



10850 East Woodmen Road • Falcon, CO 80831
Tele: 719-495-3601 • Fax: 719-495-0832 • E-mail: d49@d49.org

**REGULAR
BOARD OF EDUCATION MEETING
November 10, 2011
6:30 p.m.**

**EDUCATION SERVICE CENTER—
BOARD ROOM**

Call to Order and
Roll Call
1.00

Welcome and
Pledge of Allegiance
2.00

Approval of Agenda
3.00



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Mission Statement

To prepare students, in a safe and caring environment, to be successful, competent and productive citizens in a global society.

AGENDA REGULAR BOARD OF EDUCATION MEETING November 10, 2011 6:30 p.m. Education Services Center – Board Room

- 1.00 Call to Order and Roll Call**
- 2.00 Welcome and Pledge of Allegiance**
- 3.00 Approval of Agenda**
- 4.00 Consent Agenda**
 - 4.01 Approval of October Monthly Financial Update
 - 4.02 Approval of Matters Relating to Administrative Personnel
 - 4.03 Approval of Matters Relating to Licensed Personnel
 - 4.04 Approval of Matters Relating to Educational Support Personnel
 - 4.05 Approval of Job Description Revision
 - 4.06 Approval of Minutes for October 27, 2011 Special BOE meeting
- 5.00 Board Update**
 - Falcon Education Foundation Mini Grants
- 6.00 Open Forum**
- 7:00 Action Items**
 - 7.01 Revision of Board of Education Policies
ACA-E Nondiscrimination on the Basis of Sex, ACE-E Nondiscrimination on Basis of Disability, ACE-R Nondiscrimination on Basis of Disability, EBAB Hazardous Materials, EBCE School Closings and Cancelations, GDBA-R Educational Support Staff Salary Schedules, GDD Educational Support Staff Vacations and Holidays, GDE/GDF Educational Support Staff Recruiting/Hiring, GDEA Posting and Advertising of Educational Support Staff Vacancies, GDG part-time and Substitute Educational Support Staff Employment, GDJ-R Educational Support Staff Transfer and Vacancy Procedure, GDK Educational Support Staff Schedules and Calendars, GDM Educational Support Staff Career Development, GDQA-R Educational Support Staff Reduction in Force, GDQB Resignation of Educational Support Staff GDQCA-R Educational Support Staff Transitional Retirement Plan, IGD Curriculum Adoption, IHBAA-R Response to

Intervention, JBA Nondiscrimination on the Basis of Sex, JRCA Sharing of Student Records/Information Between School District and State Agencies, KD Public Information and Communication

- 8:00** **Information Items**
8.01 Student Count Update
8.02 Student Field Trips
8.03 Expulsion/ Suspension Information

9.00 **Discussion Items**

10.00 **Other Business**

11.00 **Adjournment**

DATE OF POSTING: November 7, 2011

Loretta Branham, BOE Executive Assistant

Consent Agenda

4.00



BOARD OF EDUCATION AGENDA ITEM 4.01

BOARD MEETING OF: November 10, 2011

PREPARED BY: Brett Ridgway, Chief Business Officer

TITLE OF AGENDA ITEM: October 2011 Monthly Financial Update

ACTION/INFORMATION/DISCUSSION: Consent Agenda – Action

BACKGROUND INFORMATION, DESCRIPTION OF NEED:

Report to the Board of Education the performance of actual revenues and expenditures versus budgeted revenues and expenditures in all funds with comparison to prior year. Reference the first attached spreadsheet: the first column is the list of each fund the District has. The 2011-2012 columns start with the approved budget for the entire year compared to revenues and expenditures through October. Percentages over 100% on a revenue line are good in that we received more revenue than was anticipated. If any of the expenditure lines were higher than the percentage of year concluded, that fund could be an area of possible concern depending upon why it was high.

The 2011-2012 year-end fund balance columns are required by statute. This is showing you the budgeted and anticipated end-of-year fund balance. The 2010-2011 columns are the prior year’s total budget and the actual through October 2010. These amounts are provided for comparison to the current year amounts.

RATIONALE:

This report is to keep the BOE informed of spending. It is required quarterly by law, however, it is being provided monthly in D49 in keeping with the Board’s goal of financial transparency and fiscal responsibility.

RELEVANT DATA AND EXPECTED OUTCOMES:

It is expected that the monitoring of expenditures will result in keeping spending in line with the Board’s goals and direction as budgeted.

RELATIONSHIP TO THE VISION/MISSION OF THE DISTRICT GOALS

ADDRESSED:

- Student Achievement and Performance
- Parent/Community Engagement
- Operational Efficiency and Systems Effectiveness
- Staff Empowerment and Support
- Social and Ethical Responsibility

FUNDING REQUIRED: Yes No

This is a report of already budgeted expenditures.

RECOMMENDED COURSE OF ACTION/MOTION REQUESTED:

I move to approve the October 2011 monthly financial update of all funds as presented.

APPROVED BY: Brett Ridgway, Chief Business Officer **DATE:** November 3, 2011



BOARD OF EDUCATION AGENDA ITEM 4.02

BOARD MEETING OF: November 10, 2011

PREPARED BY: Kim Steeves, Professional Staff Liaison

TITLE OF AGENDA ITEM: Approval of Matters Relating to Administrative and Professional/Technical Personnel

ACTION/INFORMATION/DISCUSSION: Consent-Action

BACKGROUND INFORMATION, DESCRIPTION OF NEED:

- To gain Board of Education approval for personnel changes

RATIONALE

- The hiring and transfer actions on attached roster are to meet Board of Education objectives in student achievement.
- Retirement and resignations, if any, are included in this roster.

RELEVANT DATA AND EXPECTED OUTCOMES:

- By addressing these action items, the Board of Education is approving the necessary actions that allow the District to continue its' function of hiring and other associated personnel activities that impact student achievement.

RELATIONSHIP TO THE VISION/MISSION OF THE DISTRICT GOALS

ADDRESSED:

Student Achievement and Performance Staff Empowerment and Support
 Parent/Community Engagement Social and Ethical Responsibility
 Operational Efficiency and Systems Effectiveness

FUNDING REQUIRED: Yes No

Amount Budgeted: In accordance with Board of Education approved salary tables.

RECOMMENDED COURSE OF ACTION/MOTION REQUESTED:

I move to approve the recommendation of the administration for personnel changes listed on the attached sheet.

APPROVED BY: Becky Carter, Chief Education Officer **DATE:** October 31, 2011



BOARD OF EDUCATION AGENDA ITEM 4.03

BOARD MEETING OF: November 10, 2011

PREPARED BY: Kim Steeves, Professional Staff Liaison

TITLE OF AGENDA ITEM: Approval of Matters Relating to Licensed Personnel

ACTION/INFORMATION/DISCUSSION: Consent-Action

BACKGROUND INFORMATION, DESCRIPTION OF NEED:

- To gain Board of Education approval for personnel changes

RATIONALE:

- The hiring and transfer actions on attached roster are to meet Board of Education objectives in student achievement.
- Retirement and resignations, if any, are included in this roster.

RELEVANT DATA AND EXPECTED OUTCOMES:

- By addressing these action items, the Board of Education is approving the necessary actions that allow the District to continue its' function of hiring and other associated personnel activities that impact student achievement.

