



Westminster Public Schools

Where Education is Personal

**Student and Family
Rights and Responsibilities Handbook**
(Conduct Code)



English Version

BOARD OF EDUCATION

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SUPERINTENDENT'S MESSAGE



Dear Students and Parents:

Welcome to Westminster Public Schools! We are looking forward to a great 2017-2018 school year. Our goal is to provide a safe and orderly environment in order to maximize individual student performance. The policies on student conduct outlined in this handbook have been adopted for compelling reasons to keep your child safe. We want students and parents to have confidence that our schools are safe and disciplined and that the environment is one conducive to learning. Effective schools have rules and standards of behavior that are reasonable, understood by all, and consistently enforced.

Each year we update our ***Student & Family Rights and Responsibilities Handbook*** as necessary and distribute it to all students and their families. Please read this handbook carefully as it was written to help parents and students understand the rules of our District and what happens if they are broken. Included in this handbook is information on basic student and parent rights, equal educational opportunities, post-secondary enrollment options, access to student records, student discipline code and our suspension and expulsion procedures. Therefore, we strongly suggest parents take a moment with their child to review the contents of this handbook.

In addition to this publication, each school in Westminster Public Schools has their own handbook of rules that establish individual school expectations.

The two documents together establish a district ***Student Code of Conduct***. I encourage you to use both handbooks as a frame of reference to address any issues and concerns you may have with regard to your child's education.

We are honored to partner with you on your child's educational journey. Your cooperation and assistance will help us keep our commitment to provide a safe learning environment for all children in.

Sincerely,



Dr. Pamela Swanson
Superintendent of Schools

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Students have rights guaranteed by federal and state laws. Individual rights must be exercised carefully to preserve the rights of others.

- **Students are responsible for their own behavior.**
- **For any action they commit outside the boundaries of acceptable behavior, they must accept the consequences.**
- **They are protected by due process of the law, which provides them an opportunity to be heard.**

In most cases, the principal and then the Superintendent are the authorities who administer disciplinary actions. However, at any time each may appoint a designee to fulfill specific duties. The designee will follow prescribed procedures.

Throughout this handbook, the word “principal” will pertain to either the principal or the principal’s designee. The word “parent” will refer to the parent(s), guardian(s) or legal custodian(s).

NON DISCRIMINATION-EQUAL EDUCATIONAL OPPORTUNITIES (AC, AC-R, AC-E, ACE)

In compliance with; Titles VI & VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination in Employment Act of 1967; the Americans with Disabilities Act; the Genetic Information Nondiscrimination Act of 2008; and Colorado law Westminster Public Schools does not unlawfully discriminate on the basis of race, color, sex, religion, national origin, ancestry, creed, age, marital status, sexual orientation, genetic information, disability or need for special education services in admissions, access to, treatment, or employment in educational programs or activities which it operates.

COMPLAINT PROCEDURES have been established for students, parents, employees and members of the public. The following person(s) have been identified as the compliance officer for the district:

Chief Human Resources Officer
6933 Raleigh Street
Westminster, CO 80030
303-428-3511

TOBACCO FREE SCHOOLS (ADC)

To promote the general health, welfare and well-being of students and staff, smoking, chewing or any other use of any tobacco product by staff, students and members of the public is prohibited on all school property.

Possession of any tobacco product by a person under the age of 18 is also prohibited on school property.

CONCURRENT ENROLLMENT/POSTSECONDARY ENROLLMENT OPTIONS (IHEDA)

The District believes that students who are capable of and wish to pursue college level work while in high school be permitted to do so.

There is an option in state law available to high school students meeting specified criteria for post-secondary study. Any student participating in such program shall be granted a high school diploma upon evidence that he/she has completed the required academic work.

Tuition for higher education courses shall be paid by the district in accordance with the formula in law. The district shall not be responsible for the costs of transportation, room and board, fees, books, or equipment.

If a student, enrolled pursuant to the provisions of the Concurrent Enrollment Programs Act, receives an “F” or does not complete the course for any reason without consent of the principal of the high school in which such pupil is enrolled, it shall be the responsibility of the student, or such student’s parent or guardian, to reimburse the school district for the amount of tuition paid by the school district to the institution of higher education.

The Office of Learning Services through the high school principal is responsible for administering these procedures.

GRADING AND ASSESSMENT SYSTEMS (IKA)

The District recognizes the school's obligation to provide periodic reports of a student's progress. The District further recognizes that these reports are a vital form of communication between schools and parents/guardians. The District also believes that all progress reports must be based upon full information, accurately and honestly reported, with proper maintenance of confidentiality and objectivity.

The purpose of student progress reports should be to provide parents with a description of student growth, supported by evidence, and to provide feedback to students. Progress reports should communicate capabilities and knowledge of students at the beginning of the assessment period, and reflect his/her growth during that period. Records and reports of individual

students should be kept in a form that will be meaningful to parents, students and teachers.

A report depicting the student's progress shall be issued periodically, no fewer than 2 times per year, following an assessment by appropriate teachers or other professional personnel. As the District adopts electronic reporting formats parents will be provided with information as to how to access individual student reports.

EQUAL EDUCATION OPPORTUNITIES (JB)

Every student of the District shall have equal educational opportunities through programs offered in the school district regardless of race, color, ancestry, creed, sex, sexual orientation, religion, national origin, marital status, disability or need for s.

This concept of equal educational opportunity shall guide the Board and staff in making decisions related to school district facilities, selection of educational materials, equipment, curriculum and regulations affecting students. Students with identified physical and mental impairments that constitute disabilities shall be provided with a free appropriate public education, consistent with the requirements of federal and state laws and regulations.

SEXUAL HARASSMENT (JBB)

The Board of Education of the District recognizes that sexual harassment can interfere with student's academic performance and emotional and physical well-being and that preventing and remedying sexual harassment in schools is essential to ensure a nondiscriminatory, safe environment in which students can learn. In addition, sexual harassment is recognized as a form of sex discrimination and thus is a violation of the laws that prohibit sex discrimination.

Westminster Public Schools' Commitment

The Superintendent of the District is committed to maintaining a learning environment that is free from sexual harassment. It is a violation of policy for any staff member to harass students, or for students to harass other students through conduct or communications of a sexual nature, or to retaliate against anyone that reports sexual harassment or participates in a harassment investigation.

The District shall investigate all indications, informal grievances of sexual harassment by students, staff or third parties and appropriate corrective action shall be taken. Corrective action includes taking all reasonable steps to end the harassment, making the harassed student whole by restoring lost educational opportunities, preventing harassment from recurring and preventing retaliation against anyone who reports sexual harassment or participates in a harassment investigation.

Reporting, Investigation and Sanctions

Sexual harassment cannot be investigated or corrected by the District until the District is made aware of such sexual harassment. Therefore, students are encouraged to report all incidences of sexual harassment to a teacher, counselor or principal in their school building and file a formal grievance through the established complaint process. All reports and indications from students, District employees and third parties shall be forwarded to the compliance officer.

If the alleged harasser is the person designated as the compliance officer, an alternate compliance officer will be appointed by the Superintendent to investigate the matter.

All matters involving sexual harassment reports shall remain confidential to the extent possible as long as doing so does not preclude the District from responding effectively to the harassment or preventing future harassment. Filing of a complaint or otherwise reporting sexual harassment shall not reflect upon the individual's status or affect grades.

In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct and the context in which the alleged conduct occurred shall be investigated.

