical act or gesture, or pattern thereof, that is intended to cause distress upon one or more students in the school, on school grounds, in school vehicles, at a designated school bus stop, or at school activities or sanctioned events." CRS 22-32-109.1 (2)(a)(X)

**CONSEQUENCES:** As Students who engages in any act of bullying is subject to appropriate disciplinary action in accordance with District Policy JK and JK-R(VI) pertaining to discipline procedures and may include suspension, expulsion and/or referral to law enforcement authorities. The severity and pattern, if any, of the bullying shall be taken into consideration when disciplinary decisions are made.

The Superintendent shall develop a comprehensive program to address bullying at all grade levels. The program shall be directed to accomplish the following goals:

1. To send a clear message to students, staff, parents and community members that bullying will not be tolerated.
2. To implement procedures for immediate intervention, investigation, and confrontation of students engaged in bullying behavior.
3. To initiate programs to change the behavior of students engaged in bullying behaviors through re-education on acceptable behavior, discussions, counseling and appropriate negative consequences.
4. To develop and foster a productive partnership with parents and community members in order to help maintain a bully-free environment.
5. To support victims of bullying by means of individual and peer counseling.
6. To recognize and praise positive, supportive behaviors of students toward one another on a regular basis.

Adopted:

LEGAL REFS.: C.R.S. 22-32-109.1(2)(a)(X)

CROSS REFS.: JK, Student Conduct and Discipline

Adopted: November 15, 2001

LEGAL REFS.: C.R.S. 22-32-109.1(2)(a)(X)

CROSS REFS.: JK, Student Conduct and Discipline

Policy JBBA- HARASSMENT BASED ON RACE OR COLOR, NATIONAL ORIGIN, SEXUAL ORIENTATION, GENDER IDENTITY, DISABILITY, OR RELIGION (STUDENT)

I. GENERAL STATEMENT OF POLICY

Harassment based on race or color, national origin, sexual orientation, gender identity, disability or religion, hereinafter referred to as protected categories is specifically prohibited. Every student within the School District shall have the opportunity to learn in an environment free from such harassment as defined by this policy. Complaints of prohibited harassment will be promptly investigated by the procedures delineated in this policy and district Procedures. If the principal/department head or designee determines that such harassment occurred, it will promptly and appropriately discipline any student, teacher, administrator or other school personnel who is found to have violated this policy, provide appropriate assistance to the victim and/or take other appropriate action reasonably calculated to end the harassment.

II. DEFINITION OF HARASSMENT BASED UPON RACE OR COLOR, NATIONAL ORIGIN, SEXUAL ORIENTATION, GENDER IDENTITY DISABILITY OR RELIGION

For purposes of this policy, harassment of a student consists of verbal or physical conduct relating to a student's status in a protected category, when:

1. the harassing conduct is sufficiently severe, persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening or abusive educational environment; or
2. the harassing conduct has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance; or
3. the harassing conduct otherwise adversely affects an individual's learning opportunities.

Examples of conduct which may constitute harassment regarding a protected category, MAY include:

- graffiti containing offensive language
- name calling, jokes or rumors degrading the protected category
- threatening or intimidating conduct
- notes or cartoons which are degrading
- slurs, negative stereotypes, and hostile acts

- written or graphic material containing comments or stereotypes which is posted or circulated

and which is aimed at degrading individuals based upon their status in a protected category

- a physical act of aggression or assault upon another because of, or in a manner reasonably related to their status in a protected category

- other kinds of aggressive conduct such as theft or damage to property

However, whether any alleged conduct rises to the level of prohibited harassment will depend on a whole host of factors; such as, the surrounding circumstances, expectations, and relationships.

Retaliation against any person for filing a complaint of harassment, participating in, or cooperating with an investigation is prohibited. False reports of violations of this policy are also prohibited.

Policy JK and JK-R (Student Discipline) shall control discipline related to harassment by a student.

Approved: June 16, 2000

Revised: June 20, 2002

Revised: December 18, 2003

Revised: September 17, 2009

LEGAL REFS.: Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d, et seq.