RELATIONSHIP TO THE VISION/MISSION OF THE DISTRICT GOALS

ADDRESSED:

Student Achievement and Performance Staff Empowerment and Support
 Parent/Community Engagement Social and Ethical Responsibility
 Operational Efficiency and Systems Effectiveness

FUNDING REQUIRED: Yes No

Amount Budgeted: In accordance with Board of Education approved salary tables.

RECOMMENDED COURSE OF ACTION/MOTION REQUESTED:

I move to approve the recommendation of the administration for personnel changes listed on the attached sheet.

APPROVED BY: Becky Carter, Chief Education Officer **DATE:** October 31, 2011



BOARD OF EDUCATION AGENDA ITEM 4.04

BOARD MEETING OF: November 10, 2011

PREPARED BY: Lisa Hines, Educational Support Staff Liaison

TITLE OF AGENDA ITEM: Approval of Matters Relating to Educational Support Personnel

ACTION/INFORMATION/DISCUSSION: Consent-Action

BACKGROUND INFORMATION, DESCRIPTION OF NEED:

- To gain Board of Education approval for personnel changes

RATIONALE:

- The hiring and transfer actions on attached roster are to meet Board of Education objectives in student achievement.
- Retirement and resignations, if any, are included in this roster.

RELEVANT DATA AND EXPECTED OUTCOMES:

- By addressing these action items, the Board of Education is approving the necessary actions that allow the District to continue its' function of hiring and other associated personnel activities that impact student achievement.

RELATIONSHIP TO THE VISION/MISSION OF THE DISTRICT GOALS

ADDRESSED:

Student Achievement and Performance Staff Empowerment and Support
 Parent/Community Engagement Social and Ethical Responsibility
 Operational Efficiency and Systems Effectiveness

FUNDING REQUIRED: Yes No

Amount Budgeted: In accordance with Board of Education approved salary tables.

RECOMMENDED COURSE OF ACTION/MOTION REQUESTED:

I move to approve the recommendation of the administration for personnel changes listed on the attached sheet.

APPROVED BY: Becky Carter, Chief Education Officer

DATE: October 31, 2011



BOARD OF EDUCATION AGENDA ITEM 4.05

BOARD MEETING OF: November 10, 2011

PREPARED BY: Sally McDermott, Human Resources Manager

TITLE OF AGENDA ITEM: Approval for Job Description Revision

ACTION/INFORMATION/DISCUSSION: Consent-Action

BACKGROUND INFORMATION, DESCRIPTION OF NEED:

- To gain Board of Education approval for changes to the Lead Building Manager Job Description

RATIONALE:

- The change in responsibilities for custodian supervision and the loss of the safety manager position created the need to combine the Lead Building Manager duties and the Safety Manager duties. The attached revised job description combines these two positions for the benefit of the district.

RELEVANT DATA AND EXPECTED OUTCOMES:

- By addressing these action items, the Board of Education is approving the necessary actions that allow the District to continue its' function of hiring and other associated personnel activities that impact student achievement.

RELATIONSHIP TO THE VISION/MISSION OF THE DISTRICT GOALS

ADDRESSED:

Student Achievement and Performance Staff Empowerment and Support
 Parent/Community Engagement Social and Ethical Responsibility
 Operational Efficiency and Systems Effectiveness

FUNDING REQUIRED: Yes No

N/A

RECOMMENDED COURSE OF ACTION/MOTION REQUESTED:

I move to approve the recommendation of the administration for revision of the Lead Building Manager job description as reflected on the attached sheet.

APPROVED BY: Brett Ridgway, Chief Business Officer **DATE:** October 21, 2011

FALCON SCHOOL DISTRICT 49
JOB DESCRIPTION

Job Title: Lead Building /Safety Manager
Revised Date: November 10, 2011
Reviewed:
Work Year: 261 days
Division: Facilities
Department: Facilities Management
Reports to: Director, Facilities Management
Salary Range: \$48,488-\$66,671

SUMMARY:

Responsible for managing the custodial support and safety for all physical school buildings/plants to ensure all facilities are in a condition of operating cleanliness and safety so that the education staff, students and community may use the facility at all times. Manages and investigates all environmental issues in district. Develops and implements procedures and plans for the storage, control, and disposal of hazardous materials (including asbestos, PCBS, mercury, chemicals, and other hazardous materials) in accordance with Local, State, and Federal regulations. Conduct safety trainings and monitor and upkeep training records. Develop training schedules to insure all trainings are up to date and current.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

The Following statement of duties, responsibilities, frequency, and percentages are intended to describe the general nature and level of work being performed by individuals assigned to this position. These statements are not intended to be an exhaustive list of all duties and responsibilities required of all personnel within this position. Actual duties, responsibilities, frequency, and percentages may vary depending upon building assignments and other factors.

- Recruits, screens, and recommends personnel for employment through the Director of Facilities and human resources.
- Coordinates in service training and staff development for building managers, building technicians, and rovers.
- Provides cooperative input on written evaluations as requested by principals, following District guidelines, for all building manager, building technicians.
- Conducts regular inspections of all buildings, and confers with building principals and building managers regarding problems and concerns of building cleanliness.
- Contributes to all counseling and plan of improvement programs with regard to improving employee performance. Also handles all disciplinary actions as requested by building principals.
- Attends district staff meetings, board meetings and pertinent staff development in service training.

- Responsible for the administration of the district custodial supply and equipment budget.
- Recommends selection of the custodial supplies and equipment to be used.
- Prepares bid specifications for all items relating to cleaning supplies and equipment.
- Organize and schedule all cleaning services pertaining to the overall appearance of each site with recommendations from building principals. Evaluates the daily performance of these services.
- Assures the district facilities are in compliance with state and local code and regulatory agencies and communicates non compliance/compliance to building principals.
- Maintains and ensures buildings are in a safe physical state.
- Maintain on site chemical inventory annually.
- Responds to all environmental calls and is first response to all environmental emergencies. Provides initial investigation into all environmental problems and issues. Coordinates repairs or clean up in accordance with local, state and federal rules and regulations.
- Coordinates the annual required fire extinguisher inspections.
- Inspects and evaluates district facilities for the presence of hazardous materials. Takes material samples following inspects and evaluates district facilities for the presence of hazardous materials. Takes material samples following AHERA/EPA procedures. Updates and develops asbestos management plans per State regulations. Performs 6 month and 3 year inspections on all sites. Enforces management plan including continued monitoring of changing conditions.
- Develops, implements, and maintains computer database of hazardous materials in the district. Develops and implements district chemical hygiene plan. Work with school administrators and department heads to develop and implement chemical storage and emergency response plans at each building in accordance with Local State and Federal laws.
- Perform other duties as assigned by the Director.

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

EDUCATION AND TRAINING:

High School Diploma
Asbestos management plan certification

EXPERIENCE:

Over three years and up to and including five years of experience in building housekeeping, minor maintenance, onsite supervision, leadership and budgeting.

SKILLS, KNOWLEDGE, EQUIPMENT AND OTHER:

Oral and written communication skills, decision making, organizational, supervisory, management and analytical skills. Basic knowledge of building maintenance, materials, hardware and equipment. Basic knowledge of mechanical systems (electrical, plumbing, HVAC) grounds (maintenance, care and equipment), custodial operations (equipment, products and standards), budgeting and building codes, curriculum, policy and procedures, accounting, interpersonal relations, evaluation, negotiation and technology.