Any student found to have engaged in sexual harassment shall be subject to discipline, including, but not limited to, being placed under a remedial discipline plan, suspension or expulsion, subject to applicable procedural requirements and in accordance with applicable law. Conduct of a sexual nature directed toward students, in appropriate circumstances, be reported as child abuse for investigation by appropriate authorities in conformity with Policy [JLF](#).

SCHOOL ATTENDANCE, TRUANCY (JH, JH-R, JHB)

One criterion of a student's success in school is regular and punctual attendance. Frequent absences or tardiness may lead to poor academic work, lack of social development and possible academic failure. Regular, punctual attendance is of utmost importance for school interest, social adjustment and scholastic achievement. No single factor may interfere with a student's progress more quickly than frequent tardiness or absences. Students are expected to be in attendance every day school is in session. Furthermore, the Board recognizes the legal obligation parents have to ensure that their students attend the public school in which their children are enrolled, and will support every effort to ensure that students are in attendance every day school is in session.

Students must satisfy two basic requirements in order to earn full class credit: (1) satisfy all academic requirements and (2) exhibit good attendance habits as stated in this policy.

C.R.S. § 22-33-107(3) defines “habitually truant“ as a child age 6-17 who has four unexcused absences from school in a month or ten during the school year.

The District implements procedures addressing children who are habitually truant, which include, but are not limited to the following:

- Annually, at the beginning of the school year and upon any enrollment during the school year, the District notifies the parent of each child enrolled in a public school in writing of such parent’s obligations pursuant to CRS Section 22 -33-104(5) and request that the parent acknowledge in writing awareness of such obligations.
- Annually, at the beginning of the school year and upon any enrollment during the school year, the District obtains from the parent of each child a telephone number or other means of contacting such parent during the school day.
- Establishes a system of monitoring individual unexcused absences of children which shall provide that, whenever a child who is enrolled in a public school fails to report to school on a regularly scheduled school day and school personnel have received no indication that the child’s parent is aware of the child’s absence, school personnel or volunteers under the direction of school personnel shall make a reasonable effort to notify by telephone such parent. Upon the inability to contact the parent, the child’s absence shall be considered unexcused.
- The District requires a meeting between the parent of the child who is habitually truant, the child and appropriate school personnel who will review and evaluate the reasons for the child being habitually truant. This meeting will be held within ten school days after the child’s fourth unexcused absence in a month or tenth unexcused absence in a school year and should be for the purpose of developing and preparing an attendance plan for the habitually truant student. The attendance plan shall include, but is not necessarily limited to, an attendance contract jointly prepared by school personnel, students and families for the purpose of avoiding further truancy.
- If a student continues a pattern of non-attendance, school personnel will report and refer the matter to the designated District Attendance Officer. The District Attendance Officer will determine if the matter should be remanded back to the local school for further documentation or monitoring, or if a truancy petition will be filed with the District Court for the Seventeenth Judicial District.
- Upon filing of a petition with the District Court, the student and parent(s) shall be subject to such procedures and sanctions as may be imposed by the court and applicable law.

STUDENT CODE OF CONDUCT (JIC)

STUDENT DISCIPLINE CODE (JICDA)

The Board of Education believes that good conduct in the school setting provides each pupil with the most favorable atmosphere for learning. The incorporation of limits and controls by individual students is an important part of the learning process and is a necessity for young people if they are to participate effectively in a democratic way of life.

This Student Code of Conduct is adopted by the Board of Education in accordance with state law based upon the principle that every student is expected to follow accepted rules of conduct, show respect for, and obey persons in authority. This Code also emphasizes that certain behavior, especially behavior that disrupts the classroom, is unacceptable and may result in disciplinary action.

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

The policies herein apply to any student who is on or off school property, who rides in school District vehicles, who is in attendance at school or at a school-sponsored activity or whose conduct at any time or in any place interferes with or obstructs the missions or operations of the School District or the safety or welfare of students or employees.

The following are prohibited:

- Defiance of the authority of the teacher, principal, bus driver, supervisor or other District employees;
- Intentionally causing or attempting to cause damage to school property;
- Carrying, bringing, using or possessing on school property without authorization of the school any dangerous weapon, including a firearm, facsimile firearm, pellet or B-B gun, knife or any object, device, instrument, material or substance used or intended to be used to inflict death or serious bodily injury. **Any violation of this prohibition according to state law results in mandatory expulsion.** However, if a student notifies a teacher or administrator or other authorized person in the school as soon as possible after the student discovers he or she carried, brought or is in possession of a dangerous weapon and delivers it to the teacher, administrator or authorized person, expulsion may not be mandatory.
- A dangerous weapon means:
 - A firearm, whether loaded or unloaded, or a firearm facsimile that could reasonably be mistaken for an

- actual firearm;
 - Any pellet or B-B gun or other device, whether operational or not, designed to propel projectiles by spring action or compressed air;
 - A fixed blade knife with a blade that measures longer than three inches in length or a spring loaded knife or a pocket knife with a blade that measures longer than three and one-half inches in length; or
 - Any object, device, instrument, material or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury.
- State law prohibits alcohol use and drug abuse by students. The law prohibits:
 - Substances used by students (under the influence of alcohol or illegal substances);
 - The possession of alcohol, narcotics, other dangerous or illegal drugs or drug paraphernalia; and
 - The selling, giving or exchanging of alcohol, narcotics, or other dangerous drugs by students.
- Use or possession of tobacco products including, but not limited to, snuff, dip, chewing tobacco, cigarettes, cigars and pipe tobacco;
- Physically assaulting or causing bodily injury to an employee of the District, a visitor, or another student;
- Verbally assaulting or threatening an employee of the District, a visitor, or another student;
- Directing profanity, vulgar language, or obscene gestures toward other students, school personnel, or visitors, at school or school activities;
- Throwing objects that can cause bodily injury or damage property;
- Committing extortion, coercion, or blackmail, i.e., obtaining money or other objects of value from an unwilling person, or forcing an individual to act through the use of force or threat of force;
- Engaging in such verbal abuse as name calling, ethnic or racial slurs, slurs regarding sexual orientation or derogatory statements addressed publicly to others that may precipitate disruption of the school program or incite violence;
- Carrying out abusive or humiliating acts on another student by way of hazing or initiation;
- Sexual harassment: no member of the school community shall be harassed by unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature;
- Behavior on or off school property, which is detrimental to the welfare and safety of other students or school personnel;
- Behavior on or off school grounds while the student is truant from school which is detrimental to the welfare and safety of others;
- Bullying: any written or verbal expression or physical act or gesture, or a 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;
- Scholastic dishonesty which includes, but is not limited to, cheating on a test, claiming and quoting an idea from an existing source as their own, and unauthorized collusion in preparing written reports;
- Lying or the giving of false information, either verbally or in writing, to a school District employee;
- Stealing, committing robbery or theft, or attempting to do so, of any property belonging to the District or of any property belonging to an employee, other student or visitor;
- Tampering with, changing, or altering records or documents of the school District by any method including but not limited to computer access or other electronic means;
- Leaving school grounds unless given prior approval by the principal;
- Truancy: any student who is deliberately absent from a school day or any part of that day without prior approval of a proper school official shall be considered truant;
- Persistent tardiness: a student will be considered tardy if not in the classroom when the bell rings or tone sounds;
- Gambling or engaging in a game for the purpose of gaining money or property;
- Engaging in misconduct, as defined by District policies and regulations on school buses or at bus stops;
- Engaging in immoral conduct. Immoral conduct is conduct which the Board determines is not in conformity with the accepted principles of right and wrong behavior and which is contrary to the moral standard of the community;
- Being determined to be a **habitually disruptive student**, meaning a student who has been suspended three times during the course of the school year for causing a material and substantial disruption in the classroom, on school grounds, on school vehicles, or at school activities or events because of behavior that was initiated, willful and overt on the part of the student. This could result in mandatory expulsion. In accordance with state law, teachers may have the authority to remove a disruptive student from the classroom for the remainder of the term of the class upon the third disruptive incident;
- Becoming a member of or forming a secret fraternity, sorority or society which is prohibited by law;
- Membership in a gang. Violation of the school District's policy on gang related activities in the school on school grounds, on school vehicles or at school activities or events;
- Repeated interference with the school's ability to provide educational opportunities to other students; and
- Failing to comply with lawful directives or rules issued by school personnel or school policies, rules, and regulations.

