Work Session
Monday, August 17, 2026 5:00 PM Mountain

West Wing Boardroom
355 Grand Ave
Mancos, CO 81328

1. Establish Quorum
2. Approval of Agenda
3. Review Norms
4. Strategic Plan: 2026-27 Overview Draft
   - 4.A. Strategic Plan: First Week highlights from school leaders
   - 4.B. Student Board Members 2026-27
   - 4.C. Strategic Plan: ELA Curriculum Review Plan
5. Policy
6. Additional Work Session Item: Monthly BOE Communication
7. Admin
   - 7.A. Calendar Review
8. Adjournment

The Seven Norms of Collaborative Work

Pausing

Pausing before responding or asking a question allows time for thinking and enhances dialogue, discussion and decision-making.

Paraphrasing

Using a paraphrase starter that is comfortable for you "So . . . " or "You're feeling . . . " or "You're thinking . . . " and following the starter with a paraphrase assists members of the group to hear and understand one another.

Posing questions

Two intentions of posing questions are to explore and specify thinking. Questions may be posed to explore perceptions, assumptions and interpretations and invite others to inquire into their own thinking. For example, "What might be some outcomes we are envisioning?" Use focusing questions such as, "Which students, specifically?" or "What might be an example of that?" to increase the clarity and precision of group members' thinking. Inquire into the ideas of others before advocating for one's own ideas.

Putting ideas on the table

Ideas are the heart of a meaningful dialogue. Label the intention of your comments. For example, you might say, "Here is one idea . . . " or "One thought I have is . . . " or "Here is a possible approach . . . "

Providing data

Providing data, both qualitative and quantitative, in a variety of forms supports group members in constructing shared understanding from their work. Data have no meaning beyond that which we make of them; shared meaning develops from collaboratively exploring, analyzing and interpreting data.

Paying attention to self and others

Meaningful dialogue is facilitated when each group member is conscious of self and of others, and is aware of not only what he or she is saying, but also how it is said and how others are responding. This includes paying attention to human uniqueness when planning for, facilitating and participating in group meetings. Responding to others in their own language forms is one manifestation of this norm.

Presuming positive intentions

Assuming that others' intentions are positive promotes and facilitates meaningful dialogue and eliminates unintentional putdowns. Using positive intentions in your speech is one manifestation of this norm.

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Mancos School District Community Agreements & The Bluejay Way

Stay curious and kind.

Center the student experience.

Ensure all voices are heard and considered.

Be productive and solution-focused.

Assume positive intent and listen to understand.

Anchor conversations in evidence, data, and lived experience.

Show care for yourself and others.

Enjoy the time together and have some fun!

integrity
perseverance
dignity
curiosity
leadership

Mancos School District - Strategic Plan Overview
2026-27 DRAFT

Mission Statement: In partnership with our community, we will foster safe, positive and rigorous learning experiences. **(NOTE: To be renewed in 26-27 with staff, student and community input)**

Vision Statement: Every student will graduate with a broad academic foundation which enables each to demonstrate the skills of critical thinking, problem solving, team work and independent judgment. All students will understand democratic principles and recognize their civic responsibilities, and will be capable of ambitiously and appropriately participating in an age of dynamic technological change within a global context. **(NOTE: To be renewed in 26-27 with staff, student and community input)**

Goals and Targets:

Healthy Community

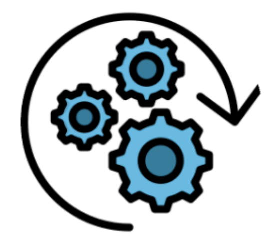
We will cultivate a connected community where students, staff and families feel agency and belonging.

- **Community-centered** learning environments
- **Whole-child** development and supports
- **Proactive and restorative** approaches
- Inclusive **parent-engagement**
- Culture of **support and growth**

Engaging Learning

We will create learning environments that are rich with challenging, student-led learning experiences everyday.

- **Engaging and high-quality** instructional approach
- **Aligned and articulated** curriculum
- Student-centered reflection, **assessment and reporting** practices
- ~~Portrait of a Graduate integration~~
- Community, work and nature based learning experiences



Cohesive Systems

We will build **open, aligned, and** sustainable systems **and teams** that reflect our values and ensure continuity across our schools.

- Structures for **shared-leadership**
- **Comprehensive** communication plans
- **Tiers of support** framework
- **Targeted** professional growth cycles and **support**.

How will we accomplish this in 2026-27?

Through building a culture of Crew and the Bluejay Way.

By utilizing our Mancos Instructional Model.

By developing and using agreements.

Evidence of Progress:

- School Climate Survey
- Healthy Kids Colorado
- Attendance data
- Participation data
- Incident and discipline data

- Growth and achievement data
- Student work protocols
- Portfolio outcomes
- Student feedback
- Observation trends

- Operational audits
- School-Fidelity Tool
- Staff and community perception data
- Team and self-assessment data

BC – 09 - School Board Conduct

Student Member of the School Board

Nonvoting student representative(s) to the Board of Education will be selected each year by a vote of the school board. Student applications will be accepted in the first month of each school year and will undergo a review process. The term shall be concluded on or before the end of the school calendar year.

The student may participate in Board discussions of agenda items at regular meetings and work sessions. The student will express their thoughts and opinions on action items but will not cast a formal vote. However, the student shall be excluded from attendance at executive sessions.

Specifics relative to qualifications, academic standing, reporting and responsibilities shall be set forth in policy JJA-3R.

The Board reserves the right to bar the participation of the student member if actions of the student member are unacceptable to the Board.

Adopted : June 9, 2025

Revised: September 15, 2025

JJA-3-R – Student Member of the School Board

The Student Member to the School Board will:

- Represent the student voice and perspective of all students enrolled in Mancos High School to the School Board, Superintendent, and leadership team.
- Actively solicit ideas and input from various student stakeholder groups within the school district.
- Actively interact and communicate with various student stakeholder groups to help explain the roles and responsibilities of the Board.
- Actively interact with various student stakeholder groups to help communicate board policies and actions that impact student life in the school district.
- Consistently attend and participate in School Board meetings and work sessions. Student Member(s) will be given the option to leave at 8:00 pm.
- Communicate in a timely fashion with the Board when the Student Member(s) is not able to be present at meetings.
- Represent themselves in a professional and positive manner to all stakeholders within Mancos RE-6 School District, (parents, community, school board, RE-6 staff, etc.)

Student Member(s) will not be allowed to vote on matters coming before the School Board but will be encouraged to give their opinion and point of view to board members prior to the School Board voting on any matters coming before them in a public forum (executive sessions are not included).

Process of applying

The Student Member(s) must be at least a sophomore (10^{th} grade level), at the time of application.

The Mancos School Board Secretary will collect completed applications and forward them to the School Board not later the August 31^{st}.

A committee composed of the Superintendent, a teacher liaison and a Board Member will review completed applications and interview candidates.

Successful candidate(s) will be recommended by the Superintendent at the September board meeting and confirmed by Board vote.

Adopted: September 15, 2025

Board of Education Report
Prepared by Adyan Farrar, Curriculum Coordinator
August 13, 2026

Re: Secondary ELA Curriculum Plan

Current state: There has not been a comprehensive curriculum review of secondary ELA materials in at least 20 years. This creates several gaps: 1) Creating alignment from grade to grade is challenging and time-consuming; 2) New teachers are left to create curriculum on their own; and 3) Year-to-year, there can be inconsistencies in covered standards. Currently, our ELA teachers utilize resources that they've developed on their own or access free or low cost ELA curricular resources that are shared across the ELA professional community.

Plan: For the 26-27 school year, we will use an online curriculum resource called FishTank Learning for each grade level at a cost of $129 per grade level, for grades 6-11 (total cost for this year, $774). This will help support our new high school teacher and give our middle school teachers some additional resources. Fish Tank Learning is aligned with Colorado State Literacy Standards.

Over the course of the 26-27 SY, the secondary ELA will undergo a comprehensive curriculum and scope and sequence review with a goal of having a proposal for the Board of Education in March or April of 2027. Already exploration has begun. Last year, ELA teachers explored four low cost ELA resources: FishTank Learning; EL Education; Odell High School; and Common Lit 360. All are open source curricula which means they are made public for free download. There are many more curricular programs to explore through a full review process.

Fishtank was chosen for this year as a resource for teachers because it's a quality program that allows for instructional flexibility. Additionally, many of the novel selections at each grade level are novels we have in text sets. FishTank is not a scripted program, but instead a guide to essential questions, text connections, vocabulary, and deep understandings around literature.

Next Steps: Organize an ELA 6-12 Curriculum Review team and process that includes teachers, students and parents.

Colorado Association of School Boards

Special Policy Update

July 28, 2026

Restraint and Seclusion

In 2025, the Colorado legislature passed House Bill 25-1248 Protect Students from Restraint and Seclusion, which tasked the Colorado State Board of Education with updating the Rules Implementing the Protection of Students from Restraint and Seclusion Act. On April 8, 2026, the Colorado State Board of Education adopted changes to those rules. The bill included new or expanded substantive requirements that are covered in more detail in the rules. The most impactful changes, which are reflected in policy are (1) clarification that seclusion is a form of restraint and includes specific requirements concerning its use, (2) narrows the use of restraint in response to property destruction, (3) updates training requirements, (4) expands or changes notice, documentation, and reporting requirements, and (5) allows a third party to file a complaint concerning the use of restraint and seclusion. These changes are reflected in sample policies JKA Use of Physical Intervention and Restraint, JKA-R Use of Physical Intervention and Restraint Procedures, JKA-E-1 Use of Physical Intervention and Restraint Complaint Form, and JKA-E-2 Use of Physical Intervention and Restraint Complaint Procedure.