CERTIFICATES, LICENSES, & REGISTRATIONS:

Hold a valid Colorado driver license. Employee will be required to drive one or more district vehicles. Employee must maintain a driving record that meets the standards of the district insurance policy.

SUPERVISION/TECHNICAL RESPONSIBILITY:

Assist with supervision of custodial staff as requested by building principal. Carries out supervisory responsibilities in accordance with the organizations' policies and applicable laws. Responsibilities include training employees; assist in transferring employees, addressing complaints and resolving problems.

BUDGET AND /OR RESOURCE RESPONSIBILITY:

Responsible for developing, administering, monitoring and coordinating the assigned budgets and initiating requisitions. The physical demands, work environment factors, and mental functions described below are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

PHYSICAL DEMANDS:

While performing the duties of this job, the employee is frequently required to talk or hear. The employee is occasionally required to stand; walk or sit. The employee is required to occasionally climb ladders in excess of 25 feet. The employee must occasionally lift and/or move up to 25 pounds. There are no specific vision abilities required by this job.

WORK ENVIRONMENT:

While performing the duties of this job, the employee is occasionally exposed to fumes or airborne particles; toxic or caustic chemicals; outdoor weather conditions; extreme cold; extreme heat; and risk of electrical shock. The noise level in the work environment is usually quiet.

4.06

Approval of
MINUTES
SPECIAL BOARD OF EDUCATION
MEETING
October 27, 2011

Board Update
5.00

Open Forum
6.00

Action Items
7.00



BOARD OF EDUCATION WORK SESSION AGENDA 7.01

BOARD MEETING OF: November 10, 2011

PREPARED BY: Loretta Branham, BOE Executive Assistant

TITLE OF AGENDA ITEM: Revision of Board of Education Policies
ACA-E Nondiscrimination on the Basis of Sex, ACE-E Nondiscrimination on Basis of Disability, ACE-R Nondiscrimination on Basis of Disability, EBAB Hazardous Materials, EBCE School Closings and Cancelations, GDBA-R Educational Support Staff Salary Schedules, GDD Educational Support Staff Vacations and Holidays, GDE/GDF Educational Support Staff Recruiting/Hiring, GDEA Posting and Advertising of Educational Support Staff Vacancies, GDG part-time and Substitute Educational Support Staff Employment, GDJ-R Educational Support Staff Transfer and Vacancy Procedure, GDK Educational Support Staff Schedules and Calendars, GDM Educational Support Staff Career Development, GDQA-R Educational Support Staff Reduction in Force, GDQB Resignation of Educational Support Staff GDQCA-R Educational Support Staff Transitional Retirement Plan, IGD Curriculum Adoption, IHBAA-R Response to Intervention, JBA Nondiscrimination on the Basis of Sex, JRCA Sharing of Student Records/Information Between School District and State Agencies, KD Public Information and Communication

ACTION/INFORMATION/DISCUSSION: Action

BACKGROUND INFORMATION, DESCRIPTION OF THE NEED:

- The only revisions to these policies are the titles of the administrators referred to in the policy.

RATIONALE:

- These changes align with the innovation plan approved by the Board of Education

RELEVANT DATA AND EXPECTED OUTCOMES:

RELATIONSHIP TO THE VISION/MISSION OF THE DISTRICT GOALS ADDRESSED:

Student Achievement and Performance Staff Empowerment and Support
 Parent/Community Engagement Social and Ethical Responsibility
 Operational Efficiency and Systems Effectiveness

COST OR COST ESTIMATION: No additional cost

MOTION REQUESTED:

I move to approve the revisions to the listed Board of Education Policies as recommended by the administration.

APPROVED BY: Becky Carter, Chief Education Officer

DATE: October 28, 2011

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

The Title IX compliance officer for Falcon School District #49 is:

Don Beiger

Executive Officer of Education Services

Falcon School District #49 Administration Office

10850 Woodmen Road

Falcon, CO 80831

Phone (719) 495-~~11323601~~

Adopted: May 19, 1994.

Revised: August 17, 1995.

Revised: August 1, 1996.

Revised: August 21, 1997.

Revised: August 13, 1998.

Revised:

Nondiscrimination on the Basis of Disability

The Section 504 and ADA compliance officer for Falcon School District #49 is:

~~Don Beiger~~~~Mark McPherson~~
~~Executive Officer of Education Services~~~~Director of Human Resources~~
Falcon School District #49 Education Service Center
10850 Woodmen Road
Falcon, CO 80831

Phone: (719) 495-11~~3203~~

Adopted: May 19, 1994.
Revised: August 17, 1995.
Revised: August 1, 1996.
Revised: August 21, 1997.
Revised: August 13, 1998.
Revised: July 8, 2010.

Revised:

**Nondiscrimination on the Basis of Disability
(Complaint Process)**

All students, employees and members of the public shall have a ready means of resolving any claims of discrimination on the basis of disability in the District's programs or activities. Persons may file a complaint of discrimination on the basis of disability in accordance with this procedure or may file a complaint in accordance with the District's nondiscrimination/equal opportunity complaint process. See AC-R.

A complaint may also be filed with the United States Department of Education, Office for Civil Rights ("OCR") at any time before or during the District's complaint procedures. Contact information for the regional OCR office is: The Office for Civil Rights, U.S. Department of Education, 1244 Speer Boulevard, Suite 310, Denver, Colorado, 80204-3582.

If a student, employee or member of the public believes that there has been a violation of Section 504 or the ADA, he or she shall mail or deliver to the Section 504 and ADA Compliance Officer ("compliance officer") a written statement setting out the alleged violations in specific terms, describing the incident or activity, the individuals involved, and the dates, times and locations.

The compliance officer shall conduct an investigation as necessary to determine the facts involved and shall provide the individual filing the written statement with an opportunity to discuss the matter personally, if requested. The compliance officer shall report to the ~~Chief Education Officer Deputy Superintendent~~ his or her findings and recommendations regarding resolution of the matter. Within ten (10) school days of receiving the findings and recommendation from the compliance officer, the ~~Chief Education Officer Deputy Superintendent~~ or designee shall determine any sanctions or other action deemed appropriate, including recommendations to the Board for disciplinary or other action.

If the student, employee or member of the public is not satisfied with the handling of the matter by the ~~Chief Education Officer Deputy Superintendent~~, he or she may appear before the Board of Education and present the matter directly to the Board. Any action taken by the Board shall be final.

Approved: May 12, 2011.

Revised:

Hazardous Materials

The Board of Education recognizes its responsibility for providing an environment which is reasonably secure from known hazards. There are many areas of the school operation, from science laboratories and art departments to custodial services and vehicle maintenance, which use a variety of materials that are hazardous.

Environmental and Safety

The Chief Education Officer ~~superintendent~~ shall appoint an environmental and safety coordinator (hereinafter the "coordinator") who shall: (1) be responsible for the District's compliance with federal, state and local laws concerning hazardous substances; (2) be responsible for the District's compliance with the Falcon School District 49 Crisis Response and Management Manual as it relates to hazardous substances; (3) be responsible for the education and training of District employees and students to ensure compliance with federal, state and local laws concerning hazardous substances, and to ensure compliance with the Crisis Response and Management Manual as it relates to hazardous substances; and (4) serve as the District's liaison with federal, state and local regulators in matters concerning hazardous substance.

Hazardous materials include any substance or mixture of substances that poses a fire, explosive, reactive, or health hazard as more fully defined by law.