Any students who engage in any of these prohibited activities either as an instigator or conspirator is subject to disciplinary

action. The disciplinary action taken depends on the seriousness and/or frequency of the offense and may range from, a:

- Student/Parent Conference;
- Counselor Referral;
- Detention;
- Loss of privileges;
- Behavior Contract;
- Suspension and/or expulsion in accordance with District policies.

The building principal shall develop specific rules for each school and such rules shall be consistent with the school District's Student Code of Conduct. A copy of the proposed rules from each building shall be sent to the Superintendent for review and approval before implementation and publication in each school.

The specific rules on student conduct and discipline must guarantee that disorderly students do not interfere with or disrupt the learning process in the school.

DRESS CODE/APPEARANCE (JICA)

In compliance with state law, the District sets a District-wide standard on student attire, which is intended to maintain a safe and disciplined learning environment and to help students concentrate on schoolwork, reduce discipline problems, and improve school order and safety. While recognizing that students have a right to express themselves through dress and personal appearance, students shall not wear apparel that is deemed disruptive or potentially disruptive to the classroom environment or to the maintenance of a safe and orderly school.

The Superintendent shall ensure that each school building in the District has adopted a student dress code with appropriate procedures for disseminating and implementing the code and sanctions for violations. Building dress codes shall deem the following as disruptive:

- Shorts, dresses, skirts or other similar clothing shorter than mid-thigh length
- Sunglasses and/or hats worn inside the building
- Inappropriately sheer, tight or low-cut clothing (e.g., midriffs, halter tops, backless clothing, tube tops, garments made of fishnet, mesh or similar material, muscle tops, etc.) that bare or expose traditionally private parts of the body including, but not limited to, the stomach, buttocks, back and breasts
- Any clothing, paraphernalia, grooming, jewelry, hair coloring, accessories, or body adornments that are or contain any advertisement, symbols, words, slogans, patches, or pictures that:
 - Refer to drugs, tobacco, alcohol, or weapons
 - Are of a sexual nature
 - By virtue of color, arrangement, trademark, or other attribute denote membership in gangs which advocate drug use, violence, or disruptive behavior
 - Are obscene, profane, vulgar, lewd, or legally libelous
 - Threaten the safety or welfare of any person
 - Promote any activity prohibited by the student code of conduct
- Otherwise disrupt the teaching-learning process
-

STUDENT CONDUCT IN SCHOOL VEHICLES (JICC)

Riding the bus is a privilege. The following student conduct guidelines will ensure a safe riding experience for students on WPS buses. When followed, these guidelines enhance safety and service through standardized procedures. Successful implementation of these procedures will require collaboration among drivers, students, and parents. Our goal is to ensure proper student behavior so that all students may ride safely. Drivers may issue verbal warnings, assign seats, contact parents, or generate bus referrals to manage disciplinary issues.

Violation of any bus rules may result in a "Misconduct Report". The driver or driver trainer will contact the parent when a referral is written advising them of the incident and the action taken. Serious or repeated violations may result in a loss of riding privileges or parent conference. Duration of time off the bus will be determined in conjunction with the school principal and the transportation supervisor or the driver trainer, following the Transportation Discipline Matrix. The driver trainer may also meet with students at school when an infraction occurs.

Please note the following summary of transportation guidelines:

- Obey all instructions given by the driver/monitor. Report any problems to the driver/monitor.
- The following items are prohibited to be carried upon or used while on the bus and may be confiscated; skateboards, shoe skates, laser items, animals, weapons, aerosol sprays such as perfume/deodorant and glass. Any items not listed above that are dangerous and pose a threat to the safety of the students or driver are prohibited. Confiscated items may be picked up by parents at the transportation department. Confiscated items not claimed within 5 school days will be disposed of.
- Because of the varied size and nature of musical instruments, students who wish to carry oversized instruments on

the bus must obtain written authorization from the transportation department prior to bringing the instrument to the bus. In addition, projects developed for display or demonstration in class may not pose space problems or safety hazards. Projects of an excessive size or of a potentially harmful nature should be transported to and from school by other means.

- Bullying of other students and inappropriate language, profanity, or verbal abuse directed toward other students or transportation staff members will not be tolerated. Students will respect each other as well as the staff and the bus.
- Verbal/written threats and comments about the use of weapons, or physical violence will be taken very seriously and appropriate action will be taken.
- When departing from the high school and middle school locations: once the door of the bus has been closed and wheels have been set in motion, students will not be allowed to board the bus. Students should return to the sidewalk or a safe area and contact their parents.
- Eating and drinking on the bus is not permitted due to safety and choking precautions and the increasing number of children with food allergies. Special accommodations will be made for diabetic students or other special circumstances. Students may be allowed to eat and drink on an activity or athletic trip with driver/staff member authorization.
- Cell phones and other electronic devices can play a vital communication role during emergencies. However, this technology may also be used in a manner that is disruptive and inappropriate. Students may carry cell phones on buses, but they must remain in silent mode and must not be used to take pictures or videos. Further, the use of any electronic device that is deemed a distraction or inappropriate by the driver is prohibited and may result in disciplinary action and/or confiscation. If collected by the driver, these items may be picked up by parents at the transportation department.
- Video surveillance shall be used to promote the order, safety and security of students, staff and property
- All middle and high school students will be required to have on their person and show the bus driver a valid school ID prior to entering the bus. Students that do not have an ID will follow the District Discipline Matrix as being defiant. Contact with the school administration and parent will be made. The behavior will then be documented.

DISCIPLINARY ACTION FOR DISTRICT TRANSPORTATION VEHICLES

Any and all students who engage in any defiance and/or detrimental behaviors either as an instigator or conspirator are subject to disciplinary action. The disciplinary action taken depends on the seriousness and/or frequency of the offense and may range from:

- Verbal warning from transportation staff;
- Parent contact;
- Loss of transportation privileges.

The transportation department shall develop specific rules for all routes designated to transport schoolchildren to school from home and from school to home. The rules shall also be followed on all school field trips. Such rules shall be consistent with the school District's Student Code of Conduct. A copy of the rules will be posted on each bus.

ACCEPTABLE EXPRESSION STUDENT RIGHTS (JICDD)

While students do not shed their constitutional rights when they enter the school or engage in school-related activities, it is the Board of Education's responsibility to adopt rules reasonably necessary to maintain proper discipline among students and create an effective learning environment.

For purposes of this policy, student expression in any media, including but not limited to written, oral, visual, audio and electronic media in all classroom and other school-related activities, assignments, and projects, as well as distribution of non-curricular materials on school grounds and at school events.