Policy JKA Use of Physical Intervention and Restraint, and the associated regulation JKA-R Use of Physical Intervention and Restraint Procedures both needed substantial rewrites in structure, language, and formatting. Because of the substantial changes we are providing districts with a clean version, rather than a complicated redline. However, the purpose and aims of policy JKA and JKA-R have not changed. Therefore, it is recommended to revise your existing version of JKA and JKA-R in full by replacing the old language with the new JKA and JKA-R language.

Other Resources:

[Protect Students from Restraint and Seclusion | General Assembly]

[CDE Overview of Changes to the Rules Implementing the Protection of Students from Restraint and Seclusion Act]

Federal Procurement

From time to time the federal government updates thresholds for federal procurement guidelines per the Uniform Grant Guidance. These thresholds apply to any purchases using federal funds and procurement procedures vary depending on the threshold—

these updated thresholds are reflected in sample policies DJB Federal Procurement and DJB-R Federal Procurement Procedures.

Immunization of Students

Colorado law requires students attending Colorado public kindergarten, elementary, or secondary schools through grade 12 to be vaccinated against certain diseases, unless an exemption is on file at the school. In 2025, the Colorado legislature passed House Bill 25-1027, which made changes to student immunization requirements. In December of 2025 the Colorado Board of Health revised the Colorado Code of Regulations to update the rules on Immunization of Students Attending Schools. The update changes the exemption process for Medical and Non-Medical Exemptions, it also changes the requirements around denial of attendance and updates recordkeeping and reporting by certain school facilities. These changes are reflected in sample policies JLCB Immunization of Students and JLCB-R Immunization of Students Procedures.

Other Resources:

CDPHE Explanation of Key Changes

Update Disease Control Statutes | General Assembly

Colorado Department of Public Health and Environment Immunization Requirements

Reporting Child Abuse

In 2025, the Colorado legislature passed House Bill 25-1188 Mandatory Reporter Task Force Recommendation. The most impactful change made to this policy is that mandatory reporters are now obligated to report child abuse within 24 hours of knowledge of abuse. The task force also made clear that reports are only required if the person was working in their professional capacity. These changes are reflected in sample policies GBEB Staff Conduct, JLF Reporting Child Abuse, and JLF-R Reporting Child Abuse Procedures.

Other Resources: Mandatory Reporter Task Force Recommendations | General Assembly

Criminal History Record Information

There are federal and state laws protecting a person's Criminal Justice Information and Criminal History Record Information from unnecessary, or inadvertent disclosure. While this information is useful while screening and hiring potential employees, particularly in the education space, these laws set parameters for the proper access, use, dissemination, protection, and disposal of this information. In October 2025, the Federal Bureau of Investigation (FBI) updated their policy recommendations to ensure all agencies who are accessing this sensitive information are doing so appropriately.

The updates to sample policy GBI Criminal History Record Information reflect the recommendations of the FBI, and Colorado Bureau of Investigation (CBI), which largely require more specificity around who can access the information, and any affirmative steps being taken to protect the information. Under the "Media Protection" section there are various pieces of optional language that districts need to thoughtfully choose. In particularly, the policy should only include language about "electronic storage" if the district stores CJI or CHRI electronically. There are also nine options on how to securely store physical media—districts should only include the options they implement within their district.

Other Resources: Federal Bureau of Investigation | CJIS Security Policy Resource Center

Code	Title	Description of Updates	Suggested Adoption Date	Required by Law	Core Policy	BOCES Policy
JKA	Use of Physical Intervention and Restraint	Revises Policy Substantially	As Soon as Practicable	Yes	Word	Word
JKA-R	Procedure for the Use of Physical Intervention and Restraint	Revises Policy Substantially	As Soon as Practicable	Yes	Word	Word
JKA-E-1	Student Restraint Incident Report Form	Minor Substantive, Technical, and Stylistic	As Soon as Practicable	No	Word	Word
JKA-E-2	Complaint Procedures and Regulations	Minor Substantive, Technical, and Stylistic	As Soon as Practicable	No	Word	Word
DJB*	Federal Procurement	Minor Substantive, Technical, and Stylistic	As Soon as Practicable	Yes, if receiving federal funds	Word	Word
DJB-R*	Federal Procurement Procedures	Minor Substantive, Technical, and Stylistic	As Soon as Practicable	Yes, if receiving federal funds	Word	Word
JLCB	Immunization of Students	Minor Substantive, Technical, and Stylistic	As Soon as Practicable	No	Word	Word
JLCB-R	Immunization of Students	Minor Substantive, Technical, and Stylistic	As Soon as Practicable	No	Word	Word
GBI*	Criminal History Record Information	Minor Substantive, Technical, and Stylistic	As Soon as Practicable	Yes	Word	Word
GBEB	Staff Conduct (And Responsibilities)	Minor Substantive, Technical, and Stylistic	As Soon as Practicable	Yes	Word	Word
JLF	Reporting Child Abuse and Child Protection	Minor Substantive, Technical, and Stylistic	As Soon as Practicable	No	Word	Word
JLF-R	Reporting Child Abuse and Child Protection Procedures	Minor Substantive, Technical, and Stylistic	As Soon as Practicable	No	Word	Word

File: JLF-R - Reporting Child Abuse/Child Protection

NOTE: While Colorado school districts are not required by law to adopt a regulation on this subject, some content in this sample reflects legal requirements school districts must follow. This sample contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

1. Definition of abuse or neglect

Child abuse or neglect is defined in law as "an act or omission which seriously threatens the health or welfare of a child." Specifically, this refers to:

a. Evidence of skin bruising, bleeding, malnutrition, failure to thrive, burns, fracture of any bone, subdural hematoma, soft tissue swelling or death and such condition or death which is not justifiably explained or where the history given concerning such condition or death is at variance with the condition or the circumstances indicate that the condition may not be the product of an accidental occurrence.

b. Any case in which a child is subject to unlawful sexual behavior as defined in state law.

c. Any case in which a child is in need of services because the child's parents, legal guardians or custodians fail to take the same actions to provide adequate food, clothing, shelter, medical care or supervision that a prudent parent would take.

d. Any case in which a child is subjected to emotional abuse which means an identifiable and substantial impairment of the child's intellectual or psychological functioning or development or a substantial risk or impairment of the child's intellectual or psychological functioning or development.

E. Any act or omission described as neglect in state law as follows:

i) A parent, guardian or legal custodian has abandoned the child or has subjected him or her to mistreatment or abuse or allowed another to mistreat or abuse the child without taking lawful means to stop such mistreatment or abuse and prevent it from recurring.

ii) The child lacks proper parental care through the actions or omissions of the parent, guardian or legal custodian.

iii) The child's environment is injurious to his or her welfare.

iv) A parent, guardian or legal custodian fails or refuses to provide the child with proper or necessary subsistence, education, medical care or any other care necessary for his or her health, guidance or well-being.

v) The child is homeless, without proper care or not domiciled with his or her parent, guardian or legal custodian through no fault of such parent, guardian or legal custodian.

vi) The child has run away from home or is otherwise beyond the control of his or her parent, guardian or legal custodian.

vii) A parent, guardian or legal custodian has subjected another child or children to an identifiable pattern of habitual abuse and the parent, guardian or legal custodian has been the respondent in another proceeding in which a court has adjudicated another child to be neglected or dependent based upon allegations of sexual or physical abuse or has determined that such parent's, guardian's or legal custodian's abuse or neglect caused the death of another child; and the pattern of habitual abuse and the type of abuse pose a current threat to the child.

2. Reporting requirements

Any school employee who has reasonable cause to know or suspect that any child is subjected to abuse or to conditions that might result in abuse or neglect must immediately upon receiving such information report such fact to the appropriate county department of social services, local law enforcement agency or through the statewide child abuse reporting hotline system. The employee must follow any oral report with a written report sent to the appropriate agency.

In cases where the suspected or known perpetrator is a school employee, the report should be made to the law enforcement agency. *(Reports made to social services will be referred to law enforcement.)*

If a child is in immediate danger, the employee should call 911. "Immediate" refers to abuse that occurs in the employee's presence or has just occurred.

The employee reporting suspected abuse/neglect to social services or law enforcement officials must inform the school principal as soon as possible orally or with a written memo. The ultimate responsibility for seeing that the oral and written reports are made to social services or law enforcement agencies lies with the school official or employee who had the original concern.

NOTE: The Colorado Child Abuse and Neglect Hotline is 1-844-CO-4-kids or 1-844-264-5437. The main purpose of the hotline is to quickly route callers to the appropriate county. To ensure proper routing through the hotline, each county must have a dedicated line for child abuse and neglect reporting. Calls made directly to a county's dedicated line will also be routed through the hotline for data collection purposes.

3. Contents of the report

The following information should be included to the extent possible in the initial report:

a. Name, age, address, sex and race of the child.

b. Name and address of the child's parents, guardians and/or persons with whom the student lives.

c. Name and address of the person, if known, believed responsible for the suspected abuse or neglect.

d. The nature and extent of the child's injury or condition as well as any evidence of previous instances of known or suspected abuse or neglect of the child or the child's siblings-all with dates as appropriate.

e. The family composition, if known.

f. Any action taken by the person making the report.

g. Any other information that might be helpful in establishing the cause of the injuries or the condition observed.

It is helpful if the person reporting suspected abuse/neglect is prepared to give documentation. Thus, noting details of observations is important. It is permissible for the school official or employee to conduct a preliminary non-investigative inquiry of any injury or injuries under the following circumstances:

a. School personnel may inquire of the child how an injury occurred. Leading and/or suggestive questions should be avoided. School personnel may not contact the child's family or any other person suspected of causing the injury or abuse to determine the cause of the suspected abuse or neglect.

b. A school employee's reasonable cause to suspect that the child has been subjected to abuse or neglect may arise from a child's vague or inconsistent response to such an inquiry or from an explanation which does not fit the injury.

c. All efforts must be made to avoid duplicate or numerous interviews of the victim.

4. After filing reports

After the report is made to the agency, district and school staff members will cooperate with social services and law enforcement in the investigation of alleged abuse or neglect. The school will report any further incidents of abuse to the agency's representative.