Title II of the Americans with Disabilities Act of 1009, 42 U.S.C. Section 12101, et seq.  
Section 504 of the Rehabilitation Act of 1973

## Policy JLF- Reporting Child Abuse/Child Protection

It is the policy of the Board of Education that ~~the~~ is school district comply with the “Child Protection Act of 1987” (C.R.S. 19-3-304 – Children’s Code)

### Child Protection Act:

~~To that end, any school official or employee who has reasonable cause to know or suspect that a child has been subject to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect, as defined by statute, shall immediately report or cause a report to be made to the Denver Department of Human Services (DDHS) child abuse hotline, or the Denver Police Department (DPD). To that end, all school personnel are mandated reporters and have a legal and moral obligation to make a report if child abuse or neglect is reasonably suspected. Suspicion or knowledge of abuse / neglect must be reported to the Denver Department of Human Services (DDHS) Child Abuse Hotline or the Denver Police Department (DPD).~~

Procedures and protocols for reporting of child Abuse are set forth in Policy JLF-R.

The Board shall provide ~~periodic~~ at a minimum, yearly in-service programs for all ~~teachers~~ school personnel in order to provide them with information about the Child Protection Act and appropriate legislation, to assist ~~them~~ all school personnel in recognizing and reporting instances of child abuse and to instruct them on how to assist victims and their families.

~~School employees and officials shall not contact the child's family or any other persons to determine the cause of the suspected abuse or neglect. It is not the responsibility of the school official or employee to prove that the child has been abused or neglected. School employees and officials shall not contact parents / caregivers concerning a eChild aAbuse Report. It is not the responsibility of school employees or officials to prove that a child has been abused or neglected. No school employee or official has the authority to veto the making of the report by the individual who reasonably suspects the abuse or neglect.~~

~~Once school personnel has determined the need to make a report to DPD or DDHS, all interviewing by said school personnel must cease. After DPD or DDHS have finished their initial investigation, the district is free to conduct any investigation that may be required or necessary. A school staff member, designated by the principal, may be present during the interview. Any exclusion of school personnel from being present during the interviews requires DDHS supervisor consultation. DDHS staff are the sole interviewers.~~

Current practice codified 1993

Adopted: April 1994

Revised: June 20, 2002

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| Revised September 17, 2009

LEGAL REFS.: C.R.S. 19-1-120 (1)(a)

C.R.S. 19-3-304

C.R.S. 19-3-307

C.R.S. 19-3-309

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

| CROSS REF.: GBGB, Staff Personal Security and Safety

## Policy JLF-R- Reporting Child Abuse/Child Protection

Pursuant to Policy JLF, all school personnel are mandated reporters of child abuse or neglect, and have a legal and moral obligation to make a report if child abuse or neglect is reasonably suspected. “Child Protection Act of 1987-” (C.R.S. 19-3-304 – Children’s Code)

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The following sets forth the procedures and protocols for reporting Child Abuse or Neglect:

### GENERAL LEGAL AND PROFESSIONAL REPORTING RESPONSIBILITIES

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Suspicion or knowledge of abuse / neglect must be reported to the Department of Human Services in which the child resides. Most often this will be the Denver Department of Human Services, Child Abuse Hotline (720-944-3000). The Hotline will notify the Denver Police Department depending on the situation. The Hotline is open 24 hours a day 7 days a week. (The exception is 3<sup>rd</sup> party assault.)

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Gather accurate household information, including phone numbers and addresses. Denver Human Services Caseworker or the Police will complete the Child Abuse Investigation. Refrain from investigating.

Do not contact Parents / Caregivers concerning a Child Abuse Report. The Denver Human Services Caseworker will determine when the Parents / Caregivers should be contacted.

No one within the school district has the authority to veto the making of the report by the individual who reasonably suspects the abuse or neglect.