Students shall not turn in, present, publish or distribute expression that is disruptive to the classroom environment, disruptive to the maintenance of a safe and orderly school, or pervasively vulgar or harmful to students. This restriction includes, but is not limited to expression, which is:

- Obscene, pornographic, or sexually explicit
- Libelous, slanderous, defamatory, or otherwise unlawful under state law
- Profane or vulgar
- False as to any person who is not a public figure or involved in a matter of public concern
- Creates a clear and present danger of the commission of unlawful acts, the violation of lawful school regulations, or the material and substantial disruption of the orderly operation of the school
- Violates the rights of others to privacy
- Threatens violence to property or persons
- Attacks any person because of race, color, sex, age, religion, national origin, sexual orientation, or disability
- Tends to create hostility or otherwise disrupt the orderly operation of the educational process
- Advocates illegal acts of any kind, including the use of illegal drugs, tobacco, or alcohol

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

BULLYING PREVENTION AND EDUCATION

Bullying means any written or verbal expression, or physical or electronic act or gesture, or a pattern thereof, that is intended to coerce, intimidate, or cause any physical, mental or emotional harm to any student in the school, on school grounds, in school vehicles, at a designated school bus stop, or at school activities or sanctioned events;. Bullying is prohibited against any student for any reason, including but not limited to any such behavior that is directed toward a student on the basis of his or her academic performance or against whom federal and state laws prohibit discrimination upon the bases described in C.R.S. § 22-32-109.

STUDENT PUBLICATIONS (JICEA)

Students of the public schools shall have the right to exercise freedom of speech and of the press and no expression contained in a student publication, whether or not such publication is school-sponsored, shall be subject to prior restraint except for the types of expression described below. This policy shall not prevent the advisor from encouraging expression, which is consistent with high standards of English and journalism.

The District also encourages school-sponsored publications as an educational activity through which students can gain experience in reporting, writing, editing and an understanding of responsible journalism. If a publication written substantially by students is made generally available throughout a public school, it shall be a public forum for students of such school.

Nothing in this policy shall be interpreted to authorize the publication or distribution by students of the following:

- Expression which is obscene;
- Expression which is libelous, slanderous, or defamatory under state law;
- Expression which is false as to any person who is not a public figure or involved in a matter of public concern; or
- Expression which creates a clear and present danger of the commission of unlawful acts, the violation of lawful school regulations, the material and substantial disruption of the orderly operation of the school or which violates the rights of others to privacy.

No expression made by students in the exercise of freedom of speech or freedom of the press shall be deemed to be an expression of school policy. Nothing in this policy shall be construed to limit the promulgation or enforcement of lawful school regulations designed to control gangs.

STUDENT DISTRIBUTION OF NONCURRICULAR MATERIALS (JICEC)

To understand Constitutional values such as the right to free speech, students must not only study such principles but also have an opportunity to put them into practice.

However, there are limitations on the right of student free speech in the school setting that have been upheld by the courts because of the unique nature of the school community.

It is the goal of this policy to strike a necessary balance between a student's right of free speech and the school's need to maintain an orderly and safe school environment, which respects the rights of all students on school grounds and during school-sponsored activities.

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

Any material in any media containing expression, which is obscene, pornographic, sexually explicit, libelous, slanderous or defamatory, shall be prohibited. Students shall not distribute any material, which advocates commission of unlawful acts, or violation of Board or district policy and/or regulations, violates another person's right to privacy, causes a material and substantial disruption of the orderly operation of the school, or threatens violence to property or persons. Also prohibited are materials that contain insulting words or words the very expression of which injures or harasses other people and which are inconsistent with the shared values of a civilized social order (e.g. threats of violence or defamation of a person's race, religion, ethnicity, national origin, etc.).

Students who distribute materials in violation of this policy may be subject to appropriate disciplinary action, including suspension and/or expulsion.

School equipment and supplies shall not be used for publication of such material.

SECRET SOCIETIES/GANG ACTIVITY (JICE)

This policy has been adopted pursuant to Colorado Revised Statutes §§ 22-32-109.1(2) (a) (VI) and 22-1-118. Section 22-32-109.1 requires that districts adopt "a specific policy concerning gang-related activities in the schools, on school grounds, in school vehicles, or at school activities or sanctioned events." Further, districts are required to adopt a "dress code policy that

defines and prohibits students from wearing apparel that is deemed disruptive to the classroom environment or to the maintenance of a safe and orderly school.”

Westminster Public Schools desires to keep its schools free from the threats or the harmful influence of gangs, which exhibit drug use, violence, or disruptive behavior. The purpose of this policy is to maintain the educational mission of the schools by eliminating substantial distractions and ensuring the security of students and staff.

The Superintendent or designee shall take steps to deter gang intimidation of students and staff and confrontations between members of different gangs. To discourage the influence of gangs, the Superintendent or designee shall take steps to ensure that school rules of conduct and any school dress code prohibiting gang-related apparel are enforced consistently.

ALCOHOL/DRUG POLICIES (JICH) AND PROCEDURES

Westminster Public Schools does promote a healthy environment for students by providing education, support and decision making skills with regard to alcohol, drugs and other controlled substances and their abuse. In order to accomplish this goal, a cooperative effort must be made among the schools, parents, community, and its agencies. It shall be a violation and considered behavior which is detrimental to the welfare, safety or morals of other students or school personnel for any student to possess, use, sell, distribute or procure, including paraphernalia, or to be under the influence of alcohol, drugs or other controlled substances. The unlawful possession or use of alcohol or controlled substances is wrong and harmful to students.

For purposes of this procedure, controlled substances include but are not limited to narcotic drugs, hallucinogenic or mind-altering drugs or substances, amphetamines, barbiturates, stimulants, depressants, marijuana, anabolic steroids, any other controlled substances as defined in law, or any prescription or nonprescription drug, medication, vitamin or other chemical substances not taken in accordance with the Board of Education policy and regulations on administering medicines to students.

This procedure shall apply to any student who is on school property, in attendance at school, in a school vehicle or taking part in any school sponsored or sanctioned activity or whose conduct at any time or place interferes with the operations of the District or the safety or welfare of students or employees. Students violating this procedure shall be subject to disciplinary sanctions, which shall include suspension and/or expulsion from school. A student will be recommended for expulsion at the first offense if it involves the sale or distribution of drugs or other controlled substances, in accordance with state law. This procedure also includes substances that are represented by or to the student to be any such controlled substance or what the student believes to be any such substance.

Situations in which a student seeks counseling or information from a professional staff member for overcoming substance abuse shall be handled on an individual basis depending upon the nature and particulars of the case. When appropriate, parents shall be involved and every effort made to direct the substance abuser to sources of help. The District, in recognition that drug and alcohol abuse is a community problem, shall cooperate actively with law enforcement, social services or other agencies and organizations, parents, and any other recognized community resources committed to reducing the incidents of illegal use of drugs and alcohol by school-aged youths. Whenever possible in dealing with student problems associated with drug and alcohol abuse, school personnel shall provide parents and students with information concerning education and rehabilitation programs that are available.

Procedure

Students who independently seek help from the school staff for drug/alcohol abuse may do so without fear of suspension/expulsion, if the discussion takes place other than times when the student is being charged with use, sale, possession, or dispersing of alcohol/drugs. Each staff member will be expected to recommend students to school counselors, nurses and psychologists who possess professional expertise on substance abuse. When necessary, the school staff should help students identify out-of-school agencies that are more knowledgeable and better equipped than the school to assess and treat drug/alcohol dependency needs. Although the students and families must bear the cost of any fees, the school should actively seek community-funded sources that would help to defray their costs.