As the case is being investigated, the school will provide supportive aid and counseling services for the child.

Once a report of child abuse is given to the agency, the responsibility for investigation and follow-up lies with the agency. It is not the responsibility of the school staff to investigate the case. Therefore, the school staff will not engage in the following activities:

a. Make home visits for investigative purposes.

b. Take the child for medical treatment. *(This does not preclude taking action in an emergency situation.)*

c. Convey messages between the agency and the parents/guardian.

Authorized school and district personnel may make available to agency personnel assigned to investigate instances of child abuse the health or other records of a student for such investigative purposes.

5. Guidelines for consideration

a. If any school employee has questions about reasonable cause of child abuse and the need for making a report, the employee may consult with _____[title of appropriate school official]_____. If _____ is not available, a direct call to the county department of social services about concerns is advisable.

Note that consultation with another school official or employee will not absolve the school official or employee of the responsibility for reporting child abuse.

b. In an emergency situation requiring retention of the child at the school building due to fear that if released the child's health or welfare might be in danger, it should be observed that only law enforcement officials have the legal authority to hold a child at school. Otherwise a court order must be obtained to legally withhold a child from his or her parent or guardian.

(Approval date)

LEGAL REF.: C.R.S. 18-3-412.5 (1)(b) (definition of unlawful sexual behavior)

[Revised March 2015]

COLORADO SAMPLE REGULATION 1994©

File: JLF - Reporting Child Abuse/Child Protection

> *NOTE: While Colorado school districts are not required by law to adopt a policy on this subject, this policy reflects legal requirements school districts must follow. This sample policy contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.*

It is the policy of the Board of Education that this school 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 inservice 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.

(Adoption date)

LEGAL REFS.: C.R.S. 19-1-103(1)(definition of child abuse or neglect)

C.R.S. 19-3-102& 103 (definition of neglected or dependent child)

C.R.S. 19-3-304 (persons required to report abuse)

C.R.S. 19-3-307 (reporting procedures)

C.R.S. 19-3-309 (immunity from liability for persons reporting)

C.R.S. 22-32-109(1)(z) (providing inservice for teachers)

CROSS REFS.: GBEB, Staff Conduct

GBGB, Staff Personal Security and Safety

[Revised July 2002]

COLORADO SAMPLE POLICY 1994

JLF-R - Reporting Child Abuse/Child Protection

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iii) The child's environment is injurious to his or her welfare.

iv) A parent, guardian or legal custodian fails or refuses to provide the child with proper or necessary subsistence, education, medical care or any other care necessary for his or her health, guidance or well-being.

v) The child is homeless, without proper care or not domiciled with his or her parent, guardian or legal custodian through no fault of such parent, guardian or legal custodian.

vi) The child has run away from home or is otherwise beyond the control of his or her parent, guardian or legal custodian.

vii) A parent, guardian or legal custodian has subjected another child or children to an identifiable pattern of habitual abuse and the parent, guardian or legal custodian has been the respondent in another proceeding in which a court has adjudicated another child to be neglected or dependent based upon allegations of sexual or physical abuse or has determined that such parent's, guardian's or legal custodian's abuse or neglect caused the death of another child; and the pattern of habitual abuse and the type of abuse pose a current threat to the child.

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If a child is in immediate danger, the employee should call 911. "Immediate" refers to abuse that occurs in the employee's presence or has just occurred.

The employee reporting suspected abuse/neglect to social services or law enforcement officials must inform the school principal as soon as possible orally or with a written memo. The ultimate responsibility for seeing that the oral and written reports are made to social services or law enforcement agencies lies with the school official or employee who had the original concern.

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c. Name and address of the person, if known, believed responsible for the suspected abuse or neglect.

d. The nature and extent of the child's injury or condition as well as any evidence of previous instances of known or suspected abuse or neglect of the child or the child's siblings-all with dates as appropriate.

e. The family composition, if known.

f. Any action taken by the person making the report.

g. Any other information that might be helpful in establishing the cause of the injuries or the condition observed.

It is helpful if the person reporting suspected abuse/neglect is prepared to give documentation. Thus, noting details of observations is important. It is permissible for the school official or employee to conduct a preliminary non-investigative inquiry of any injury or injuries under the following circumstances:

a. School personnel may inquire of the child how an injury occurred. Leading and/or suggestive questions should be avoided. School personnel may not contact the child's family or any other person suspected of causing the injury or abuse to determine the cause of the suspected abuse or neglect.

b. A school employee's reasonable cause to suspect that the child has been subjected to abuse or neglect may arise from a child's vague or inconsistent response to such an inquiry or from an explanation which does not fit the injury.

c. All efforts must be made to avoid duplicate or numerous interviews of the victim.

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As the case is being investigated, the school will provide supportive aid and counseling services for the child.

Once a report of child abuse is given to the agency, the responsibility for investigation and follow-up lies with the agency. It is not the responsibility of the school staff to investigate the case. Therefore, the school staff will not engage in the following activities:

a. Make home visits for investigative purposes.

b. Take the child for medical treatment. *(This does not preclude taking action in an emergency situation.)*

c. Convey messages between the agency and the parents/guardian.

Authorized school and district personnel may make available to agency personnel assigned to investigate instances of child abuse the health or other records of a student for such investigative purposes.

5. Guidelines for consideration

a. If any school employee has questions about reasonable cause of child abuse and the need for making a report, the employee may consult with the guidance counselor. If the guidance counselor is not available, a direct call to the county department of social services about concerns is advisable.

Note that consultation with another school official or employee will not absolve the school official or employee of the responsibility for reporting child abuse.

b. In an emergency situation requiring retention of the child at the school building due to fear that if released the child's health or welfare might be in danger, it should be observed that only law enforcement officials have the legal authority to hold a child at school. Otherwise a court order must be obtained to legally withhold a child from his or her parent or guardian.

Adopted: April 18, 2022 (CASB Core Policy Adoption)

LEGAL REF.: C.R.S. 18-3-412.5 (1)(b) (definition of unlawful sexual behavior)

JLF - Reporting Child Abuse/Child Protection

It is the policy of the Board of Education that this school 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 inservice 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.

Adopted: April 18, 2022 (CASB Core Policy Adoption)

LEGAL REFS.: C.R.S. 19-1-103(1)(definition of child abuse or neglect)
C.R.S. 19-3-102& 103 (definition of neglected or dependent child)
C.R.S. 19-3-304 (persons required to report abuse)
C.R.S. 19-3-307 (reporting procedures)
C.R.S. 19-3-309 (immunity from liability for persons reporting)
C.R.S. 22-32-109(1)(z) (providing inservice for teachers)

CROSS REFS.: GBEB, Staff Conduct
GBGB, Staff Personal Security and Safety

File: JLCB-R - Immunization of Students

NOTE: While Colorado school districts are not required by law to adopt a regulation on this subject, this regulation reflects legal requirements school districts must follow. This sample regulation contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate procedures that meet local circumstances and needs.

1. No student may attend school in the district unless the student has presented to the school an up-to-date certificate of immunization, a written authorization signed by a parent/guardian requesting local public health officials administer the immunizations or a valid certificate of medical or nonmedical exemption form.

NOTE: Please refer to current standardized immunization documents and exemption forms developed and updated by the Colorado Department of Public Health and Environment.

2. A student will be exempted from required immunizations only upon submission of:

a. a completed certificate of medical exemption from a licensed physician, qualified physician assistant, or advanced practice nurse that the student´s physical condition is such that immunization would endanger the student´s life or health or is otherwise medically contraindicated due to other medical conditions;

b. a completed certificate of completion of the online education module administered by the Colorado Department of Public Health and Environment; or

c. a completed certificate of nonmedical exemption signed by a parent/guardian or an emancipated student and a physician, qualified physician assistant, or advanced practice nurse.

In the event of an outbreak of any communicable disease for which immunization is required, no exemption will be recognized and those students will be excluded from school.

3. Parents/guardians or emancipated students who assert a nonmedical exemption must submit either a completed certificate of completion of the online education module administered by the Colorado Department of Public Health and Environment or a completed certificate of nonmedical exemption that is signed by a parent/guardian or emancipated student and a physician, qualified physician assistant, or advanced practice nurse on an annual basis. Such submission will occur at the beginning of each school year that the nonmedical exemption is asserted.

4. Parents/guardians or emancipated students who assert an exemption from immunizations based on a medical reason shall submit the required medical exemption form to the school one time. The medical exemption form shall be maintained on file at each new school the student attends.

5. Each school in the district annually provides the school´s specific immunization and exemption rates for the measles, mumps, and rubella vaccine [optional: the school may also include immunization and vaccination rates for any other vaccine] for the school´s enrolled student population for the previous school year compared to the vaccinated children standard.

6. The district will provide upon request an immunization reporting form. The __[appropriate school official, e.g., school nurse, principal]__is responsible for seeing that required information is included on the form and transferred to an official certificate of immunization as required.

7. If there is a failure to comply with the immunization requirements, the [appropriate school official] will personally notify the parent/guardian or emancipated student. Such notification will be accomplished by telephone, e-mail, or in person. If this is not possible, contact will be by physical mail. Emancipated students must be contacted directly rather than through their parents/guardians.

The parent/guardian or emancipated student will be notified of the following:

a. that up-to-date immunizations are required under Colorado law.

b. that within 14 days of notification, the parent/guardian must submit one of the following: an authorization for administration of the immunization by public health officials; a completed certificate of medical or nonmedical exemption; a completed certificate of completion of the online education module administered by the Colorado Department of Public Health and Environment; or documentation to the school showing that the next required immunization has been given and a written plan for completion of all required immunizations.

c. that if the required documentation is not submitted within 14 days of notification or if the student begins but does not continue or complete the written plan, the student will be suspended or expelled.