The Chief Education Officer ~~superintendent~~ or designee shall cause to be created procedures which address the purchase, storage, handling, transportation, and disposal of hazardous materials for all school facilities and operations, including instructional areas. Emergency response actions and evacuation plans also shall be coordinated with the procedures.

The procedures shall comply with all local, state, and federal laws and regulations which pertain to the safe and proper storage, transportation, and disposal of hazardous materials.

The goal of the procedures shall be to set into place an ongoing process by which each location in the ~~d~~District must maintain a program of identifying and managing potentially hazardous materials. District personnel shall be encouraged to make less dangerous substitutions for hazardous substances to the extent possible and to minimize the quantities of such substances stored on school property.

Appropriate school personnel shall be trained to take precautions to prevent accidents and to handle them in the event they do occur.

It is not the intent of the Board to expand or modify the eDistrict's potential liability exposure through the adoption of this policy. The eDistrict's voluntary compliance with any statute or regulation to which it is not otherwise subject shall not be construed to create or assume any potential liability under any local, state, or federal law or regulation.

Adopted: May 18, 1989.

Revised: February 4, 1999.

Revised: March 11, 2010.

Revised:

LEGAL REFS.: 42 U.S.C. §6901 (1982 & Supp. III 1985) (*Resource Conservation and Recovery Act [RCRA] and accompanying regulations*)
42 U.S.C. §9601 (1982 & Supp. IV 1986) (*Comprehensive Environmental Response Compensation and Liability Act [CERCLA] and accompanying regulations*)
49 U.S.C. 1801 (*Hazardous Materials Transportation Act*)
C.R.S. 13-21-108.5 (*persons rendering assistance relating to discharge of hazardous materials immune from civil liability*)
C. R. S. 24-10-106.5 (*duty of care in Colorado Governmental Immunity Act*)
C.R.S. 25-15-101 *et seq.* (*State Hazardous Waste Management Program*)
C.R.S. 29-22-101 *et seq.* (*Hazardous Substance Incidents*)
C.R.S. 42-4-228 (*vehicles transporting explosive or hazardous materials*)
C.R.S. 42-4-234 (3)
C.R.S. 43-6-101 *et seq.* (*Hazardous Materials Transportation Act of 1987*)
6 CCR 1007-3, Part 261 (*identification and listing of hazardous waste*)
8 CCR 1507-1 (*operation of commercial vehicles and transportation of hazardous materials*)

NOTE: Applicable local fire codes will be adhered to at all times.

School Closings and Cancellations

The ~~Chief Education Officer Superintendent~~ or designee is empowered to close the schools, to delay their start, or to dismiss them early in event of hazardous weather or other emergencies which threaten the safety, health, or welfare of students or staff members. It is understood that the ~~Chief Education Officer Superintendent~~ will take such action only after consultation with appropriate authorities.

Parents, students, and staff members shall be informed early in each school year as to how they shall be notified in event of emergency closings, delays, or early dismissals.

Education Service Center administrators, grounds department employees and building managers are required to report to work as soon as possible on emergency days.

Adopted: November 3, 1977.

Revised: February 12, 1990.

Revised: October 7, 1993.

Revised: March 4, 1999.

Revised: May 13, 2010.

Revised:

LEGAL REFS.: C.R.S. 22-32-109 (1)(n) (*Board of education-specific duties*)

C.R.S. 22-33-104 (1) (*Organization of board of education*)

CROSS REFS.: IC/ICA, School Year/School Calendar

JLIB, Student Dismissal Precautions

Educational Support Staff Salary Schedules

After the Board of Education adopts salary schedules, the Human Resources Department will prepare notification of salary for the following school year.

Initial salary placement

Employees new to the District will be placed on an appropriate salary schedule which corresponds to their job assignment. New employees will have their work history reviewed, and credit for years of experience in a like work experience may be granted up to the same limit as a licensed employee.

Salary movement

Continuing employees: based on supervisor recommendation, continuing employees will be advanced a horizontal step for positive job performance.

Request for review: any employee, new or continuing, has the right to request a review of their salary placement or movement on the salary schedule one time.

Transfer: an employee that transfers will be allowed to take all years of experience in the District to the new position for salary placement.

Eligibility for salary advancement

Employees must be on the job prior to April 1st annually to receive consideration for a step increase.

Overtime

1. *Exempt employees* normally are excluded from supplementary pay plans. Generally speaking, executive supervisors, administrators, and certificated employees are considered exempt and not eligible for overtime pay.
2. *Nonexempt employees* are staff members, other than certificated or administrative employees, who are eligible for overtime pay.
3. *Overtime* is all hours worked by non-administrative support staff in excess of 40 hours per week.
4. *Work week* for the school District begins at 12:01 a.m. Sunday and continues through 12 midnight the following Saturday.
5. *Work time* is all approved hours spent performing work on behalf of the District.

6. *Holidays* are those days granted by the Board of Education for 12-month employees.

Basic overtime rate

1. Overtime will be paid at a rate equal to one and one-half times the hourly rate.
2. Nonexempt employees who are authorized to work on a Board-approved holiday will be paid their regular pay for the holiday plus one and one-half times the hourly rate for the hours worked.

Responsibility

1. The Chief Education Officer Superintendent or ~~his~~ designee will be responsible for determining the exempt or nonexempt status of each position in the District.
2. Overtime will be determined by the administrator with budgetary responsibilities. Administrators designated by the Chief Education Officer Superintendent or ~~his~~ designee will be authorized to approve overtime in their areas of responsibility within the limitation of available funds. The Board must approve expenditures which exceed the current budgetary allocation.

Adopted: April 18, 1985.

Revised: June 2, 1988.

Reviewed: May 11, 2000.

Revised: December 13, 2001.

Revised: November 11, 2010.

Revised:

Educational Support Staff Vacations and Holidays

Vacations

Support personnel who are regular full-time 12-month salaried employees shall be entitled to accrue the following number of vacation days per year:

Employment from time of hire to end of first fiscal year.... 5/6 vacation day per month.
Employed full time, one to three years 10 vacation day
Employed full time, more than three years 15 vacation days
Employed full time, more than ten years 20 vacation days

The accrual rate shall be 5/6 days per month for employees with from one to three years of service; 1 1/4 days per month for employees with from three to ten years of service, and 1 2/3 days per month for those with more than ten years of service.

Vacation days accumulated during a fiscal year must be used by June 30 of the following year.

All vacation days shall require the preapproval of the Chief Education Officer superintendent or ~~his/her~~ designee and shall be taken in no less than one-half day increments.

At the time of separation of employment, an employee qualified for vacation days shall be reimbursed for any unused accrued vacation days at his/her regular daily rate. At the time of separation of employment; vacation days not earned will be deducted from his/her final pay.

Transfer credit

For the purpose of vacation day computation, nine-month and ten-month regular school employees who transfer or are reassigned to a twelve-month regular full-time position will be given credit for the months and years of service to the ~~e~~District on a month-for-month basis.

Holidays

Fifteen Board-approved holidays for regular salaried 12-month employees shall be approved with the adoption of the school year calendar.

Adopted: April 21, 1977.
Revised: August 17, 1978.
Revised: October 5, 1978.

Revised: April 18, 1985.

Revised: March 20, 1986.

Revised: June 2, 1988.

Revised to conform with practice: date of manual revision.