Students who possess, use, or are under the influence of narcotics; marijuana, alcohol and other controlled substances on the school premises shall be dealt with as follows:

- **First Offense**
 - The student will be suspended for five days. An additional five days of suspension will be imposed unless the student participates in a District approved assessment program in lieu of an additional five-day suspension.
 - Legal authorities will be notified.
 - If they choose the option of assessment or treatment, the student and parent must meet and discuss this option with the school principal. If the child's age creates a barrier to accessing drug/alcohol assessment or treatment programs, parents may select qualified mental health professionals to counsel the child.
 - Administrators will provide the parents with a list of agencies in the area that conduct drug/alcohol abuse assessment; however, neither the District nor the staff endorses any particular alcohol or drug agency. Designated staff will maintain a current roster of community assessment and treatment resources for distribution to parents and students upon request in order to fulfill the intent of the Board of Education policy and procedures. The parents may choose any qualified agency, but the school District will assume no

- responsibility for fees.
- The school administrators will assist the needy student in finding agencies that are willing to provide financial aid.
- The school administrator who recommends the student for suspension must be kept informed of agency, dates of assessment and completion of the assessment. The second five-day suspension may be held in abeyance if the student provides evidence that an appointment has been made for assessment.
- Absence for treatment will be excused.
- Second Offense
 - The student and parent will be notified by the school administration that the Superintendent of Schools, according to District suspension/expulsion procedures, will hold an expulsion hearing.
 - Legal authorities will be notified.
 - A school administrator will meet with the parent and student to explain the option of treatment in lieu of expulsion.
 - The Superintendent will hold a hearing according to the District's suspension/expulsion procedures at which time the option for treatment will again be explained to the parent.
 - If the student begins a treatment program before expulsion is begun, the Superintendent may reinstate the student if satisfied that the student is meeting the intent and the requirements of this policy.
 - If the student begins participation in an approved treatment program during the period of expulsion, the Superintendent may reinstate the student depending upon all factors of the case.
 - Fees for a treatment program will not be the responsibility of the school District. The school principal, counselors, and/or Superintendent will assist the needy student in finding agencies that are willing to provide financial aid.
 - If the student discontinues the treatment, the Superintendent may reinstate the expulsion.
 - Absence from school for treatment will be excused.
- Third Offense
 - In the event of a third offense, the student will be recommended for expulsion from Westminster Public Schools.
 - Any student who distributes, trades, exchanges, sells or has the intent to distribute (as supported by law enforcement) controlled substances on, or in the vicinity of, the school grounds will be expelled.
 - The student and parent will be notified by the school administration that the Superintendent of Schools according to District procedures will hold an expulsion hearing.
 - Legal authorities will be notified.
 - A student selling or distributing substances, which are or could reasonably be mistaken for alcohol, drugs, or controlled substances on or in the vicinity of the school grounds will be expelled.
 - The student and parent will be notified by the school administration that the Superintendent of Schools according to District procedures will hold an expulsion hearing.
 - Legal authorities will be notified.

At the elementary level, administrative decisions regarding suspension, in either school or out-of-school will be made with consideration for the maturity and the emotional developmental level of the child. The principal may utilize other alternatives to suspension if such alternatives enhance the learning outcomes for the child. In all cases, the parent will be involved in the decision making process.

WEAPONS IN SCHOOLS (JICI)

Westminster Public Schools is committed to providing safe and civil learning and work environments for all students, staff, and visitors to the District. It has therefore determined that possession and/or use of a weapon by students is detrimental to the welfare and safety of students, visitors, and school personnel within the District.

Mandatory Expulsion in Accordance with State and Federal Law

Carrying, bringing, using, or possessing a dangerous weapon on District property, in District vehicles, or during a school or District-sponsored activity on or off school grounds is prohibited. Furthermore, carrying, bringing, using, or possessing a dangerous weapon off school property when the conduct has a reasonable connection to school or any District curricular or non-curricular event without the authorization of the school or school District is prohibited.

STUDENT USE OF PERSONAL ELECTRONIC COMMUNICATION DEVICES

Personal electronic communication devices include, but are not limited to, personal digital assistants, wireless telephones, digital media players, iPods, Zunes, MP3 players, portable CD or DVD players or any other personal technology device that may be stand-alone or may use wireless communications between users across some form of telecommunications network.

Use of such devices in the school setting may be approved on a limited basis. When permitted, students may use such devices only in a responsible, efficient, ethical and legal manner. The administration reserves the right to determine if a student's use of personal electronic communication devices is inappropriate and/or disruptive to the learning environment. The administration may take appropriate disciplinary action, including but not limited to, confiscation of the device, which will be returned to the student and/or parent in accordance with established building guidelines. The administration may prohibit the use of any personal electronic communication device on District property or at school-related functions away from District property by any student at any time.

Prohibited uses of personal electronic communication devices on District property or at school-related functions away from District property include, but are not limited to, the following:

- Using such devices to engage in scholastic dishonesty;
- Using such devices to download, upload, create, send or view video, pictures, audio or text reasonably interpreted by the administration to be inappropriate, indecent, offensive or sexually suggestive;
- Using such devices to create photographs, still images, video or audio recordings of students, school visitors and/or District or school staff without permission of the student, school visitor and/or District or school staff member;
- Using such devices to save personal or non-school related files to a District-owned computer;

Using such devices for any form of "cyber-bullying" such as sending threatening text-messages, images or email, or other unwanted or unsolicited electronic communications or for any purpose that is detrimental to the welfare or safety of other pupils or of school personnel, including any communication that creates a threat of physical harm to the child or to other children;

- Using such devices to transmit any communications that cause a disruption to the learning environment;
- Using such devices in a manner, which is potentially unsafe, illegal, or otherwise, might violate the District's Code of Conduct for students.

STUDENT INTERVIEWS, INTERROGATIONS, SEARCHES AND ARRESTS (JIH, JIHB)

The District seeks to maintain a climate in the schools, which is conducive to learning and protective of the safety and welfare of staff and students. To achieve this goal, it may be necessary for school personnel to search the person and/or the personal property of the student and to seize any property deemed injurious or detrimental to the safety and welfare of students and staff.

The privilege of bringing a student-operated motor vehicle on to school premises is conditioned on consent by the student driver to allow search of the vehicle when there is reasonable suspicion that the search will yield evidence of contraband.

Refusal by a student, parent/guardian, or owner of the vehicle to allow access to a motor vehicle on school premises at the time of a request to search the vehicle shall be cause for termination without further hearing of the privilege of bringing the vehicle on to school premises. Refusal to submit to search also may result in disciplinary action and notification of law enforcement officials.

Routine patrolling of student parking lots and inspection of the outside of student automobiles shall be permitted at all times.

STUDENT ORGANIZATIONS (JJA)

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

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

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

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

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

The principal is responsible for determining whether the purpose of a student organization is related to the curriculum.

STUDENT DISCIPLINE (JK, JK-R)

The District believes that effective student discipline is a prerequisite for sound educational practice and productive learning. The objectives of disciplining any student must be to help the student develop a positive attitude toward self-discipline and

socially acceptable behavior.

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

The District in accordance with state law has adopted a written student conduct and discipline code based upon the principle that every student is expected to follow accepted rules of conduct and to show respect for and to obey persons in authority. The code also emphasizes that certain behavior, especially behavior that disrupts the classroom, is unacceptable and may result in disciplinary action.