7. A student who fails to comply will be suspended by the principal for up to five days and notice of the suspension sent to the Health Department, in accordance with applicable law.

8. If no certificate of immunization is received during the period of suspension, the superintendent will institute proceedings for expulsion.

9. Any suspension or expulsion under this policy will terminate automatically upon compliance.

10. Record of any such suspension or expulsion will be contained in the student's health file, with an appropriate explanation - not in the student's disciplinary file.

Any student expelled for failure to comply with the immunization requirements will not be included in calculating the dropout rate, but will be included in the annual report to the State Board of Education.

NOTE: While the definition of "student in out-of-home placement" closely tracks the federal law's definition of a student in foster care, the state law's definition is slightly broader. Thus, the use of the term "student in out-of-home placement" is intentional in the following paragraph, as state law requires the district to enroll a student in an out-of-home placement regardless of whether the district has received the student's immunization records. C.R.S. 22-32-138 (4).

Students in out-of-home placements

The following procedure applies to students in out-of-home placements, as that term is defined by C.R.S. 22-32-138 (1)(h).

Unless the district or school is otherwise authorized to deny enrollment to a student in out-of-home placement, the district or school must enroll the student regardless of whether the district or school has received the student's immunization records. Upon enrolling the student, the school must notify the student's legal guardian that unless the school receives the student's certificate of immunization or a written authorization for administration of immunizations within 14 days after the student enrolls, the school will suspend the student until such time as the school receives the certificate of immunization or authorization.

(Approval date)

[Revised June 2021]

COLORADO SAMPLE REGULATION 1992©

NOTE: While Colorado school districts are not required by law to adopt a policy on this subject, some content in this sample reflects legal requirements school districts must follow. This sample contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Immunization of Students

The Board directs the superintendent or designee(s) to annually provide parents/guardians of each student enrolled in the district a copy of the standardized immunization document developed by the Colorado Department of Public Health and Environment. The standardized immunization document includes a list of required and recommended immunizations and the age at which each immunization should be given, the school's specific immunization and exemption rates for the measles, mumps, and rubella vaccine *[optional: the school may also include immunization and vaccination rates for any other vaccine]* for the school's enrolled student population for the previous school year compared to the vaccinated children standard, and a statement that the school is required to collect and report the information, but the school does not control the school's specific immunization rates or establish the vaccinated children standard.

No student is permitted to attend or continue to attend any school in this district without meeting the legal requirements of immunization against disease unless the student has presented one of the following, as provided by law:

a written authorization signed by a parent/guardian requesting local public health officials administer the immunizations;

- a certificate of medical exemption;
- a certificate of completion of the online education module administered by the Colorado Department of Public Health and Environment; or
- a certificate of nonmedical exemption.

Students who do not submit an up-to-date certificate of immunization, a written authorization signed by one parent/guardian requesting local public health officials to administer the immunizations, or a valid certificate of medical or nonmedical exemption will be suspended and/or expelled from school according to this policy's accompanying regulation.

All information distributed to parents/guardians by the district will inform them of their rights to seek an exemption from immunization requirements.

(Adoption date)

LEGAL REFS.: C.R.S. 22-32-140 *(annual distribution of standardized immunization document required)*
C.R.S. 22-33-106 *(grounds for suspension, expulsion and denial of admission)*
C.R.S. 25-4-901 *et seq.* *(school entry immunizations)*
6 CCR 1009-2 *(school immunization requirements)*

CROSS REFS.: JF, Admission and Denial of Admission
JFABE*, Students in Foster Care
JKD/JKE, Suspension/Expulsion of Students (and Other Disciplinary Interventions)
JRA/JRC, Student Records/Release of Information on Students

NOTE 1: In accordance with state law, the Colorado Department of Public Health and Environment (CDPHE) has developed and provided to the Colorado Department of Education (CDE) a standardized immunization document regarding childhood immunizations. CDE shall post an updated standardized immunization document on its website on or before January 15th annually. C.R.S. 25-4-902.

NOTE 2: Districts may determine the method of distribution for the standardized immunization document. Solely posting the document on the school district's website or in a central area of the school is not sufficient to satisfy the notice requirement, however, each school district is encouraged to post a copy of the document on its website. C.R.S. 22-32-140.

NOTE 3: State law requires schools to make the immunization and exemption rates of their enrolled student population "publicly available upon request." C.R.S. 25-4-903 (5). The CDPHE has created a worksheet to assist schools in determining their immunization and exemption rates. To access this worksheet and related information, visit the CDPHE's website, https://www.colorado.gov/cdphe.

NOTE 4: State law also requires schools, on or by February 15, 2021 and every year thereafter, to include on the standardized immunization document the school's specific immunization and exemption rates for the measles, mumps, and rubella vaccine for the school's enrolled student population for the previous school year compared to the vaccinated children standard of 95%. C.R.S. 25-4-902 (4)(b).

[Revised June 2021]
COLORADO SAMPLE POLICY 1991©

JLCB-R - Immunization of Students

1. No student may attend school in the district unless the student has presented to the school an up-to-date certificate of immunization, a written authorization signed by a parent/guardian requesting local public health officials administer the immunizations or a valid certificate of medical or nonmedical exemption form.

2. A student will be exempted from required immunizations only upon submission of:

   a. a completed certificate of medical exemption from a licensed physician, qualified physician assistant, or advanced practice nurse that the student's physical condition is such that immunization would endanger the student's life or health or is otherwise medically contraindicated due to other medical conditions;

   b. a completed certificate of completion of the online education module administered by the Colorado Department of Public Health and Environment; or

   c. a completed certificate of nonmedical exemption signed by a parent/guardian or an emancipated student and a physician, qualified physician assistant, or advanced practice nurse.

   In the event of an outbreak of any communicable disease for which immunization is required, no exemption will be recognized and those students will be excluded from school.

3. Parents/guardians or emancipated students who assert a nonmedical exemption must submit either a completed certificate of completion of the online education module administered by the Colorado Department of Public Health and Environment or a completed certificate of nonmedical exemption that is signed by a parent/guardian or emancipated student and a physician, qualified physician assistant, or advanced practice nurse on an annual basis. Such submission will occur at the beginning of each school year that the nonmedical exemption is asserted.

4. Parents/guardians or emancipated students who assert an exemption from immunizations based on a medical reason shall submit the required medical exemption form to the school one time. The medical exemption form shall be maintained on file at each new school the student attends.

5. Each school in the district annually provides the school's specific immunization and exemption rates for the measles, mumps, and rubella vaccine [optional: the school may also include immunization and vaccination rates for any other vaccine] for the school's enrolled student population for the previous school year compared to the vaccinated children standard.

6. The district will provide upon request an immunization reporting form. The school nurse is responsible for seeing that required information is included on the form and transferred to an official certificate of immunization as required.

7. If there is a failure to comply with the immunization requirements, the school nurse will personally notify the parent/guardian or emancipated student. Such notification will be accomplished by telephone, e-mail, or in person. If this is not possible, contact will be by physical mail. Emancipated students must be contacted directly rather than through their parents/guardians.

The parent/guardian or emancipated student will be notified of the following:

   a. that up-to-date immunizations are required under Colorado law.

   b. that within 14 days of notification, the parent/guardian must submit one of the following: an authorization for administration of the immunization by public health officials; a completed certificate of medical or nonmedical exemption; a completed certificate of completion of the online education module administered by the Colorado Department of Public Health and Environment; or documentation to the school showing that the next required immunization has been given

c. that if the required documentation is not submitted within 14 days of notification or if the student begins but does not continue or complete the written plan, the student will be suspended or expelled.

7. A student who fails to comply will be suspended by the principal for up to five days and notice of the suspension sent to the Health Department, in accordance with applicable law.

8. If no certificate of immunization is received during the period of suspension, the superintendent will institute proceedings for expulsion.

9. Any suspension or expulsion under this policy will terminate automatically upon compliance.

10. Record of any such suspension or expulsion will be contained in the student's health file, with an appropriate explanation - not in the student's disciplinary file.

Any student expelled for failure to comply with the immunization requirements will not be included in calculating the dropout rate, but will be included in the annual report to the State Board of Education.

Students in out-of-home placements

The following procedure applies to students in out-of-home placements, as that term is defined by C.R.S. 22-32-138 (1)(h).

Unless the district or school is otherwise authorized to deny enrollment to a student in out-of-home placement, the district or school must enroll the student regardless of whether the district or school has received the student's immunization records. Upon enrolling the student, the school must notify the student's legal guardian that unless the school receives the student's certificate of immunization or a written authorization for administration of immunizations within 14 days after the student enrolls, the school will suspend the student until such time as the school receives the certificate of immunization or authorization.

Adopted: April 18, 2022 (CASB Core Policy Adoption)

JLCB - Immunization of Students

The Board directs the superintendent or designee(s) to annually provide parents/guardians of each student enrolled in the district a copy of the standardized immunization document developed by the Colorado Department of Public Health and Environment. The standardized immunization document includes a list of required and recommended immunizations and the age at which each immunization should be given, the school's specific immunization and exemption rates for the measles, mumps, and rubella vaccine [optional: the school may also include immunization and vaccination rates for any other vaccine] for the school's enrolled student population for the previous school year compared to the vaccinated children standard, and a statement that the school is required to collect and report the information, but the school does not control the school's specific immunization rates or establish the vaccinated children standard.

No student is permitted to attend or continue to attend any school in this district without meeting the legal requirements of immunization against disease unless the student has presented one of the following, as provided by law:

- a written authorization signed by a parent/guardian requesting local public health officials administer the immunizations;
- a certificate of medical exemption;
- a certificate of completion of the online education module administered by the Colorado Department of Public Health and Environment; or
- a certificate of nonmedical exemption.

Students who do not submit an up-to-date certificate of immunization, a written authorization signed by one parent/guardian requesting local public health officials to administer the immunizations, or a valid certificate of medical or nonmedical exemption will be suspended and/or expelled from school according to this policy's accompanying regulation.