If it is necessary for school personnel or the Denver Human Services caseworker to examine a student for evidence of physical abuse, two adults must be present during the examination. The child has the right to refuse to be examined. Pictures, if necessary, will be taken by Police.

If an on-call Denver Human Services caseworker responds to the school as a result of a report of child abuse or neglect, he / she will conduct an interview with the student.

The school will provide a private setting for the interview of the child by the Denver Human Services caseworker.

A school staff member, designated by the principal, may be present during the interview. (Any exclusion of school personnel from being present during the interview requires Denver Human Services supervisor consultation).

In order to obtain factual information from the student, it is important for the Denver Human Services -caseworker to be the sole interviewer. If present during the interview, observe but do not participate. Refrain from any verbal, non-verbal communications with the student or Caseworker.

## **DEFINITIONS**

### **Child Abuse or Neglect:**

an act or omission by a parent or guardian which seriously threatens the health or welfare of any person under the age of 18. Child abuse or neglect may include the following: Physical abuse, sexual abuse, neglect which includes emotional abuse; and third party abuse.

### **Physical Abuse:**

includes evidence of skin bruising, bleeding, malnutrition, failure to thrive, burns, fracture of any bones, subdural hematoma - a form of traumatic brain injury—, soft tissue swelling, or death.

### **Sexual Abuse:**

defined as any case in which a child is subjected to sexual assault or molestation, sexual exploitation, or prostitution.

### **Child Neglect:**

exists in any case in which the child's parent or legal guardian fails to take the same actions that a prudent parent would take to provide adequate food, clothing, shelter, medical care or supervision, thereby endangering the physical wellbeing of the child. Emotional abuse means an identifiable and substantial impairment or substantial risk of impairment of the child's intellectual or psychological functioning or development.

### **Third Party Assault:**

involves the physical abuse, sexual abuse, emotional abuse or neglect of a child by a person who is **not** the child's parent or legal guardian. For incidents of sexual assault or sexual harassment, refer to the attached Reporting Protocols for Sexual Harassment and Sexual Assault.

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## CHILD ABUSE REPORTING PROCEDURES

### (Suspected Interfamilial Abuse)

#### Telephone Report Child Abuse Report (CAR 983)

#### Child Abuse Report (CAR 983)

Report by phone all incidents of interfamilial physical or sexual abuse and child neglect / endangerment that threatens the child's immediate safety as soon as possible after discovery. Denver Human Services is responsible for notifying police if police involvement is necessary (Exception: Third Party Assaults).

Any suspected incident of child abuse must be reported to the Department of Human Services in which the child resides. In Denver, report to the Child Abuse Hotline (720-944-3000) as soon as possible after discovery.

School staff must not question, interview or examine the student if there is any suspicion or probability that sexual abuse has occurred. Denver Human Services staff will conduct all investigations and evaluations in partnership with the Denver Police Department except for Third Party Assaults.

Do not contact Pparents / Ccaregivers concerning a Child Abuse Report. The -Denver Human Services cCaseworker will determine when the Pparents / Ccaregivers should be contacted.

The telephone report must include the following information:

- 1.The caller should gather accurate demographic information for child: full name, date of birth, gender, address, and phone number(s).
- 2.Gather demographic information on other household member including parents, guardians, siblings (other adults and/or children living in the home, i.e. grandparents, cousins) including full name, date of birth, phone numbers.
- 3.Call -Denver Human Services Hotline for the county in which the child resides. Denver – 720-944-3000; Adams – 303-412-5212; Arapahoe – 303-636-1750; and Jefferson – 303-271-4131.
- 4.Provide demographic information.
- 5.Provide chChild's Sstatement
- 6.If there is a mark or bruise, provide description (length, width, shape, color, and location) of noted injury, to the best ability.
- 7.Provide name and business contact information so the assigned Ccaseworker may contact for further information/clarification.
- 8.Complete Denver Public Schools Child Abuse Reporting Form (CAR 983).
- 9.Fax CAR 983 to Department of Human Services – Denver County FAX – 720-944-3068.
10. Fax CAR 983 to Denver Public Schools Department of Social Work and Psychological Services Office, 720-423-3609.
11. Notify Principal, or Administrative designee that report has been made.