Remedial Discipline Plans

- The principal may develop a plan for any student who causes a material and substantial disruption in the classroom, on school grounds, in school vehicles or at school activities or events. The goal of the remedial discipline plan shall be to address the student's disruptive behavior and educational needs while keeping the child in school.
- To develop the plan, the principal will arrange for a meeting with the student, the student's parent/guardian and any members of the staff whom the principal believes should attend.
- The purpose of the meeting will be to address the reasons for the student's disruptive behavior and to establish goals, objectives and timelines to modify such behavior. A written plan will be prepared which addresses the student's disruptive behavior, educational needs and what steps are necessary to keep the child in school. The plan will include incentives for good behavior and consequences if the student violates the plan.
- The plan may be written in the form of a contract, which the student and the parent/guardian will sign and date.
- The parent/guardian will be provided a copy of the remedial discipline plan and it will be placed in the student's cumulative file.

Habitually Disruptive Students

A student will be declared "habitually disruptive" if three times during the course of the school year the student causes a material and substantial disruption in the classroom, on school grounds, in school vehicles or at school activities or events.

- The principal will inform the superintendent when a student causes a second material and substantial disruption.
- The student and the parent/guardian will be notified in writing of each disruption, which counts toward declaring the student habitually disruptive. The student and parent/guardian will also be notified in writing and by telephone or other oral communication of the definition of "habitually disruptive student."
- A student who has been declared habitually disruptive may be suspended or expelled in accordance with Board policy [JKD/JKE](#).
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DISCIPLINE OF STUDENTS WITH DISABILITIES (JK-2)

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

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

USE OF PHYSICAL INTERVENTION AND RESTRAINT (JKA, JKA-R)

To maintain a safe learning environment, District employees may, within the scope of their employment and consistent with state law, use physical intervention and restraint with students in accordance with this policy and accompanying regulation. Such actions shall not be considered child abuse or corporal punishment if performed in good faith and in compliance with this policy and accompanying regulation.

Physical Intervention

A District employee shall not administer corporal punishment to any student.

Within the scope of their employment, District employees may use reasonable and appropriate physical intervention with a student that does not constitute restraint as defined by this policy, to accomplish the following:

- To quell a disturbance threatening physical injury to the student or others;
- To obtain possession of weapons or other dangerous objects upon or within the control of the student;
- For purposes of self-defense; or
- For the protection of persons against physical injury or to prevent the destruction of property, which could lead to physical injury to the student or others.

Under no circumstances shall a student be physically held for more than five (5) minutes unless the provisions regarding restraint (contained in this policy and accompanying regulation) are followed.

Restraint

State law defines restraint and this policy as any method or device used to involuntarily limit a student's freedom of movement including but not limited to bodily physical force, mechanical devices and seclusion. Restraint shall not include holding of a student for less than five minutes by a District employee for the protection of the student or others and other actions excluded from the definition of restraint in state law.

District employees shall not use restraint as a punitive form of discipline or as a threat to control or gain compliance of a student's behavior. District employees are also prohibited from restraining a student by use of a mechanical restraint or chemical restraint, as those terms are defined by applicable State Board of Education rules and the policy's accompanying regulation.

Restraint shall only be administered by District employees in accordance with applicable State Board of Education rules.

DISCIPLINARY REMOVAL FROM CLASSROOM (JKBA)

The District is committed to maintaining classrooms in which student behavior does not interfere with the ability of a teacher to teach effectively or the ability of other students to participate in classroom learning activities. Each student is expected and required to abide by the District code of conduct and appropriate classroom rules of behavior established by the building principal and/or the classroom teacher for the purpose of maintaining order and enabling a positive classroom-learning environment.

The classroom teacher is allowed to remove a disruptive student from his or her classroom. A disruptive student is one who causes a material and substantial disruption in the classroom because of behavior that was initiated, willful, and overt on the part of the student. Each such removal must be documented by the teacher and immediately reported to the principal. Teachers are expected to exercise their best professional judgment in deciding whether it is appropriate to remove a student who is disruptive from his or her classroom in a particular circumstance and to use his/her best efforts in utilizing other appropriate disciplinary methods or interventions prior to removal.

As soon as possible after a removal, the teacher or the principal shall contact the parent or legal guardian of the student to request his or her attendance at a student/teacher conference regarding their removal. A behavior plan may be developed after the first such removal from class, but such a plan shall be developed by the teacher, subject to approval by the principal, after the second such removal from class.

Upon the third such removal from a teacher's class, the disruptive student shall be removed from such teacher's class for the remainder of the term of the class.

A student with a disability may be removed from class and placed in an alternative educational setting only to the extent authorized by state and federal laws and regulations.

Removal from class under this policy does not prohibit the District from pursuing or implementing additional disciplinary measures, including, but not limited to suspensions or expulsions for the conduct or behavior for which the student is removed.

Each school shall establish procedures to implement this policy so that removals from a classroom occur in a consistent manner throughout the District, and these procedures shall include the standards to be applied, and insure appropriate due process procedures to provide an opportunity to review the appropriateness of the removal.

SUSPENSION & EXPULSION OF STUDENTS (JKD/JKE, JKD/JKE-R, JKD/JKE-E2)

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

- Continued willful disobedience or open and persistent defiance of proper authority.
- Willful destruction or defacing of school property.
- Behavior on or off school property that is detrimental to the welfare, or safety of other students or of school personnel including behavior that creates a threat of physical harm to the student or to other students.
- Serious violations in a school building or in or on school property, including but not limited to carrying, bringing, using or possessing a dangerous weapon without the authorization of the school or the school district;
- The sale of a drug or controlled substance as defined in C.R.S. §12-22-303
- The commission of an act which if committed by an adult would be robbery pursuant to part 3, Article 4, Title 18, C.R.S., or assault pursuant to part 2, Article 3, Title 18, C.R.S., other than the commission of an act that would be third-degree assault under C.R.S. §18-3-204 if committed by an adult. The commission of a violation under this paragraph 4 shall result in **mandatory expulsion**.
- Failure to comply with the provisions of Part 9, Article 4, Title 15, C.R.S. (immunization requirements).
- Repeated interference with the school's ability to provide educational opportunities to other students.
- Being declared a habitually disruptive student for which expulsion shall be mandatory.

- For purposes of this paragraph, a “habitually disruptive student” means a child who has been suspended three times during the course of the school year for causing a material and substantial disruption in the classroom, on school grounds, in school vehicles or at school activities or events because of behavior that was initiated, willful, and overt on the part of the child. **Any student who is enrolled in a public school may be subject to being declared a habitually disruptive student.**
- The student and the parent, legal guardian or legal custodian shall have been notified in writing of each suspension counted toward declaring the student as habitually disruptive.
- The student and parent, legal guardian or legal custodian shall have been notified in writing and by telephone or other means at the home or the place of employment of the parent or legal guardian of the definition of ‘habitually disruptive student’ and the mandatory expulsion of such students.

Students with Disabilities’

If the student who creates a threat of physical harm to himself or herself or to other children is a child with a disability pursuant to Section 22-20-103(4) (1.5), C.R.S., such child may not be expelled if the actions creating such threat are a manifestation of such child's disability. However, such child shall be removed from the classroom to an appropriate alternative setting within the district in which such child is enrolled for a length of time which is consistent with federal law, during which time the school in which such student is enrolled shall give priority to and arrange within ten days for a re-examination of such child's individual education plan to amend such plan as necessary to assure that the needs of such child are addressed in a more appropriate manner or setting which is less disruptive to other students and is in accordance with the provisions of Article 20 of Title 22 of the Colorado Revised Statutes.