All information distributed to parents/guardians by the district will inform them of their rights to seek an exemption from immunization requirements.

Adopted: April 18, 2022 (CASB Core Policy Adoption)

LEGAL REFS.: C.R.S. 22-32-140 *(annual distribution of standardized immunization document required)*

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

C.R.S. 25-4-901 et seq. *(school entry immunizations)*

6 CCR 1009-2 *(school immunization requirements)*

CROSS REFS.: JF, Admission and Denial of Admission

JFABE*, Students in Foster Care

JKD/JKE, Suspension/Expulsion of Students (and Other Disciplinary Interventions)

JRA/JRC, Student Records/Release of Information on Students

File: JKA

> *NOTE: Colorado school districts are required by law to adopt a policy and procedures for the use of reasonable and appropriate physical intervention and the law contains some specific direction as to the content or language. This sample contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.*

Use of Physical Intervention and Restraint

USE OF PHYSICAL INTERVENTION AND RESTRAINT

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 will not be considered child abuse or corporal punishment if performed in good faith and in compliance with this policy and accompanying regulation.

DEFINITIONS

Corporal Punishment means the willful infliction of, or willfully causing the infliction of, physical pain on a child. *Corporal Punishment is never to be used.*

Emergency means a serious, probable, imminent threat of bodily harm to self or others when there is the present ability to affect such bodily harm.

Restraint means any method or device that is used to limit a student's voluntary freedom of movement, including seclusion, chemical restraint, mechanical restraint, and physical restraint.

> Chemical Restraint means the involuntary administration of medication to a student for the purpose of restraining a student and does not include administering prescription medication or medication for voluntary or life-saving medical procedures. *Chemical Restraint is never to be used.*
>
> Mechanical Restraint means a physical device used to restrict a student's voluntary freedom of movement or the movement or normal function of a portion of their body, and does not include (1) devices recommended by the student's physician, occupational or physical therapist, IEP, or 504 Team, (2) protective devices used to prevent a student from self-harm as agreed on by the student's IEP or 504 Team, (3) an adaptive device that is used to facilitate instruction or therapy recommended by the student's physician, occupational or physical therapist and is agreed to for use by the student and the student's IEP or 504 Team, or (4) a positioning or securing device used to facilitate the student's medical treatment as recommended by the student's physician, occupational or physical therapist, IEP, or 504 Team.

Physical Restraint means the use of bodily physical force to limit a student's voluntary freedom of movement for more than one minute. Physical restraint does not include a physical intervention administered on a student that lasts one minute or less for the protection of a student, others, or property. It also does not include the holding of a student for the purpose of calming the student, minimal physical contact for the purpose of escorting a student or assisting the student with a task.

Prone Restraint means a restraint in which the student who is being restrained is secured in a face-down position.

Seclusion is a form of restraint and means (1) the placement of a student, (2) alone in a room or area, (3) from which egress is prevented. *Seclusion does not include time out.*

Time Out is the removal of a student from a potentially rewarding situation and does not prevent a student's egress.

RESTRAINT

The use of restraint on a student of the District is prohibited when the student is on District property, participating in an off-campus activity, or event sponsored by the District, except in the following situations:

Deadly Weapon. The use of mechanical, physical, or prone restraints is permitted on a student who openly displays a deadly weapon.

Emergency. The use of physical restraint or seclusion is permitted in an emergency (1) after the failure of less restrictive alternatives, or (2) after the determination that less restrictive alternatives would be inappropriate or ineffective during the emergency.

Property Damage. If property damage may be involved, restraint may only be used when the destruction of property (1) could result in a serious, probable, imminent threat of bodily harm to the individual or another person, and (2) the student is able to effect such bodily harm.

Restraint must not be used as a form of punishment, treatment as a way to modify behavior, or as retaliation. Any District or District Employee who uses physical restraint must ensure that the restraint does not place excess pressure on the student's chest or back or inhibit or impede the student's ability to breathe; and during the restraint the student's breathing must not be compromised. The student must be released from the restraint within fifteen minutes after the initiation of the restraint, except when it would be unsafe to do so.

SECLUSION

If a District uses a room for seclusion, there must be at least one window to monitor the student when the door is closed. If a window is not feasible, monitoring must be done with a video camera. A room used for seclusion must be a safe space free from injurious items. The room must not be used by school staff for storage, custodial purposes, or office space. A student placed in seclusion must be continually monitored and provided relief periods from seclusion for reasonable access to the restroom.

USE OF RESTRAINT BY A SCHOOL RESOURCE OFFICER OR LAW ENFORCEMENT

An armed security officer or certified peace officer may use mechanical or prone restraints only if the officer (1) has received documented training in defensive tactics utilizing handcuffing procedures, (2) has received documented training in restraint tactics utilizing prone restraint, and (3) has made a referral to a law enforcement agency and is making an arrest or is referring to law enforcement to make an arrest.

A school resource officer or law enforcement officer acting in his/her official capacity on District property may use a mechanical, physical, or prone restraint on a student if there is a danger to the student or others, or during a custodial arrest that requires transport.

NOTE: Information concerning the district's policies for the use of restraint and seclusion on students and information concerning the process for filing a complaint regarding the use of restraint and seclusion, as set forth by rules of the State Board of Education, must be included in the student conduct and discipline code distributed to students. C.R.S. 22-32-109.1 (2)(a)(I)(L). CASB sample exhibit JKA-E-2 reflects the State Board's complaint process and may be included in the student conduct and discipline code to meet this notification requirement.

(Adoption date)

LEGAL REFERENCES:

C.R.S. 18-1-703 *(use of physical force by those supervising minors)*
C.R.S. 18-1-901 (3)(e) *(definition of a deadly weapon)*
C.R.S. 18-6-401 (1) *(definition of child abuse)*
C.R.S. 19-1-103 (1) *(definition of abuse and neglect)*
C.R.S. 22-1-140 *(definition of corporal punishment, and prohibition against volunteers or employees from imposing corporal punishment on a child)*
C.R.S. 22-32-109.1 (2)(a) *(adoption and enforcement of discipline code)*
C.R.S. 22-32-109.1 (2)(a)(I)(D) *(policy required as part of safe school's plan)*
C.R.S. 22-32-109.1 (2)(a)(I)(L) *(policies for use of restraint and seclusion on students and information on the process for filing a complaint regarding the use of restraint or seclusion shall be included in student conduct and discipline code)*
C.R.S. 22-32-109.1 (2)(a)(D) *(prohibition against corporal punishment shall be included in student conduct and discipline code)*
C.R.S. 22-32-109.1 (9) *(immunity provisions in safe school's law)*
C.R.S. 22-32-147 *(use of restraints on students)*
C.R.S. 26-20-101 *et seq. (Protection of Persons from Restraint Act)*
1 CCR 301-45 *(State Board of Education rules for the Administration of the Protection of Persons from Restraint Act)*

[Revised July 2026]

File: JKA-R

NOTE: Colorado school districts are required by law to adopt a policy and procedures for the use of reasonable and appropriate physical intervention and the law contains some specific direction as to the content or language. This sample contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Procedure for the Use of Physical Intervention and Restraint

DUTIES RELATED TO RESTRAINT

A District, or District Employee, who uses restraint must adhere to the restrictions outlined in policy JKA. In addition, any District Employee who uses restraint of any form, must be appropriately trained and follow the notification and documentation guidelines.

TRAINING

A District that uses restraint must ensure that all District Employees and agents using restraint in its facilities or programs are trained. Training must include:

1. The appropriate use of restraint;
2. Methods to explain the use of restraint to the student who is restrained and the student's family;
3. A continuum of prevention techniques;
4. Environmental management;
5. A continuum of de-escalation techniques;
6. Nationally recognized physical management and restraint practices, including, but not limited to, techniques that allow restraint in an upright or sitting position and information about the dangers created by prone restraint;
7. Appropriate documentation and notification procedures, including monitoring and recording the time duration of a restraint or seclusion; and
8. Retraining must occur at a frequency of at least every two years.

DOCUMENTATION AND NOTIFICATION

<u>All Restraints</u>. If a District Employee uses a restraint on a student, the Employee is required to submit a written report of the incident to the District no later than one school day after the incident occurred.

<u>Physical Restraint, more than one minute but less than five minutes.</u> If a physical restraint is used for more than one minute, but less than five minutes, the District must provide written notice on the day of the restraint to the parent or legal guardian of the student.

1. The written notice must include (1) the date, (2) the name of the student, and (3) the number of restraints used that day that lasted between one and five minutes.

<u>Physical Restraint, five minutes or more, and any Seclusion.</u> If a physical restraint is used for five minutes or more, or if the student is placed in seclusion for any length of time, the District must provide verbal or written notice on the day of the physical restraint or seclusion to the parent of the student. The District will also mail or email a written report of the incident to the parent of the student not more than five calendar days after the use of the restraint or seclusion on the student. The written report of the use of restraint must be placed in the student's confidential file and include:

1. The antecedent of the student's behavior, if known;
2. A description of the incident;
3. Any efforts made to deescalate the situation;
4. Any alternatives to the use of restraint that were attempted;
5. The type and duration of the restraint used;
6. Any injuries that occurred;
7. The names of the District Employees, or agents, who were present, and District Employees, or agents, who were involved in administering the restraint;
8. The start and end time of the restraint;
9. Details concerning the notification provided to the parent or legal guardian; and
10. For seclusion, details concerning whether the door was opened or closed.

<u>Review of Physical Restraint, five minutes or more, and any Seclusion.</u> When District Staff complete the written report described above, they should also review to assure that appropriate procedures were followed and to minimize use of restraint in the future, when possible. Such staff review should include:

1. Ensuring there is follow up communication with the student and their parent or legal guardian;
2. Considering whether alternative strategies could have been used; and
3. Recommending adjustment of procedures, if appropriate.