12. Destroy original copy of CAR 983.

**Under no circumstances should reports be included in a student's cumulative file, staff working files, or the educational record.**

The caller is to ask if a Denver Human Services cEaseworker will be responding to the report that day. If the Denver Human Services cEaseworker has not responded by dismissal time and the student is afraid to go home, refuses to go home, or if staff determines the student is in imminent danger, consult with Denver Human Services cEaseworker, sSupervisor, or Aadministrator, who will determine if the child can be sent home (document the name and position of the person at Denver Human Services). If necessary, call the pPolice at 720-913-2000. When the Ppolice are contacted, notify Denver Public Schools Safety and Security, 720-423-3911. Neither Denver Public Schools, including Safety and Security, nor the Department of Human Services has the authority to hold a Sstudent without Ppolice Aauthorization.

Remain with the student until the Ppolice or Denver Human Services Ccaseworker arrives.

Follow secondary notification procedures (Principal Responsibility: Secondary Backup Notification) if student is taken into custody.

When a Ppolice officer is needed after 2 p.m., expect a delay in response due to shift change at 3:00 p.m.

If the student does not appear to be in imminent danger, send the student home after consulting with Denver Human Services.

## CHRONIC NEGLECT AND ENDANGERMENT REPORTING PROCEDURES

### Telephone Report Child Abuse Report (CAR 983)

#### Chronic Neglect and Endangerment Form (CNE 984)

Report by phone all incidents of chronic neglect and endangerment only after intervention with the family has been attempted by school personnel and no positive change has been noted.

Any suspected incident of chronic neglect and endangerment must be reported to the Department of Human Services in which the child resides. In Denver, the Child Abuse Hotline is (720-944-3000).

Do not contact pParents / Ccaregivers concerning a Chronic Neglect and Endangerment Report. The Denver Human Services Ccaseworker will determine when the Pparents / Ccaregivers should be contacted.

The telephone report must include the following information:

1. Consult with Sstudent Sservices Ppersonnel (e.g., school social worker, school psychologist, nurse, and/or counselor).
2. The caller should gather accurate demographic information for child: full name, date of birth, gender, address, and phone number(s).
3. Gather demographic information on other household member including parents, guardians, siblings (other adults and/or children living in the home, i.e. grandparents, cousins) including full name, date of birth, phone numbers.
4. Fully complete the Chronic Neglect and Endangerment Form (CNE 984).
5. Call Denver Human Services Hotline for the county in which the child resides. Denver – 720-944-3000; Adams – 303-412-5212; Arapahoe – 303-636-1750; and Jefferson – 303-271-4131.
6. Provide demographic information.
7. Provide information from the CNE 984 form.
8. Provide name and business contact information so the assigned Ccaseworker may contact for further information/clarification.
9. Fax CNE 984 to Department of Human Services – Denver County FAX – 720-944-3068. If reporting to another county, obtain FAX number when speaking with Denver Human Services representative.
10. Fax CNE 984 to Denver Public Schools Department of Social Work and Psychological Services Office, 720-423-3609.
11. Notify Principal, or Administrative designee that report has been made.
12. Destroy original copy of CNE 984.

Under no circumstances should reports be included in a student's cumulative file, staff working files, or the educational record.

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## THIRD PARTY ASSAULTS

### Telephone Reporting

Do not call the Child Abuse Hotline. (Exception: See “Student under age of consent / actor more than four years older than victim”)

Call Denver Police Department Dispatcher at 720-913-2000. Notify Denver Public Schools Safety and Security, 720-423-3911, that a report has been made to Denver Police Department.

The Denver Police Department dispatcher will send an officer to the school to investigate the allegation. Prepare Denver Public Schools Safety and Security Incident Report.

### Physical Assault

If another adult living in the home is abusing the child it should be reported to both the Police Department and Department of Human Services.