Revised: April 21, 1994.

Revised: April 6, 1995.

Reviewed: May 11, 2000.

Revised: May 28, 2008.

Revised: January 14, 2010

Revised:

LEGAL REFS.: C.R.S. 22-1-112 (*school year – national holidays*)

Educational Support Staff Recruiting/Hiring

The Board of Education shall establish and budget for support positions in the District on the basis of need and the financial resources of the District.

The recruitment and selection of candidates for these positions shall be the responsibility of the Chief Education Officer Superintendent or designee who shall confer with principals and other supervisory personnel in making a selection. Only qualified paraprofessionals, as defined by the No Child Left Behind Act of 2001, shall be hired. All vacancies shall be made known to the present staff. All qualified staff members may submit an application.

Prior to hiring any person, in accordance with state law the District shall conduct background checks with the Colorado Department of Education and previous employers regarding the applicant's fitness for employment. In all cases where credit reports are used in the hiring process the District shall comply with the Fair Credit Reporting Act.

All applicants recommended for a position in the District shall submit a set of fingerprints and a form with information about felony or misdemeanor convictions as required by law. (This requirement shall not apply to any student under the age of 18 currently enrolled in the District applying for a job.) Applicants may be conditionally employed prior to receiving the fingerprint results.

The Board shall officially appoint all employees upon the Chief Education Officer's Superintendent's recommendation; however, temporary appointments may be made pending Board action.

Adopted: April 21, 1977.

Revised: August 17, 1978.

Revised: April 18, 1985.

Revised: November 11, 1991.

Revised to conform with practice: date of manual revision.

Revised: August 4, 1994.

Reviewed: May 11, 2000.

Revised: December 9, 2010.

Revised:

LEGAL REFS.: 15 U.S.C. 1681 et seq. (*Fair Credit Reporting Act*)

20 U.S.C. 6319 (*paraprofessional requirements under No Child Left Behind Act of 2001*)

42 U.S.C. 653 (a) (*Personal Responsibility and Work Opportunity Reconciliation Act*)

34 C.F.R. 200.58, 200.59 (*federal regulations regarding paraprofessional qualifications*)

C.R.S. [13-80-103.9](#) (*liability for failure to perform an education employment required background check*)

C.R.S. [14-14-111.5](#) (*Child Support Enforcement procedures*)

C.R.S. [22-2-119](#) (*duty to make inquiries prior to hiring*)

C.R.S. [22-32-109](#)(1)(f) (*Board duty to employ personnel*)
C.R.S. [22-32-109.7](#) (*duty to make inquiries prior to hiring*)
C.R.S. [22-32-109.8](#) (*fingerprinting requirements for non-licensed positions*)
C.R.S. [24-5-101](#) (*effect of criminal conviction on employment*)
C.R.S. [24-34-402](#) (1) (*discriminatory and unfair employment practices*)
CROSS REFS.: [GBA](#), (*Open Hiring/Equal Employment Opportunity*)
[GDA](#), (*Support Staff Positions*)

CROSS REFS.: GDEA, Posting and Advertising of Support Staff Vacancies
GDJ, Support Staff Assignments and Transfers

Posting and Advertising of Educational Support Staff Vacancies

Vacancies occur when a position established by the Board of Education is not currently filled, when a new position is created or when a support employee vacates an existing position.

The Human Resources Office ~~personnel director~~ shall post and date notices of all support staff vacancies in the online application system. All notices shall be posted for a period of at least (ten) 10 working days. Exceptions may be approved by the Chief Education Officer. ~~Superintendent~~.

All postings shall indicate the position, qualifications, and closing date for submitting applications to the ~~personnel~~ Human Resources Office ~~department~~.

Adopted: April 21, 1977.

Revised: August 17, 1978.

Revised: April 18, 1991.

Revised to conform with practice: date of manual revision.

Reviewed: May 11, 2000.

Revised: January 13, 2011.

Revised:

CROSS REFS.: GDJ, Support Staff Assignments and Transfers

Part-Time and Substitute Educational Support Staff Employment

The Board of Education shall maintain an authorized list of personnel to be used for substitute or part-time employment. The Board authorizes the Chief Education Officer or designee Superintendent to notify and direct persons on the list to perform such service for the District as may be required on a temporary basis. The Board authorizes principals to notify and direct persons on the list to perform as substitute teachers on a temporary basis as needed.

The Board shall approve such action at the next regular meeting. Authorization by the Board to pay personnel performing services on a temporary basis shall constitute employment by the Board for services provided during the period of time covered by such payment.

Such payment shall not constitute any assurance or offer of continuing employment without specific Board action.

Prior to adding a person's name to the list, a background check shall be carried out in accordance with state law. Part-time and substitute personnel also shall submit a set of fingerprints and a form with information about felony or misdemeanor convictions. Persons failing to provide this information shall not be added to the authorized list.

Every person placed on the authorized list shall be given a copy of this policy prior to performing services pursuant to this policy.

Adopted: April 18, 1985.

Revised to conform with practice: date of manual revision.

Revised: August 4, 1994.

Reviewed: May 11, 2000.

Revised: January 13, 2011.

Revised:

LEGAL REFS.: C.R.S. 22-32-109.7 (Board of education-specific duties-employment of personnel)

C.R.S. 22-32-109.8 (Applicants selected for nonlicensed positions-
submittal of form and fingerprints-prohibition against employing persons
failing to comply-department database)

CROSS REF.: GDE/GDF, Support Staff Recruiting/Hiring

NOTE: regarding the requirement that an applicant submit a notarized, completed form about his or her criminal history, state law defines “convicted” as: “(A) conviction by a jury or by a court and shall also include the forfeiture of any bail, bond, or other security deposited to secure appearance by a person charged with a felony or misdemeanor, the payment of a fine, a guilty plea accepted by a court, a plea of non contendere, and the imposition of a deferred sentence or suspended sentence by the court.” C.R.S. 22-32-109.8(8)(a). Any district form used to certify an applicant’s criminal history shall reflect this board definition of convicted” to ensure that applicants disclose the legally required information.

Educational Support Staff Transfer and Vacancy Procedure

Vacancies

Vacancies occur when:

- a. A support employee vacates an existing position in the District (other than exchanges).
- b. A new position is created.

Transfers

A transfer is any change in job assignment, either within a department or between departments and/or buildings. Requests for transfer will be made at the time a vacancy is declared. A support employee must be employed in a position for a minimum of ninety (90) calendar days prior to requesting a transfer.

- a. Within department - Prior to a vacancy being posted, a director and/or supervisor may move people to positions within the department
 - b. Voluntary assignment – Any re-assignment of a support employee which meets with the approval of both the director and/or supervisor and employee.
 - c. Involuntary assignment – Any other re-assignment which occurs due to program needs. Prior to re-assignment, a meeting will be held with the director and/or supervisor and the affected support employee. At this meeting, the support employee may request a representative be present.
 - 1) Involuntary assignments shall not be used by any director and/or supervisor for punitive or disciplinary action.
 - 2) Involuntary assignments shall be active for a period not to exceed one year, by which time a second meeting will be held to determine whether the re-assignment will be continued.
2. Between departments – Once a vacancy has been posted, support employees may request a transfer or be assigned to a position based on program needs.
- a. Voluntary transfer – A support employee may request a transfer to another department.
 - 1) All requests for transfer will be submitted online.
 - 2) Requests for transfer will be kept confidential until which time it becomes necessary to obtain essential information. It is not required

that a support employee inform his/her current supervisor or director of his/her request for transfer.