If there is a reasonable probability that a physical restraint or seclusion may be used with a specific student, the District will provide written notice to the parent or legal guardian, and if appropriate, to the student, regarding (1) physical restraint or seclusion procedures that may be used, (2) the circumstances in which physical restraint or seclusion might be used, and (3) the District Employees or agents who may be involved. A parent who receives such notification from the District may choose to request a meeting to discuss the written notice, in which case the District must meet with the parents.

ANNUAL REVIEW OF THE USE OF RESTRAINT

Each District will establish an annual review process and document the results of each review in writing. The purpose of the annual review is to ensure the proper administration of restraint, minimizing and preventing the use of restraint by increasing the use of positive behavior interventions, and reducing the incident of injury to students, District Employees, and agents. The review process must include, but is not limited to:

1. An analysis of incident reports, including consideration of procedures used during the restraint, preventative or alterative techniques attempted, documentation, and follow up:
2. Training needs of District Staff;
3. Staff to student ratios; and
4. Environmental considerations, including physical space, student seating arrangements, and noise levels.

For a charter school authorized by the District, the data and the written review must be integrated into the annual review of the authorizing District.

ANNUAL REPORTING

No later than June 30th of each year, the District will submit in a report to the Department of Education the information from the Annual Review listed above, and the following data on restraints used by District Employees or agents:

1. The total number of physical restraints lasting more than one minute but less than five minutes;
2. The total number of physical restraints lasting five minutes or more;
3. The total number of students who experienced at least one physical restraint lasting more than one minute but less than five minutes;
4. The total number of students who experiences at least one physical restraint lasting five minutes or more;
5. The total number of students who experienced at least one seclusion;
6. The total number of seclusions;
7. The total number of mechanical restraints;
    a. Within the total number of mechanical restraints, how many were restraints using handcuffs; and
8. The total number of prone restraints.

The District should track restraints in their District Schools, Charter Schools authorized by the District, and any separate school operated by the District for students with disabilities. Districts are not required to track restraints for students at a facility school. Districts may have additional reporting requirements under law or contract.

(Adoption date)

[Revised July 2026]
COLORADO SAMPLE REGULATION 2000©

File: JKA-E-2 - Complaint Procedures and Regulations Regarding the Use of Restraint or Seclusion, 1 CCR 301-45, 2620-R-2.07

> *NOTE: While Colorado school districts are not required by law to adopt an exhibit on this subject, this sample reflects the complaint procedures approved by the Colorado State Board of Education that parents may use to file a complaint regarding the use of restraint and seclusion. The district must include the process for filing a complaint as set forth by these State Board rules in the student conduct and discipline code distributed to students. C.R.S. 22-32-109.1 (2)(a)(I)(L).*

According to applicable rules of the Colorado State Board of Education, the following represents the process that must be followed when a student or the student's parent/guardian wishes to file a complaint about the use of restraint or seclusion by a district employee.

2.07(1) A student or a parent or legal guardian may file a complaint about the use of restraint or seclusion used by an employee or volunteer of a school or charter school of a school district or Board of Cooperative Services or any institute charter school by using the procedures established under this section 2.07.

2.07(2) Required Content of the Complaint: The Complaint must contain the following information:

2.07(2)(a) A statement that the employee or volunteer has violated a requirement regarding the use of restraints and an identification of the portion of the statute, rule, or regulation alleged to have been violated, if known by the complainant;

2.07(2)(b) The background information and facts on which the Complaint is based that identify persons, actions and/or omissions;

2.07(2)(c) The name and the residential address of the child against whom the alleged violation occurred;

2.07(2)(d) The name of the school that the child was attending when the alleged violation occurred;

2.07(2)(e) A proposed resolution of the problem to the extent known and available to the complainant at the time the Complaint is filed;

2.07(2)(f) The Complaint must allege that the violation(s) set forth in the Complaint occurred not more than one (1) year prior to the date that the Complaint is filed with the Colorado Department of Education (CDE);

2.07(2)(g) The signature and contact information (minimally, address and telephone number) for the complainant; and

2.07(2)(h) Written verification in a cover letter accompanying the Complaint that a complete copy of the Complaint and any attachments have also been mailed, hand-delivered, or delivered by other secure method to the public education agency (i.e. a school district, BOCES, or the Charter School Institute) serving the child.

2.07(3) The Complaint, including any attachments, must be mailed, hand-delivered, or delivered by other secure method to the IDEA State Complaints:

IDEA Part B State Complaints Officer

Colorado Department of Education

Exceptional Student Leadership Unit, Dispute Resolution Office

1560 Broadway, Suite 1175

Denver, Colorado 80202

Additionally, as noted in paragraph 2.07(2)(h) above, a complete copy of the Complaint, including any attachments, must also be mailed, hand-delivered, or delivered by other secure method to the public education agency (i.e. a school district, BOCES or the Charter School Institute) serving the child.

2.07(4) Complaints involving children with disabilities

2.07(4)(a) If the State Complaints Officer determines that the Complaint alleges a violation of the IDEA or its implementing regulations in 34 CFR Part 300, then the Complaint shall be processed through CDE's IDEA dispute resolution process. In these cases, the State Complaints Officer shall also have the authority to investigate and process a Complaint alleging improper use of seclusion and restraints in accordance with the timelines and procedures outlined in these rules.

2.07(4)(b) If the State Complaints Officer determines that the Complaint does not meet the criteria under section 2.07(4)(a), he or she shall refer the Complaint to the Restraint Complaints Officer (RCO) within five (5) calendar days of receiving the Complaint and shall notify the complainant in writing of this referral.

2.07(4)(c) Nothing in this subsection shall require the complainant to submit an additional Complaint directly to the RCO.

2.07(5) The Complaint shall be considered properly filed with the Department when it is received in CDE's Dispute Resolution Office and satisfies paragraph 2.07(2) above. A Complaint, once filed, will not be accepted for investigation if the CDE does not have jurisdiction (i.e., authority) to investigate; or if the Complaint does not set forth sufficient grounds on which to grant relief.

2.07(6) Within ten calendar (10) days of receipt of the Complaint, the RCO shall decide to accept or reject the Complaint for investigation and notify the complainant in writing. If the Complaint was sent via mail, the RCO's decision shall be postmarked by the 10th day. If the Complaint is accepted, the RCO shall:

2.07(6)(a) Notify the complainant of receipt and acceptance of the Complaint;

2.07(6)(b) Notify, by certified or overnight mail, the public education agency of each and every allegation contained in the Complaint together with a complete copy of the Complaint; and

2.07(6)(c) Initiate an investigation concerning the allegations contained in the Complaint.

2.07(7) Complaint Timelines:

2.07(7)(a) Response: Within fifteen (15) calendar days of receiving the RCO's notification of the Complaint, the public education agency may file a Response to the Complaint allegations and provide information which it deems necessary or useful for the RCO to consider in conducting a thorough investigation. If the public education agency fails to timely respond to an allegation, the RCO may, in his/her sole discretion, deem the allegation admitted.

The Response is due by 5:00 p.m. on the date due. The public education agency shall provide any written Response to the RCO and also a complete copy of the Response, including any attachments, to the complainant unless doing so would violate relevant laws regarding confidentiality. The public education agency shall provide the RCO with a legible copy of the written tracking receipt which verifies that a complete copy of the Response, including any attachments, was sent by certified or overnight mail to the complainant.

2.07(7)(b) Reply: Within ten (10) calendar days of delivery of the response, the complainant may file a written Reply to the Response, including any attachments, in support of his/her position. The complainant shall provide any written Reply to the RCO at the address identified in paragraph 2.07(3), above, and also provide the RCO by 5:00 p.m. on the date due with written verification that a complete copy of the Reply, including any attachments, was also mailed or hand-delivered to the public education agency.

The Response and Reply must be delivered by 5:00 p.m. on the date due to the office of the RCO and not merely postmarked by the due date. If the Response or Reply is untimely, the RCO may, within his or her sole discretion, refuse to consider the late document.

2.07(7)(c) Timeline Extensions: If the RCO finds that exceptional circumstances exist with respect to a particular Complaint, the RCO may, in his or her sole discretion, extend for a reasonable period of time, any of the timelines set forth in these Complaint procedures. Any request and extension of a timeline must occur prior to expiration of the timeline and shall be documented in a written order issued by the RCO prior to the expiration of the timeline and mailed to the parties.

The RCO does not have authority to extend the regulatory statute of limitations of one (1) year described in Section 2.07(2)(f) above.

2.07(7)(d) If one or more due dates in the process fall on a weekend or a state holiday, the due date shall be the next calendar day following a weekend or state holiday if the due date is on a weekend or state holiday.

2.07(8) Complaint Investigations:

2.07(8)(a) The Complaint investigation may include, but is not limited to: an onsite investigation; request(s) that the complainant or public education agency provide additional information; and request(s) to review records in the possession of either party.

2.07(8)(b) Any time after a Complaint is filed and before the Complaint is resolved, the RCO may recommend a public education agency to undertake immediate action in an extraordinary situation when it is imperative to do so in order to protect the rights, health or safety of any student.

2.07(8)(c) The CDE, through the RCO, shall have sixty (60) calendar days from the date of receipt of the properly filed Complaint, to resolve the Complaint. The parties may mutually agree to extend the sixty (60) calendar day time limit in order to engage in voluntary mediation. Any extension of the Decision due date will be set by the RCO to a date certain as per section 2.07(7)(c), above.

2.07(9) Complaint Resolution:

2.07(9)(a) The RCO shall issue a written decision which details the findings of fact and conclusions of law unless the issues have been previously resolved. Based upon a finding that a public education agency has failed substantially to comply with state laws and regulations for the use of restraint, the RCO will, as part of the resolution of the Complaint, make recommendations to the public education agency of remedial actions that may be taken in order to come into compliance with applicable law and regulations, (e.g., technical assistance and training activities).