Dangerous Weapon

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

- A firearm, whether loaded or unloaded or a firearm facsimile that could reasonably be mistaken for an actual firearm;
- Any pellet or B-B gun or any other device, whether operational or not, designed to propel projectiles by spring action or compressed air;
- Affixed-blade knife with a blade that measures longer than three inches in length or a spring-loaded knife or a pocket knife with a blade longer than three and one-half inches;
- Any object, device, instrument, material or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury.
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STUDENT HEALTH SERVICES AND RECORDS (JLC)

The purpose of the school health program shall be to supplement the efforts and guidance of parents/guardians to raise student awareness of the benefits of regular health care.

The objectives of the school health program are:

- To remove health barriers and support academic achievement.
- To promote good health habits among students.
- To support a sanitary, safe and healthful environment in school.
- To assist in the identification and referral to appropriate health care providers for medical, psychological and physical needs.

Health Records

Health records shall be maintained in Infinite Campus, the electronic student database, by school staff and supported by nursing services.

Access to the health files shall be limited to only those school personnel who have a specific and legitimate educational interest in the information for use in furthering a student’s academic achievement or maintaining a safe and orderly teaching environment.

ADMINISTERING MEDICATIONS TO STUDENTS (JLCD, JLCD-R)

Only Medication, which is currently prescribed by a physician, may be given at school. Whenever possible, medicine should be taken at home. Prescribed medication that must be taken during the school day requires a written request from the parent or guardian except where the student is over 18 years of age or where the prescribed medication arises out of treatment pursuant to C.R.S., § 13-22-102, -103, -104. The medicine must be in the original prescription container with the date, the name of the child, name of the medicine, directions for taking the medicine, and the name of the physician prescribing the medication.

STUDENTS WITH FOOD ALLERGIES (JLCDA)

The school nurse, or a school administrator in consultation with the school nurse, shall develop and implement a Health Care Plan (“Plan”) for each student with a diagnosis of a potentially life-threatening food allergy or related life-threatening condition. This Plan shall also include reasonable accommodations to reduce the student’s exposure to agents that may cause anaphylaxis

within the school environment. If a student qualifies as a student with a disability in accordance with federal law, the student's Section 504 plan, Individualized Education Program (IEP), and/or other plan developed in accordance with applicable federal law shall meet this policy requirement.

SCREENING AND TESTING OF STUDENT (JLDAC)

Parents/guardians and eligible students have the right to review, upon request, any survey, analysis or evaluation administered or distributed by a school to students whether created by the District or a third party. (For the purpose of this policy, "eligible student" means a student 18 years of age or older or an emancipated minor.) Any survey, analysis or evaluation administered or distributed by a school to students shall be subject to applicable state and federal laws protecting confidentiality of student records.

RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT-PPRA (JLDAC-E)

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

Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey"), if the survey is funded in whole or in part by a program of the U.S. Department of Education.

- Political affiliations or beliefs of the student or student's parent/guardian.
- Mental or psychological problems of the student or student's family.
- Sex behavior or attitudes.
- Illegal, anti-social, self-incriminating, or demeaning behavior.
- Critical appraisals of others with whom respondents have close family relationships.
- Legally recognized privileged relationships, such as with lawyers, doctors, or ministers.
- Religious practices, affiliations, or beliefs of the student or parents/guardians.
- Income, other than as required by law to determine program eligibility.

Receive notice and an opportunity to opt a student out of,

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

Inspect, upon request and before administration or use:

- Protected information surveys of students.
- Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes.
- Instructional material used as part of the educational curriculum.

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

SEX OFFENDERS INFORMATION

The Colorado General Assembly has passed legislation requiring school districts in Colorado to provide information to parents, eligible students (students who are 18 years of age or older), and community members where and how they may obtain information collected by law enforcement agencies related to registered sex offenders. In compliance with this statutory directive, WPS is providing the following contact information and internet links.

- In Adams County, parents may request the [sex offender registry](#) list from the records department at the Adams County Sheriff's Department by calling (720) 322-1313.
- Additional information may be obtained from the [Colorado Bureau of Investigation \(CBI\)](#) website, which contains a statewide list of high-risk registered sex offenders.
- The [Colorado Sex Offender Management Board](#) publishes [School Resource Guide to Sex Offender Registration](#), including information about the list itself and facts about sex offenders.
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STUDENT FEES, FINES, AND CHARGES (JQ)

Students shall not be charged an instructional fee as a condition of enrollment in school or as a condition of attendance in any class that is considered part of the academic portion of the District's educational program except tuition when allowed by law. However, the District may require students to pay textbook fees, fees for expendable materials and other miscellaneous fees as more fully set forth in this policy.

All student fees and charges shall be adopted by the Board and remain in place until modified or removed by Board resolution.

All student fees adopted by the Board shall be used for the purposes set forth in the motion and shall not be spent for any other purpose.

When publicizing any information concerning any fee authorized to be collected by this policy, the school shall specify whether the fee is voluntary or mandatory and the specific activity from which the student will be excluded from if the fee is not paid.

STUDENT RECORDS ACCESS/RELEASE OF INFORMATION (JRA/JRC, JRA/JRC-R, JRA/JRC-E2)

In recognition of the confidential nature of student education records, no person or agency may access student education records without prior written consent from the student's parent/guardian or **the eligible student, except as set forth in law and this policy.**

The superintendent or designee shall provide for the proper administration of student records in accordance with law, including the implementation of safeguard measures or procedures regarding access to and disclosure of student education records.

In accordance with policy JRA/JRC, this regulation (JRA/JRC-R) contains the procedures to follow when a parent or eligible student seeks to review or challenge the content of student education records.

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

- The right to inspect and review the student's education records within a reasonable time after the request for access is made (not to exceed 45 days). See JRA/JRC-R.
- The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading or otherwise in violation of the student's privacy rights. See JRA/JRC-R.
- The right to privacy of personally identifiable information in the student's education records, except to the extent that FERPA and state law authorize disclosure without consent. See JRA/JRC.
- The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-8520

- The right to refuse to permit the designation of any or all of the categories of directory information. See JRA/JRC.

The right to request that information not be provided to military recruiting officers. See JRA/JRC and JRA/JRC-E-1.

STUDENT USE OF THE INTERNET & ELECTRONIC COMMUNICATIONS (JS)

The Internet and electronic communications (email, chat rooms and other forms of electronic communication) have vast potential to support curriculum and student learning. The Board of Education believes they should be used in schools as a learning resource to educate and to inform.

Use of the Internet and electronic communications require students to think critically, analyze information, write clearly, and use problem-solving skills and home computer and research skills that employers demand. Use of these tools also encourages an attitude of lifelong learning and offers an opportunity for students to participate in distance learning activities, ask questions of and consult with experts, communicate with other students and individuals and locate material to meet educational and personal information needs.

The Internet and electronic communications are fluid environments in which students may access materials and information from many sources, including some that may be harmful to students. While it is impossible to predict with certainty what information students might locate or come into contact with, the District shall take reasonable steps to protect students from accessing material and information that is obscene, child pornography or otherwise harmful to minors, as defined by the Board. Students shall take responsibility for their own use of District technology devices to avoid contact with material or information that may be harmful to minors.