- 3) A minimum of three (3) employee applicants will be guaranteed an interview. If there are more than three (3) qualified in-district transfer applicants, a paper screening will determine which in-district candidates will be interviewed.
 - 4) Notification about the transfer request will be made by the receiving director and/or supervisor. This notification will occur whether selected for the position or not.
- b. Involuntary transfer – A support employee may be re-assigned to a different department based on program needs.
- 1) When a support employee is being considered for an involuntary transfer, the Chief Education Officer or superintendent/designee will inform the employee, in writing, as soon as possible.
 - 2) Prior to re-assignment, a meeting will be held with the Chief Education Officer or superintendent/designee, current supervisor, receiving supervisor, and the affected employee. At this meeting, the support employee may request a representative be present.
 - 3) Involuntary transfers must meet job requirements of the position being transferred to.
 - 4) Involuntarily transfers shall not be used by any director and/or supervisor for punitive or disciplinary action.
3. Employee exchange – If two (2) support employees wish to change in-building or in-department, they may propose the exchange to their director and/or supervisor affected by the exchange. If all parties agree and job qualifications are met, the director and/or supervisor may submit the exchange to the personnel director for presentation to the Board of Education for action. This exchange will be temporary for a period of one (1) year. At the end of that year, all parties will review the exchange. If any party wishes to discontinue the exchange, both support employees will return to their original assignment. If all parties are satisfied at the end of the year, the exchange will become permanent.

Adopted: February 4, 1993.

Reviewed: May 11, 2000.

Revised: June 17, 2009.

Revised: January 13, 2011.

Revised:

Educational Support Staff Schedules and Calendars

The standard work day for full time support staff members shall be eight hours and the work week forty (40) hours.

The work year for all but twelve (12)-month employees shall be determined by the job classification as approved by the Chief Education Officer Superintendent or designee. The work year for twelve (12)-month employees shall be determined by the official calendar adopted by the Board of Education. If the Board declares a fiscal emergency during a budget year as allowed by state law, it may alter the work year of all employees.

Each job description shall specify the work year, and days for each regular full-time position.

Adopted: April 21, 1977.

Revised: April 18, 1985.

Revised: June 2, 1988.

Revised to conform with practice: date of manual revision.

Reviewed: May 11, 2000.

Revised: November 11, 2010.

Revised:

Educational Support Staff Career Development

Support staff members are an integral part of the District's total staff. Their training and development are essential to the efficient and economical operation of the schools.

Therefore, all support staff members shall be encouraged to grow in job skills and to take additional training that will improve their skills on the job. It shall be the responsibility of each principal to assist to the maximum degree in the training of custodians, clerks, and other support employees assigned to their buildings. The dates of all in-service programs shall be included in the district or individual school calendar.

Absences to attend meetings, conventions, conferences, or workshops of local, state, or national associations which serve to advance the welfare of the District through the upgrading and strengthening of the support staff may be granted by the Chief Education Officer ~~Superintendent~~ or designee without loss of pay to the employee.

Adopted: August 4, 1994.

Reviewed: May 11, 2000.

Revised: November 11, 2010.

Revised:

LEGAL REFS.: C.R.S. 22-32-109(1)(n)(II)(B) (*Board of education-specific duties*)

C.R.S. 22-32-110 (1)(k) (*Board of education-specific powers*)

CROSS REF.: IC/ICA, School Year/School Calendar

Education Support Personnel Reduction in Force

Definitions

1. *At-will employment* means that in the absence of special consideration or an express stipulation as to the duration of employment, an indefinite hiring is terminable at will. And unless circumstances indicate otherwise, a contract that sets forth an annual salary rate but states no definite term of employment is considered to be indefinite employment, terminable at will.
2. *Cancellation of employment* means the termination of employment of an employee when there is a justifiable reduction in the number of positions in the ~~school-d~~District by reasons of fiscal constraints or program change.
3. *Fiscal constraints* means any significant decline in the Board of Education's ability to fund the operations of the ~~e~~District resulting from a decline in enrollment or other action or events that cause an effective reduction in the ~~e~~District's current general fund budget.
4. *Program change* means any elimination, curtailment, or reorganization of curriculum, program, or school operation, or a reorganization or consolidation of two or more individual schools. A program change need not be caused by fiscal constraints.

Board of Education's preliminary determination and statement

If the Board decides that a state of ~~Exigency emergency fiscal constraint~~ exists or is imminent or a program change has occurred or should seriously be considered and cancellation of employment of one or more employees may be required because of either circumstance, it shall prepare a statement that identifies with reasonable particularity the state of fiscal constraint or the program change. This statement shall be transmitted to the ~~Chief Education Officer Superintendent of schools~~ and ~~school-d~~District employees.

Chief Education Officer's Superintendent's action

Within twenty (20) days after receiving the statement from the Board, the ~~Chief Education Officer Superintendent~~ shall submit to the Board recommendations for canceling the employment of particular employees. In making this recommendation, the ~~Chief Education Officer Superintendent~~ shall not be limited to considering only the employees in the areas or program designated by the Board in its initial statement.

In the event that a reduction in the number of positions is necessary, the Board shall provide thirty (30) days written notice to the affected ESP employees. During the lead time, employees will perform his/her duties as usual. Failure to do so will result in immediate dismissal.

The Chief Education Officer and designee Superintendent may consider the following factors in recommending an employee for cancellation of employment.

1. The needs of the district
2. The needs of the department
3. Length of service.
4. Job performance as demonstrated by evaluations
5. Education

Normal attrition shall be considered prior to any staff reductions.

Performance may be considered in determining staff reductions or which ESP positions shall be eliminated; seniority does not guarantee that an individual will retain his or her position.

Nothing in this policy shall be construed to imply in any manner the establishment of any property rights, rights to due process of law or expectancy or entitlement not explicitly established by statute or Board Policy. Neither shall anything in this policy be construed to establish any condition prerequisite relative to non-renewal of employment, transfer, assignment, dismissal or any other employment decision relating to Education Support Personnel.

Nothing in this policy or any verbal statements by representatives of the District shall constitute an expressed or implied contract of employment.

Adopted: February 11, 2010.

Revised:

Resignation of Educational Support Staff

In those cases where a ~~classified support~~ employee submits a voluntary resignation, he shall be required to give two (2) weeks' written notice. Failure to comply with this requirement may result in forfeiture of any termination benefits. Exceptions may be granted for extenuating circumstances upon application to and approval by the Chief Education Officer ~~Superintendent~~ or ~~his~~ designee. The Board delegates the authority to accept resignations to the Chief Education Officer ~~Superintendent~~.

If an employee resigns for health reasons, a doctor's letter shall be required stating that the reason for quitting is due to a health problem.

If an employee resigns as a result of an allegation of unlawful behavior involving a child, including unlawful sexual behavior which is supported by a preponderance of evidence, the Chief Education Officer or designee superintendent is delegated the responsibility for immediately notifying the Colorado Department of Education (CDE) and for providing any information requested by the department concerning the circumstances of the resignation. The ~~e~~District also shall notify the employee that information concerning his resignation is being forwarded to CDE unless such notice would conflict with the confidentiality requirements of the Child Protection Act.