If an adult, not living in the home is abusing the child it should be reported to the police, but if the child indicates the parent is not protecting them from that person then Denver Human Services needs to know as well.

Any report depends on the parent’s or caretaker’s actions or failure to act. The law sees the parent-caretaker as the responsible adult and they become the perpetrator of neglect if they are non-protecting. Non-protecting can mean they don’t believe the child or fail to take action to protect the child even when they believe the child.

### School Employee / Student

Any incident of alleged physical or extreme emotional abuse or neglect of a student by a school employee must be reported immediately to the police, no matter where or when it occurred. Call the Denver Police Department dispatcher (720-913-2000). The Denver Police Department dispatcher will send an officer to the school to investigate the allegation. The officer will determine action to take and make a written report (document the name and badge number of officer taking the report). Generally, a Denver Human Services Caseworker will not come to the school to investigate allegation of physical abuse by school employees. In accordance with the tri-agency agreement, Denver Human Services and the Denver Police Department will jointly investigate all sexual abuse allegations involving school employees. The Principal will then notify the

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Instructional Superintendent to determine further action and the Pprincipal will file an Incident Report. The Incident Report should be mailed to Safety and Security on the same day.

Notify Pprincipal or aAdministrative designee that a report has been made. In the event that the alleged perpetrator is a school administrator notify Denver Public School Safety and Security and Human Resources Department that a report has been made.

School administration will obtain permission from law enforcement to notify parents a report has been made.

Parents will be notified after the police officer has completed the initial investigation.

#### Student / Student

If a student is physically injured or in imminent danger of physical injury by another student or students on schools grounds, it is up to the discretion of the school professional whether the police are called. If a criminal act may have transpired, such as a student's life is threatened or a student is assaulted, call the police. In some cases it may be necessary to call 911.

If a student is physically assaulted by another student or students off school grounds and / or off school time, the police may be called at the school professional's discretion.

School administration will obtain permission from law enforcement to notify parents a report has been made.

If a student is taken into custody by the police, guidelines for informing parents, as outlined under Principal Responsibility, should be used.

#### Sexual Assault

##### School Employee / Student

Any incident of alleged sexual abuse of a student by a school employee must be reported immediately to the police, no matter where or when it occurred. Once the incident has been reported, the pPrincipal will then notify the Instructional Superintendent to determine further action and the pPrincipal will file an Incident Report. The Incident Report should be mailed to Safety and Security on the same day.

In the event that the alleged perpetrator is a school administrator notify Denver Public School Safety and Security and Human Resources Department that a report has been made.

##### Student / Other Student / Other (Includes Date Rape)

Any incidence of alleged sexual assault or unlawful sexual behavior of a student by another student must be reported immediately to police or Denver Human Services no

matter where or when it occurs. If the student who committed the act of sexual assault is under the age of 10, report to Denver Human Services. If the student who committed the act of sexual assault is 10 years of age or older, report to the Denver Police Department. If you have an incident you are unsure of, immediately contact Denver Public Schools Safety & Security at 720.423.3236. Safety & Security may then contact the District Attorney's Hotline if further direction is required. Once the incident has been reported, the Principal will then notify the Instructional Superintendent to determine further action and file an Incident Report. The Incident Report should be mailed to Safety and Security on the same day.

#### Colorado Statutes --- Offenses against Persons

##### Age of Consent

**C.R.S. 18-3-405.** Sexual assault on a child. "Any actor who knowingly subjects another not his or her spouse to any sexual contact commits sexual assault on a child if the victim is less than fifteen years of age and the actor is at least four years older than the victim". Age descriptors do not apply if the actor is an individual in a position of trust or utilized force.

##### Position of Trust

**C.R.S. 18-3-405-3.** Sexual assault on a child by one in a position of trust. "Any actor who knowingly subjects another not his or her spouse to any sexual contact commits sexual assault on a child by one in a position of trust if the victim is a child **less than eighteen years of age** and the actor committing the offense is one in a position of trust with respect to the victim".