2.07(9)(b) The RCO shall have no authority to require corrective action by the public education agency, including but not limited to compensatory education for the child who is the subject of the complaint, monetary reimbursement or attorney fees.

2.07(9)(c) The decision of the RCO shall be final.

(Issue date)

[Reviewed February 2023]
COLORADO SAMPLE EXHIBIT 2018©

File: JKA-E-1 - Student Restraint Incident Report Form

NOTE: While Colorado school districts are not required by law to adopt an exhibit on this subject, this sample reflects documentation and notification requirements school districts must follow. This sample contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Student: ___________________________ School: ____________________________

Date: _____________________________ Time: ______________________________

Location: ____

Staff directly involved in restraint (include names and titles; attach supplemental statements, if any):

____

____

Witnesses (include names and titles):

____

____

Description of events immediately before the behavior occurred:

____

____

____

____

Efforts/alternatives made prior to the use of restraint:

____ Teaching interaction

____ Offered self-control strategy

____ Verbal de-escalation

____ Other(s) (please describe): ____________________________________

____

Type of restraint used:

____

____

Time restraint began: _______________________________

Time restraint ended: _______________________________

Chronological description of incident (include behavior, statements made, actions taken):

____

____

____

____

____

____

Resolution:

___ Student calm/reintegrated into classroom/educational programming

___ Student calm/additional time provided for de-escalation outside of instructional setting

___ Additional support requested (medical/mental health/parent/police)

___ Other(s) (please describe): _________________________________

Injuries or property loss/damage:

____

____

____

Persons notified of incident (include name, title, date and time notified):

____

____

Name and title of person writing report

Signature

Checklist	Date	Comments
If an injury to staff or student has occurred, submit student accident report and/or staff incident report.		
Building principal or designee verbally notify parent by end of the school day that the restraint was used.		
Conduct internal review of incident of restraint.		
Review documentation to ensure use of alternative strategies and recommend adjustments to procedures, if appropriate.		
If restraint was between one and five minutes, written notice given to parents on the day of the restraint		
If restraint was five minutes or more, verbal notice given to parent on the day of restraint, and written report emailed, mailed or faxed to		

parent within five calendar days of the use of restraint.

If requested by parents or the school, convene a meeting (that may be an IEP, BIP or 504 meeting) to review the incident.

Copies: parent, student's confidential file [required]

(Issue date)

[Revised February 2023]
COLORADO SAMPLE EXHIBIT 2010©

JKA - Use of Physical Intervention and Restraint

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

Corporal punishment shall not be administered to any student by any district employee.

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:

1. To quell a disturbance threatening physical injury to the student or others.
2. To obtain possession of weapons or other dangerous objects upon or within the control of the student.
3. For the purpose of self-defense.
4. 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 minutes unless the provisions regarding restraint contained in this policy and accompanying regulation are followed.

Restraint

For purposes of this policy and accompanying regulation, restraint is defined as any method or device used to involuntarily limit a student's freedom of movement, including but not limited to bodily physical force and seclusion. Restraint shall not include the 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 prone restraint, mechanical restraint or chemical restraint, as those terms are defined by applicable state law and this policy's accompanying regulation.

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

Exceptions

The prohibition on the use of mechanical or prone restraints in this policy and accompanying regulation shall not apply to:

1. Certified peace officers or armed security officers working in a school and who meet the legal requirements of C.R.S. 26-20-111 (3); and
2. When the student is openly displaying a deadly weapon, as defined in C.R.S. 18-1-901 (3)(e).

Adopted: April 18, 2022 (CASB Core Policy Adoption)

LEGAL REFS.: C.R.S. 18-1-703 *(use of physical force by those supervising minors)*

C.R.S. 18-1-901 (3)(e) *(definition of a deadly weapon)*

C.R.S. 18-6-401 (1) *(definition of child abuse)*

C.R.S. 19-1-103 (1) *(definition of abuse and neglect)*

C.R.S. 22-32-109.1 (2)(a) *(adoption and enforcement of discipline code)*

C.R.S. 22-32-109.1 (2)(a)(I)(D) *(policy required as part of safe schools plan)*

C.R.S. 22-32-109.1 (2)(a)(I)(L) *(policies for use of restraint and seclusion on students and information on the process for filing a complaint regarding the use of restraint or seclusion shall be included in student conduct and discipline code)*

C.R.S. 22-32-109.1 (9) *(immunity provisions in safe schools law)*

C.R.S. 22-32-147 *(use of restraints on students)*

C.R.S. 26-20-101 *et seq. (Protection of Persons from Restraint Act)*

1 CCR 301-45 *(State Board of Education rules for the Administration of the Protection of Persons from Restraint Act)*

JKA-E-1 - Student Restraint Incident Report Form

Student: ____________________________ School: _____________________________

Date: ______________________________ Time: _______________________________

Location: ____

Staff directly involved in restraint (include names and titles; attach supplemental statements, if any):

____

____

Witnesses (include names and titles):

____

____

Description of events immediately before the behavior occurred:

____

____

____

____

Efforts/alternatives made prior to the use of restraint:

- _____ Teaching interaction
- _____ Offered self-control strategy
- _____ Verbal de-escalation
- _____ Other(s) (please describe): ____

  ____

Type of restraint used:

____

____

Time restraint began: ____________________________________

Time restraint ended: ____________________________________

Chronological description of incident (include behavior, statements made, actions taken):

____

____

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____

Resolution:

_____ Student calm/reintegrated into classroom/educational programming

_____ Student calm/additional time provided for de-escalation outside of instructional setting

_____ Additional support requested (medical/mental health/parent/police)

_____ Other(s) (please describe): ___________________________________

Injuries or property loss/damage:

____

____

____

Persons notified of incident (include name, title, date and time notified):

____

____

____

____

Name and title of person writing report

____

Signature

Checklist	**Date**	**Comments**
If an injury to staff or student has occurred, submit student accident report and/or staff incident report.		
Building principal or designee verbally notify parent by end of the school day that the restraint was used.		
Conduct internal review of incident of restraint.		
Review documentation to ensure use of alternative strategies and recommend adjustments to procedures, if appropriate.		

Report emailed, mailed or faxed to parent within five calendar days of the use of restraint.		
If requested by parents or the school, convene a meeting (that may be an IEP, BIP or 504 meeting) to review the incident.		

Copies: parent, student's confidential file [required]

Adopted: April 18, 2022 (CASB Core Policy Adoption)

JKA-E-2 - Complaint Procedures and Regulations Regarding the Use of Restraint or Seclusion, 1 CCR 301-45, 2620-R-2.07

According to applicable rules of the Colorado State Board of Education, the following represents the process that must be followed when a student or the student's parent/guardian wishes to file a complaint about the use of restraint or seclusion by a district employee.

2.07(1) A student or a parent or legal guardian may file a complaint about the use of restraint or seclusion used by an employee or volunteer of a school or charter school of [a] school district or Board of Cooperative Services or any institute charter school by using the procedures established under this section 2.07.

2.07(2) Required Content of the Complaint: The Complaint must contain the following information:

2.07(2)(a) A statement that the employee or volunteer has violated a requirement regarding the use of restraints and an identification of the portion of the statute, rule, or regulation alleged to have been violated, if known by the complainant;

2.07(2)(b) The background information and facts on which the Complaint is based that identify persons, actions and/or omissions;

2.07(2)(c) The name and the residential address of the child against whom the alleged violation occurred;

2.07(2)(d) The name of the school that the child was attending when the alleged violation occurred;

2.07(2)(e) A proposed resolution of the problem to the extent known and available to the complainant at the time the Complaint is filed;

2.07(2)(f) The Complaint must allege that the violation(s) set forth in the Complaint occurred not more than one (1) year prior to the date that the Complaint is filed with the Colorado Department of Education (CDE);

2.07(2)(g) The signature and contact information (minimally, address and telephone number) for the complainant; and

2.07(2)(h) Written verification in a cover letter accompanying the Complaint that a complete copy of the Complaint and any attachments have also been mailed, hand-delivered, or delivered by other secure method to the public education agency (i.e. a school district, BOCES, or the Charter School Institute) serving the child.

2.07(3) The Complaint, including any attachments, must be mailed, hand-delivered, or delivered by other secure method to the IDEA State Complaints:

IDEA Part B State Complaints Officer

Colorado Department of Education

Exceptional Student Leadership Unit, Dispute Resolution Office

1560 Broadway, Suite 1175

Denver, Colorado 80202

Additionally, as noted in paragraph 2.07(2)(h) above, a complete copy of the Complaint, including any attachments, must also be mailed, hand-delivered, or delivered by other secure method to the public education agency (i.e. a school district, BOCES or the Charter School Institute) serving the child.

2.07(4) Complaints involving children with disabilities

2.07(4)(a) If the State Complaints Officer determines that the Complaint alleges a violation of the IDEA or its implementing regulations in 34 CFR Part 300, then the Complaint shall be processed through CDE's IDEA dispute resolution process. In these cases, the State Complaints Officer shall also have the authority to investigate and process a Complaint alleging improper use of seclusion and restraints in accordance with the timelines and procedures outlined in these rules.

2.07(4)(b) If the State Complaints Officer determines that the Complaint does not meet the criteria under section 2.07(4)(a), he or she shall refer the Complaint to the Restraint Complaints Officer (RCO) within five (5) calendar days of receiving the Complaint and shall notify the complainant in writing of this referral.

2.07(4)(c) Nothing in this subsection shall require the complainant to submit an additional Complaint directly to the RCO.

2.07(5) The Complaint shall be considered properly filed with the Department when it is received in CDE's Dispute Resolution Office and satisfies paragraph 2.07(2) above. A Complaint, once filed, will not be accepted for investigation if the CDE does not have jurisdiction (i.e., authority) to investigate; or if the Complaint does not set forth sufficient grounds on which to grant relief.