Adopted: August 4, 1993. *(note: there was not a 8/4/93 meeting)*

Revised: August 4, 1994.

Reviewed: May 11, 2000.

Revised: March 11, 2010.

Revised:

LEGAL REFS.: C.R.S. 19-3-301 *et seq.* (Child Protection Act of 1987)

C.R.S. 22-32-109.7 (Board of Education – specific duties – employment of personnel)

Educational Support Staff Transitional Retirement Plan

The following are the guidelines that will govern the transitional retirement plan offered by Falcon School District. In addition to District guidelines, PERA regulations will also need to be followed.

1. Any individual retiring from the District and taking PERA benefits must allow for one (1) month separation from actual work. This PERA rule is supported by a financial penalty of 5% of the benefit for each day worked.
2. An employee must submit a letter of application to the human resources office at least sixty (60) days prior to the actual retirement date.
3. The Board of Education shall give final approval to determine which employees are selected for participation. Consideration for participation will include the needs of the District, past performance of the employee, and the recommendation of their immediate supervisor and the Chief Education Officer, Superintendent.

If an individual is approved:

1. Participants in a transitional retirement plan will receive a salary commensurate with their last placement. No raise will be granted to individuals approved for the plan.
2. The District will not provide any insurance benefits.
3. The District will not make any PERA contributions on behalf of the employee.
4. Participants in a transitional retirement plan shall not be provided with any paid holidays, paid vacations, catastrophic leave bank or leaves.

Adopted: June 27, 2001.

Revised: December 9, 2010.

Revised:

Curriculum Adoption

The Board of Education is required by state law to determine the educational programs to be carried on in the schools of the district. The curriculum shall be aligned with the Board-adopted content standards to ensure that each student will have the educational experiences needed to achieve the relevant standards.

Accordingly, after planning by the faculty and with the approval of the administration, all new programs and courses of study as well as the elimination and extensive alteration of the content of current programs and courses shall be presented by the superintendent to the Board for its consideration and action.

Generally, new courses will be introduced on a trial basis and will be evaluated at least annually by the principal, Innovation Leaders, Chief Education Officers~~superintendent~~, or designee. When the administration feels that a trial course should become a regular part of the curriculum, such a recommendation will be presented by the Chief Education Officer ~~superintendent~~ to the Board for approval.

Current practice codified: 1992.

Adopted: date of manual revision.

Revised: September 2, 1999.

Reviewed: January 14, 2010.

Revised:

LEGAL REF.: C.R.S. 22-7-407 (*Adoption of content standards by districts*)
C.R.S. 22-32-109 (1)(t) (*Board of education – specific duties*)

CROSS REFS.: AEA, Standards Based Education
IA, Instructional Goals and Learning Objectives

Response to Intervention (Rtl)

These regulations specify the conditions and procedures which the District may implement the Rtl Framework Components.

Implementation

Response to Intervention (Rtl) provides a seamless system of interventions and resources which allows students to make significant progress, whether they are at risk of failure or gifted and talented and not meeting their full potential. Within this context, all schools should document and demonstrate the implementation of the following Rtl Framework Components:

- curriculum and Instruction
- assessment and use of Data
- standards protocol and problem solving process
- school climate and culture
- leadership
- family and community engagement.

For full implementation of Rtl, schools:

- will develop a documented method for educating parents about the Rtl Framework.
- are expected to continually re-educate the school community about Rtl and what the process means to students and the community.
- will strive to collaborate with parents in every phase of the Problem Solving Team Process, provide written notification of meetings, encourage active participation at meetings, and provide follow-up and data on progress throughout Tier I Universal, Tier II Strategic and Tier III Intensive interventions.
(See Policy Exhibit 1.)

District-wide implementation and sustainment of the Rtl Framework will be coordinated ~~through the Learning Services Department. This department will work closely~~ with other District departments and agencies responsible for special education, gifted and talented, and Title I services to ensure seamless integration of intervention support. In order to obtain full implementation at all school sites, all components will be documented and demonstrated on an assessment rubric

~~through the RtI/PBS Office,~~ which will identify each school with a rating of ~~a~~Adoption Readiness, Initial Implementation, Best Practice or Exemplar status. Schools must provide evidence of research-based intervention as it relates to student outcomes.

Learning Services in conjunction with Special Education will be the departments primarily responsible for the development and implementation of the required implementation plan, as defined by the Colorado Rules for the Administration of Exceptional Children's Act. The plan will describe how the revised SLD (Specific Learning Disabilities) criteria will be implemented within the District RtI/PBS Framework.

Nothing in this regulation is intended to confer any rights on any individual that are not otherwise conferred by law.

Adopted: August 12, 1010.

Revised:

LEGAL REF.: 20 U.S.C. § 1413(f)
34 C.F.R. § 226, 300.307 (a)(2)(i), 300.311 (a)(7)
1 C.C.R. 301-8 § 2.08(6)(b)(ii)
C.R.S. § 22-26-101-108

REFS.: Response to Intervention (RtI), A Practitioners Guide to Implementation, CDE, 2008 or as revised

CROSS REF.: IHBA Special Programs
IHBAA Response to Intervention (RtI)
IHBAA Exhibit 1 District 49 Multi-Tiered Model of Instruction and Intervention
IHBB Gifted and Talented
IHBEA English Second Language
IKE Ensuring All Students Meet Standards

Nondiscrimination on the Basis of Sex

(Compliance with Title IX)

1. Designation of responsible employee

The Board of Education shall designate an individual as the responsible employee to coordinate District compliance with Title IX.

The designee, the District's Title IX compliance officer, shall be responsible for continuing surveillance of District educational programs and activities with regard to compliance with Title IX and its administrative regulations, including the development of all necessary procedures and regulations.

The Title IX compliance officer shall annually notify all students of the District regarding the District's policy and grievance procedure and of his or her name or title, office, address and telephone number. Notification shall be by posting and/or other means sufficient to reasonably advise all students.

2. Grievance procedure

All students shall have a ready means of resolving any claim of discrimination on the basis of sex in the educational programs or activities of the District. The complaint and compliance process is set forth in AC-R. All complaints regarding sexual discrimination and/or harassment shall be filed with the Title IX compliance officer. See **JBA-E**.

A complaint may also be made to the Office of Civil Rights at any time before or during the District's grievance procedures at: The Office of Civil Rights, U.S. Department of Education, 1244 Speer Boulevard, Suite 310, Denver, Colorado, 80204-3582.

3. Dissemination of policy

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

Adopted: December 9, 2010.

Revised:

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

CROSS REF.: [AC](#), Nondiscrimination/Equal Opportunity

Sharing of Student Records/Information between School District and State Agencies

It is the Board of Education's intention to utilize all allowable avenues under state law to facilitate the sharing of relevant student records and information when necessary to protect the safety and welfare of District staff, visitors, students, and the public and to protect property.

The Chief Education Officer and Innovation Leaders are Superintendent is directed to develop procedures and a training program for staff consistent with this policy. The procedures shall direct District personnel to provide and obtain student records and information to/from state agencies, including law enforcement and judicial department agencies, to the extent required or allowed by state and federal law.

Sharing of information by the school district

Disciplinary and attendance information shall only be shared with a criminal justice agency investigating a criminal matter concerning a student enrolled or who will enroll in the District when necessary to effectively serve the student prior to adjudication. Such information shall only be shared upon written certification by the criminal justice agency that the information will not be disclosed to any other party, except as specifically authorized or required by law, without the prior written consent of the student's parent/guardian.