#### **Student under age of consent / "actor" more than four years older than victim**

Report sexual abuse of a student under age fifteen by an individual student more than four years older than the student victim to the Denver Department of Human Services Child Abuse Hotline (720-944-3000) and the school Principal. The Principal shall report the incident to the Instructional Superintendent, notify the parent / guardian and file an Incident Report. The Incident Report should be mailed to Safety and Security on the same day. Denver Human Services will contact police if police are needed.

##### Harassment

Principal implements the following Denver Public Schools Board policies as necessary:

\_\_\_\_\_ JBB - Sexual Harassment

\_\_\_\_\_ JBB-R – Procedures for Investigation of Harassment Complaints

\_\_\_\_\_ JK and JK-R– Student Discipline

#### **ADDITIONAL GUIDELINES**

Custody Requested By a Police Officer

The Principal shall release the student to the police officer. It is the responsibility of Denver Police Department to inform parent / guardian when the student is taken into custody.

#### Principal Responsibility: Secondary Backup Notification

The Principal must notify the parent / guardian after the student is taken into custody. If it is not possible to reach the parents by telephone, the Principal shall prepare the Notification Card (Attachment #2), seal it in an envelope and address it to the parent / guardian. The envelope may be slipped under the door of the residence or otherwise put in a conspicuous place. It shall not be placed in the mailbox. The placing of anything other than U. S. Mail in residence mailboxes is prohibited by the U. S. Postal Service.

Original - Home to Parent/Guardian

Copy - Principal

#### Unsupervised Children

If young children (under 10) are believed to be alone, call the Denver Police Department and then call the Department of Human Services. The law does not prescribe a specific age when a child can safely assume responsibility for supervision of themselves or younger children. Tradition supports the practice of children 12 years of age or older babysitting. The capacity of the child is the determinant used by the Department of Human Services. Informing Denver Human Services and or the police of the school's understanding of the capacity of the specific child is helpful when referrals are made. Parents are not always aware of the dangers involved in leaving children unsupervised. Many situations can be remediated by counseling / information and referral. However, if parents are not exercising good judgment in supervision of their children and are not responsive to problem solving a chronic neglect and endangerment referral may be required.

#### Students with Disabilities

Students with significant disabilities may need ongoing, direct supervision, regardless of their age and / or maturity level. When school personnel become aware of students with disabilities who appear to lack appropriate supervision, follow the same guidelines as stated in Unsupervised Children.

Exception: If the student is over eighteen, the situation should be referred to the Adult Protection Unit of the Denver Department of Human Services by calling Adult Services, 720-944-2994.

Any school employee who has reasonable cause to suspect that any child is subjected to abuse or to conditions that might result in abuse (for example, mal nutrition, dangerous conditions, neglect) must immediately report the situation.

#### Reporting procedures

##### 1. Telephone Reporting

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Any suspected incident of child abuse must be reported to the social worker, nurse, psychologist, or principal who will then telephone the Denver Department of Human Services (DDHS) Child Abuse Hotline (720 944 3000) as soon as possible after discovery. An Incident Report must be filed with Denver Public Schools Safety and Security for all cases of suspected child abuse not involving family members.

The telephone report must include the following information:

- Identity of caller. Caller must note time of the report and name of person taking the report.
- Location and phone number of school
- Identifying data for the student
- Description of suspected abuse or neglect

The caller is to ask if a DDHS social worker will be responding to the report. If the DDHS social worker has not responded by dismissal time:

- Call the police at 720 913 2000 if the student is afraid to go home, refuses to go home or is determined

to be in imminent danger

- Remain with the student until police or DDHS social worker arrive
  - Send the student home after consulting with the principal or a colleague if the student does not appear to
- be in imminent danger

- Do not detain the student longer than 20 minutes beyond dismissal time without notifying the parent

## 2. Written reporting

The person reporting must prepare and fax Form CAR983 on the same day the telephone report is made.

Do not hand the report to a worker or officer responding to the school unless a copy is requested by the

Denver Police Department.