Blocking or filtering obscene, pornographic and harmful information

Technology that blocks or filters material and information that is obscene, child pornography or otherwise harmful to minors, as defined by the Board, shall be installed on each technology device provided by the District that allows for access to the Internet by a minor, from any location. Students shall report access to material and information that is obscene, child pornography, harmful to minors or otherwise in violation of this policy to the supervising staff member. If a student becomes aware of other students accessing such material or information, he or she shall report it to the supervising staff member.

No expectation of privacy

District technology devices are owned by the District and are intended for educational purposes at all times. Students shall have no expectation of privacy when using the Internet or electronic communications. The District reserves the right to monitor, inspect, copy, review and store (at any time and without prior notice) all usage of District technology devices, including all Internet and electronic communications access and transmission/receipt of materials and information. All material and information accessed/received through District technology devices shall remain the property of the District.

Unauthorized and unacceptable uses

Students shall use District technology in a responsible, efficient, ethical and legal manner.

Because technology and ways of using technology are constantly evolving, every unacceptable use of District technology devices cannot be specifically described in policy, therefore, examples of unacceptable uses include, but are not limited to, the following.

No student shall access, create, transmit, retransmit or forward material or information, that:

- promotes violence or advocates destruction of property including, but not limited to, access to information concerning the manufacturing or purchasing of destructive devices or weapons
- is not related to District education objectives
- contains pornographic, obscene or other sexually oriented materials, either as pictures or writings, that are intended to stimulate erotic feelings or appeal to prurient interests in nudity, sex or excretion
- harasses, threatens, demeans, or promotes violence or hatred against another person or group of persons in violation of the District's nondiscrimination policies
- is for personal profit, financial gain, advertising, commercial transaction or political purposes
- plagiarizes the work of another without express consent
- uses inappropriate or profane language likely to be offensive to others in the school community
- is knowingly false or could be construed as intending to purposely damage another person's reputation
- in violation of any federal or state law or District policy, including but not limited to copyrighted material and material protected by trade secret
- contains personal information about themselves or others, including information protected by confidentiality laws
- using another individual's Internet or electronic communications account without written permission from that individual
- impersonates another or transmits through an anonymous remailer
- accesses fee services without specific permission from the system administrator

Security

Security on District technology devices is a high priority. Students who identify a security problem while using the Internet or electronic communications must immediately notify a system administrator. Students should not demonstrate the problem to other users. Logging on to the Internet or electronic communications as a system administrator is prohibited.

Students shall not:

- use another person's password or any other identifier
- gain or attempt to gain unauthorized access to District technology devices
- read, alter, delete or copy, or attempt to do so, electronic communications of other system users

Any user identified as a security risk, or as having a history of problems with technology, may be denied access to the Internet and electronic communications.

Safety

In the interest of student safety, the District shall educate students [Optional language: and parents] about appropriate online behavior, including cyberbullying awareness and response, interacting on social networking sites and in chat rooms, and other forms of direct electronic communications.

Students shall not reveal personal information, such as home address or phone number, while using the Internet or electronic communications. Without first obtaining permission of the supervising staff member, students shall not use their last name or any other information that might allow another person to locate him or her. Students shall not arrange face-to-face meetings with persons met on the Internet or through electronic communications.

Vandalism

Vandalism will result in cancellation of privileges and may result in school disciplinary action, including suspension or expulsion, and/or legal action. Vandalism is defined as any malicious or intentional attempt to harm, destroy, modify, abuse or disrupt operation of any network within the District or any network connected to the Internet, operation of any form of electronic communications, the data contained on any network or electronic communications, the data of another user, usage by another user, or District-owned technology device. This includes, but is not limited to, the uploading or creation of computer viruses and the use of encryption software.

Unauthorized content

Students are prohibited from using or possessing any software applications, mobile apps or other content that has been downloaded or is otherwise in the user's possession without appropriate registration and payment of any fees.

Assigning student projects and monitoring student use

The District will make reasonable efforts to see that the Internet and electronic communications are used responsibly by students. Administrators, teachers and staff have a professional responsibility to work together to monitor students' use of the Internet and electronic communications, help students develop the intellectual skills needed to discriminate among information sources, to identify information appropriate to their age and developmental levels, and to evaluate and use information to meet their educational goals. Students shall have specifically defined objectives and search strategies prior to accessing material and information on the Internet and through electronic communications.

Opportunities shall be made available on a regular basis for parents to observe student use of the Internet and electronic communications in schools.

All students shall be supervised by staff while using the Internet or electronic communications at a ratio of at least one staff member to each 30 students. Staff members assigned to supervise student use shall have received training in Internet and electronic communications safety and monitoring student use.

Student use is a privilege

Use of the Internet and electronic communications demands personal responsibility and an understanding of the acceptable and unacceptable uses of such tools. Student use of the Internet and electronic communications is a privilege, not a right. Failure to follow the use procedures contained in this policy shall result in the loss of the privilege to use these tools and restitution for costs associated with damages, and may result in school disciplinary action, including suspension or expulsion, and/or legal action. The District may deny, revoke or suspend access to District technology or close accounts at any time.

The requirement that personal electronic devices be turned off may not apply in the following circumstances when the student obtains prior approval from the principal or his/her designee:

- The student has a special medical circumstance for self or family member.
- The student is using the device for an educational or instructional purpose with the teacher's permission and supervision

Students and parents/guardians shall be required to acknowledge the District's Acceptable Use Agreement annually before Internet or electronic communications accounts shall be issued or access shall be allowed.

District makes no warranties

The District makes no warranties of any kind, whether express or implied, related to the use of District technology devices, including access to the Internet and electronic communications services. Providing access to these services does not imply endorsement by the District of the content, nor does the District make any guarantee as to the accuracy or quality of information received. The District shall not be responsible for any damages, losses or costs a student suffers in using the Internet and electronic communications. This includes loss of data and service interruptions. Use of any information obtained via the Internet and electronic communications is at the student's own risk.

STUDENT PARKING

Students wishing to park a vehicle in a high school parking lot must first purchase a parking permit. Permits allow for identification of students vehicles and increase the overall safety/security of our schools. Please remember that while each high school provides campus monitors, students using the parking lot assume their own liability and risk. The school district will not be responsible for damage incurred in public parking lots. Fines will be imposed for student parking violations (see individual school fee schedule). **Automobiles on school property are subject to searches when there is reasonable suspicion.**

REPORTING CHILD ABUSE/CHILD PROTECTION (JLF, JLF-R)

Because of their sustained contact with school age children, school employees are in an excellent position to identify abused or neglected children and to refer them for treatment or protection.

It is the policy of the Board of Education that the District comply with the Child Protection Act.

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

liability.

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

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

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

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

FOOD SERVICES (EF)

Culinary Services will serve all District students a federally qualifying meal; however, an alternative qualifying meal may be served where a parent has failed to respond to repeated requests for payment of their student's account. Individual situations will be approved by the school's principal. Culinary Services stops all meals on credit approximately four weeks before the end of the school year.

Elementary Level – All students will be served the regular program meal. Parents will be contacted at the end of each day's service, either by phone (preferred method), or by a note sent home. Payment will be expected the following day, unless the parent arranges through Culinary Services. Low balance letters may also be sent home.

Middle and High School Level – All students will be served a regular federally qualifying meal. Students will be allowed two meals on credit. The parent will be notified by mail when the student's account is below \$3.00. If payment for the meal on credit is not received by the time the student reaches the maximum allowable credit, the student may be served an alternate qualifying meal consisting of a serving of plain milk, cheese sandwich and a serving of fruit or vegetables.



Westminster Public Schools

Where Education is Personal