District personnel who share disciplinary and attendance information concerning a student pursuant to this policy, are immune from civil and criminal liability if they act in good faith compliance with state law.

Nothing in this policy shall prevent administrators, teachers, or staff from disclosing information derived from personal knowledge or observation and not derived from student's education records.

Information obtained from state agencies

Within the bounds of state law, District personnel shall seek to obtain such information regarding students as is required to perform their legal duties and responsibilities, including protecting public safety and safety of the student. Such information may be obtained from the judicial department or any state agency that performs duties and functions under the Colorado Children's Code.

District personnel receiving such information shall use it only in the performance of their legal duties and responsibilities and shall otherwise maintain the confidentiality of all information obtained. District personnel who knowingly

violate this provision are subject to disciplinary action pursuant to District policy and to a civil penalty of up to \$1,000.

If such information is shared with another school or district to which a student may be transferring, it shall only be shared in compliance with the requirements of federal law, including the Family Education Rights and Privacy Act of 1974 (FERPA).

When a petition is filed in juvenile court or district court that alleges a student between the ages of 12 to 18 years has committed an offense that would constitute unlawful sexual behavior or a crime of violence if committed by an adult, basic identification information, as defined in state law, along with the details of the alleged delinquent act or offense, is required by law to be provided immediately to the district in which the juvenile is enrolled.

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

Adopted: August 10, 2000.

Revised: July 8, 2010.

Revised:

LEGAL REFS.: 20 U.S.C. §1232g (*Family Educational Rights and Privacy Act*)
34 C.F.R. §99.1 *et seq.* (*Regulations*)
C.R.S. 19-1-303 and 304 (*records and information sharing under Colorado Children's Code*)
C.R.S. 19-1-304(5.5) (*duty of prosecuting attorney to provide juvenile delinquency records*)
C.R.S. 19-2-921 (7.5) (*department of human service shall notify school district if student's parole conditions require school attendance*)
C.R.S. 22-1-123 (*district shall comply with FERPA*)
C.R.S. 22-2-139(7) (*within confidentiality limits of state and federal law, information shall be shared to determine appropriate educational placement when a student is transferred to public school from day treatment facility, facility school or hospital*)
C.R.S. 22-32-109.1(6) (*duty to establish policy on sharing information consistent with state and federal law in the interest of making schools safer*)
C.R.S. 22-32-109.3(2) (*duty to share disciplinary and attendance information with criminal justice agencies*)
C.R.S. 22-33-106.5 (*court to notify of conviction of crime of violence and unlawful sexual behavior*)
C.R.S. 22-33-107.5 (*school district to notify of failure to attend school*)

C.R.S. 24-72-204(3)(e)(I) (*certain FERPA provisions enacted into Colorado Law*)

C.R.S. 24-72-204(3)(e)(II) (*disclosure by staff of information gained through personal knowledge or observation*)

CROSS REF.: JKD/JKE, Suspension/Expulsion of Students
JRA/JRC, Student Records/Release of Information on Students

NOTE: By July 1, 2011, the department of human services and the department of education shall enter into a memorandum of understanding concerning the enrollment of students in public schools from state-licensed day treatment facilities, facility schools, or hospitals which shall include a consistent and uniform approach to sharing medical, mental health, sociological and scholastic achievement data about the student within the limits of state and federal privacy and confidentiality law between school districts, charter schools, institute charter schools and county departments of social services. The purpose of sharing information is to foster collaboration in the placement of students, facilitate the creation of transition plans for these students and ensure the safety of people in the school community.

Public Information and Communications

The residents of this District are interested in their schools as an extension of their homes, an extension which exists to perform a special function in the development of their children. Therefore, the Board shall make every attempt to:

1. Keep the public informed about policies, administrative operations, and educational programs of the schools.
2. Provide the means for furnishing full and accurate information, favorable and unfavorable, together with interpretation and explanation of school plans and programs.

In meeting these goals, the Board shall place great importance upon the role of the teacher as communicator and interpreter of the school program to parents and the general public. Further, it recognizes that there are times when direct communication between school officials and the community is necessary. At such times, the Board shall encourage and provide these opportunities.

The Chief Education Officer and Innovation Leaders ~~superintendent~~ shall develop procedures and techniques for insuring a continuous and free-flowing line of communication between the staff and the District's residents.

Adopted: September 19, 1996.

Reviewed: December 10, 2009.

Revised:

LEGAL REF.: C.R.S. 22-2-117 (*Additional power-state-board-waiver of requirements-rules*)

C.R.S. 22-35-109 (*Institution of higher education-enrollment-limitations*)

CROSS REFS.: AEC, Accomplishment Reporting to Public

BEC, Executive Sessions/Open Meetings

Informational Items

8.00

- 8.01 Student Count Update
- 8.02 Student Field Trips
- 8.03 Expulsion/ Suspension Information

Discussion Items
9.00

Other Business
10.00

Adjournment
11.00



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Mission Statement

To prepare students, in a safe and caring environment, to be successful, competent and productive citizens in a global society.

AGENDA REGULAR BOARD OF EDUCATION MEETING November 10, 2011 6:30 p.m. Education Services Center – Board Room

- 1.00 Call to Order and Roll Call**
- 2.00 Welcome and Pledge of Allegiance**
- 3.00 Approval of Agenda**
- 4.00 Consent Agenda**
 - 4.01 Approval of October Monthly Financial Update
 - 4.02 Approval of Matters Relating to Administrative Personnel
 - 4.03 Approval of Matters Relating to Licensed Personnel
 - 4.04 Approval of Matters Relating to Educational Support Personnel
 - 4.05 Approval of Job Description Revision
 - 4.06 Approval of Minutes for October 27, 2011 Special BOE meeting
- 5.00 Board Update**
 - Falcon Education Foundation Mini Grants
- 6.00 Open Forum**
- 7:00 Action Items**
 - 7.01 Revision of Board of Education Policies
ACA-E Nondiscrimination on the Basis of Sex, ACE-E Nondiscrimination on Basis of Disability, ACE-R Nondiscrimination on Basis of Disability, EBAB Hazardous Materials, EBCE School Closings and Cancelations, GDBA-R Educational Support Staff Salary Schedules, GDD Educational Support Staff Vacations and Holidays, GDE/GDF Educational Support Staff Recruiting/Hiring, GDEA Posting and Advertising of Educational Support Staff Vacancies, GDG part-time and Substitute Educational Support Staff Employment, GDJ-R Educational Support Staff Transfer and Vacancy Procedure, GDK Educational Support Staff Schedules and Calendars, GDM Educational Support Staff Career Development, GDQA-R Educational Support Staff Reduction in Force, GDQB Resignation of Educational Support Staff GDQCA-R Educational Support Staff Transitional Retirement Plan, IGD Curriculum Adoption, IHBA-R Response to Intervention, JBA Nondiscrimination on the Basis of Sex, JRCA Sharing of Student Records/Information Between School District and State Agencies, KD Public Information and Communication

8:00 **Information Items**
8.01 Student Count Update
8.02 Student Field Trips
8.03 Expulsion/ Suspension Information

9.00 **Discussion Items**

10.00 **Other Business**

11.00 **Adjournment**

DATE OF POSTING: November 7, 2011

Loretta Branham, BOE Executive Assistant