Send copies as follows:

-Two copies to the school nurse—one for the student's health record and one for the monthly report

-One copy to the principal

-One copy to the school social worker

#### Third party assaults

##### 1. School employee/student assault

Any incident of alleged physical, sexual or extreme emotional abuse or neglect of a student by a school employee must be reported immediately to the police. The principal then will notify the area assistant superintendent to determine further action.

Parents will be notified after the police officer has completed the initial investigation.

##### 2. Student/student sexual assault

Any incident of alleged sexual assault of a student by another student must be reported immediately to the police no matter where or when it occurs. School professionals must use their best judgment in reporting to the police. The key word is assault.

Parents will be notified after the police officer has completed the initial investigation.

##### 3. Student/student physical assault

If a student is physically injured or in imminent danger of physical injury by another student or students, it is left to the discretion of the school professional as to whether the police are called.

Parents should be notified.

If a student is physically assaulted by another student or students off school grounds and/or after school time, police should be called at the school professional's discretion.

The principal should use his best judgment concerning parent notification.

If a student is taken into custody, guidelines for informing parents as outlined below under "Principal Responsibility" should be followed.

##### 4. Telephone reporting

Call the Denver Police Department (DPD) dispatcher (720-913-2000). The DPD dispatcher will send an officer to the school to investigate the allegation. The officer will

determine action to take and make a written report, which will be forwarded to the DPD family crisis unit.

Generally, a DDHS worker will not come to the school to investigate allegations of physical abuse by school employees. In accordance with the tri-agency agreement, DDHS and the DPD family crises unit will jointly investigate all sexual abuse allegations involving school employees.

#### 5. Written reporting

Follow the same procedure outlined above.

#### Additional guidelines

##### 1. Sexual abuse

All allegations of sexual abuse must be reported using the procedures outlined above. School staff should not question the student after probability of sexual abuse has been established. Physical examination is not to be done. The Family Crisis Center staff will conduct all investigations and evaluations of these cases.

##### 2. Custody requested by a police officer

The principal will determine the reasons for the custody request and will release the student to the police officer. It will be the responsibility of the DPD to inform parents when a student is taken into custody.

##### 3. Principal responsibility

The principal must notify the student's parent/guardian after the student is taken into custody. If it is not possible to reach the parents by telephone, the principal will prepare the notification card (Form #01-1500-06), seal it in an envelope and address it to the parent/guardian. The envelope may be slipped under the door of the residence or otherwise put in a conspicuous place. It may not be placed in the mailbox. (Placing anything other than U.S. mail in residence mailboxes is contrary to postal regulations.)

One copy (pink) of the notification card will be sent to the area superintendent and one copy (blue) retained in the school file.

##### 4. Unsupervised children

State law requires that children must be at least 12 years old in order to act as baby sitters. Children under age 12 should not be left alone. If left alone, the DDHS considers the children unsupervised and neglected, and a telephone report must be made to the child abuse hotline (720) 944-3000.

~~Parents are not always aware of the dangers involved in leaving children unsupervised or of the existence of the law. Therefore many situations may be remediated by counseling with parents. However if a situation is not corrected or young children are discovered alone, a report must be made using the above reporting procedures.~~

#### ~~5. Students with Disabilities~~

~~Students with significant disabilities may need ongoing, direct supervision regardless of their age and/or maturity level. When school personnel become aware of disabled students who appear to lack appropriate supervision, they are to follow the same guidelines as those for unsupervised children under age 12.~~

~~If a student is over age 18, the situation should be referred to the adult protection unit of the Denver Department of Human Services (720) 944-2994.~~

#### ~~6. Requests for nurse examinations~~

~~Nurses may be requested by and should comply with DDHS regulations for examining a student for physical abuse. This may happen when alleged abuse has been reported from outside the Denver Public Schools.~~

#### ~~7. Handling non-emergency problems/neglect~~

~~Neglect should be reported only after intervention with the family has been attempted by school personnel and no positive change has been noted. It is necessary to include documentation in the written report.~~

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