2.07(6) Within ten calendar (10) days of receipt of the Complaint, the RCO shall decide to accept or reject the Complaint for investigation and notify the complainant in writing. If the Complaint was sent via mail, the RCO's decision shall be postmarked by the 10th day. If the Complaint is accepted, the RCO shall:

2.07(6)(a) Notify the complainant of receipt and acceptance of the Complaint;

2.07(6)(b) Notify, by certified or overnight mail, the public education agency of each and every allegation contained in the Complaint together with a complete copy of the Complaint; and

2.07(6)(c) Initiate an investigation concerning the allegations contained in the Complaint.

2.07(7) Complaint Timelines:

2.07(7)(a) Response: Within fifteen (15) calendar days of receiving the RCO's notification of the Complaint, the public education agency may file a Response to the Complaint allegations and provide information which it deems necessary or useful for the RCO to consider in conducting a thorough investigation. If the public education agency fails to timely respond to an allegation, the RCO may, in his/her sole discretion, deem the allegation admitted.

The Response is due by 5:00 p.m. on the date due. The public education agency shall provide any written Response to the RCO and also a complete copy of the Response, including any attachments, to the complainant unless doing so would violate relevant laws regarding confidentiality. The public education agency shall provide the RCO with a legible copy of the written tracking receipt which verifies that a complete copy of the Response, including any attachments, was sent by certified or overnight mail to the complainant.

2.07(7)(b) Reply: Within ten (10) calendar days of delivery of the response, the complainant may file a written Reply to the Response, including any attachments, in support of his/her position. The complainant shall provide any written Reply to the RCO at the address identified in paragraph 2.07(3), above, and also provide the RCO by 5:00 p.m. on the date due with written verification that a complete copy of the Reply, including any attachments, was also mailed or hand-delivered to the public education agency.

The Response and Reply must be delivered by 5:00 p.m. on the date due to the office of the RCO and not merely postmarked by the due date. If the Response or Reply is untimely, the RCO may, within his or her sole discretion, refuse to consider the late document.

2.07(7)(c) Timeline Extensions: If the RCO finds that exceptional circumstances exist with respect to a particular Complaint, the RCO may, in his or her sole discretion, extend for a reasonable period of time, any of the timelines set forth in these Complaint procedures. Any request and extension of a timeline must occur prior to expiration of the timeline and shall be documented in a written order issued by the RCO prior to the expiration of the timeline and mailed to the parties. The RCO does not have authority to extend the regulatory statute of limitations of one (1) year described in Section 2.07(2)(f) above.

2.07(7)(d) If one or more due dates in the process fall on a weekend or a state holiday, the due date shall be the next calendar day following a weekend or state holiday if the due date is on a weekend or state holiday.

2.07(8) Complaint Investigations:

2.07(8)(a) The Complaint investigation may include, but is not limited to: an onsite investigation; request(s) that the complainant or public education agency provide additional information; and request(s) to review records in the possession of either party.

2.07(8)(b) Any time after a Complaint is filed and before the Complaint is resolved, the RCO may recommend a public education agency to undertake immediate action in an extraordinary situation when it is imperative to do so in order to protect the rights, health or safety of any student.

2.07(8)(c) The CDE, through the RCO, shall have sixty (60) calendar days from the date of receipt of the properly filed Complaint, to resolve the Complaint. The parties may mutually agree to extend the sixty (60) calendar day time limit in order to engage in voluntary mediation. Any extension of the Decision due date will be set by the RCO to a date certain as per section 2.07(7)(c), above.

2.07(9) Complaint Resolution:

2.07(9)(a) The RCO shall issue a written decision which details the findings of fact and conclusions of law unless the issues have been previously resolved. Based upon a finding that a public education agency has failed substantially to comply with state laws and regulations for the use of restraint, the RCO will, as part of the resolution of the Complaint, make recommendations to the public education agency of remedial actions that may be taken in order to come into compliance with applicable law and regulations, (e.g., technical assistance and training activities).

2.07(9)(b) The RCO shall have no authority to require corrective action by the public education agency, including but not limited to compensatory education for the child who is the subject of the complaint, monetary reimbursement or attorney fees.

2.07(9)(c) The decision of the RCO shall be final.

Adopted: April 18, 2022 (CASB Core Policy Adoption)

JKA-R - Use of Physical Intervention and Restraint

A. Definitions

In accordance with state law and the State Board of Education rules governing the Administration of the Protection of Persons from Restraint Act, the following definitions apply for purposes of this regulation and accompanying policy.

1. "Restraint" means any method or device used to involuntarily limit freedom of movement, including but not limited to bodily physical force and seclusion.

2. "Physical restraint" means the use of bodily, physical force to involuntarily limit an individual's freedom of movement. "Physical restraint" does not include:

    a. holding of a student for less than five minutes by a staff person for the protection of the student or others;

    b. brief holding of a student by one adult for the purpose of calming or comforting the student;

    c. minimal physical contact for the purpose of safely escorting a student from one area to another;

    d. minimal physical contact for the purpose of assisting the student in completing a task or response.

3. "Mechanical restraint" means a physical device used to involuntarily restrict the movement of a student or the movement or normal function of the student's body. "Mechanical restraint" does not include:

    a. devices recommended by a physician, occupational therapist or physical therapist and agreed to by a student's IEP team or Section 504 team and used in accordance with the student's Individualized Education Program (IEP) or Section 504 plan;

    b. protective devices such as helmets, mitts, and similar devices used to prevent self-injury and in accordance with a student's IEP or Section 504 plan;

    c. adaptive devices to facilitate instruction or therapy and used as recommended by an occupational therapist or physical therapist, and consistent with a student's IEP or Section 504 plan; or

    d. positioning or securing devices used to allow treatment of a student's medical needs.

4. "Chemical restraint" means administering medication to a student (including medications prescribed by the student's physician) on an as needed basis for the sole purpose of involuntarily limiting the student's freedom of movement. "Chemical restraint" does not include:

    a. prescription medication that is regularly administered to the student for medical reasons other than to restrain the student's freedom of movement (e.g. Asthma-cort, medications used to treat mood disorders or ADHD, Glucagon); or

    b. the administration of medication for voluntary or life-saving medical procedures (e.g. EpiPens, Diastat).

5. "Prone restraint" means a restraint in which the student being restrained is secured in a prone (i.e., face-down) position.

6. "Seclusion" means the placement of a student alone in a room from which egress is

involuntarily prevented. "Seclusion" does not mean:

a. placement of a student in residential services in the student's room for the night; or

b. time-out.

7. "Time-out" is the removal of a student from potentially rewarding people or situations. A time-out is not used primarily to confine the student, but to limit accessibility to reinforcement. In time-out, the student is not physically prevented from leaving the designated time-out area and is effectively monitored by staff.

8. "Emergency" means serious, probable, imminent threat of bodily injury to self or others with the present ability to effect such bodily injury. Emergency includes situations in which the student creates such a threat by abusing or destroying property.

9. "Bodily injury" means physical pain, illness or any impairment of physical or mental condition as defined in C.R.S. 18-1-901 (3)(c).

10. "State Board Rules" mean the State Board of Education rules governing the Administration of the Protection of Persons from Restraint Act, 1 CCR 301-45.

11. "Parent" shall be as defined by the State Board rules.

B. Basis for use of restraint

Restraints shall only be used:

1. In an emergency and with extreme caution; and

2. After:

a. the failure of less restrictive alternatives (such as Positive Behavior Supports, constructive and non-physical de-escalation, and re-structuring the environment); or

b. a determination that such alternatives would be inappropriate or ineffective under the circumstances.

3. Restraints shall never be used as a punitive form of discipline or as a threat to gain control or gain compliance of a student's behavior.

4. School personnel shall:

a. use restraints only for the period of time necessary and using no more force than necessary; and

b. prioritize the prevention of harm to the student.

C. Duties related to the use of restraint - general requirements

When restraints are used, the district shall ensure that:

1. no restraint is administered in such a way that the student is inhibited or impeded from breathing or communicating;

2. no restraint is administered in such a way that places excess pressure on the student's chest, back, or causes positional asphyxia;

3. restraints are only administered by district staff who have received training in accordance with the State Board rules;

4. opportunities to have the restraint removed are provided to the student who indicates he/she is willing to cease the violent or dangerous behavior;

5. when it is determined by trained district staff that the restraint is no longer necessary

to protect the student or others (i.e. the emergency no longer exists), the restraint shall be removed; and

6. the student is reasonably monitored to ensure the student's physical safety.

Additionally, in the case of seclusion, staff shall reintegrate the student or clearly communicate to the student that the student is free to leave the area used to seclude the student.

D. Proper administration of specific restraints

1. Chemical restraints shall not be used.

2. Mechanical and prone restraints shall not be used, except in the limited circumstances permitted by state law and described as exceptions in the accompanying policy.

3. Physical restraint

a. A person administering the physical restraint shall only use the amount of force necessary to stop the dangerous or violent actions of the student.

b. A restrained student shall be continuously monitored to ensure that the breathing of the student in such physical restraint is not compromised.

c. A student shall be released from physical restraint within fifteen minutes after the initiation of the restraint, except when precluded for safety reasons.

4. Seclusion

a. Relief periods from seclusion shall be provided for reasonable access to toilet facilities.

b. Any space in which a student is secluded shall have adequate lighting, ventilation and size.

c. To the extent possible under the specific circumstances, the space should be free of injurious items.

E. Notification requirements

1. If there is a reasonable probability that restraint might be used with a particular student, appropriate school staff shall notify, in writing, the student's parents, and, if appropriate, the student of:

a. the restraint procedures (including types of restraints) that might be used;

b. specific circumstances in which restraint might be used; and

c. staff involved.

2. For students with disabilities, if the parents request a meeting with school personnel to discuss the notification, school personnel shall ensure that the meeting is convened.

3. The required notification may occur at the meeting where the student's behavior plan or IEP is developed/reviewed.

F. Documentation requirements

1. If restraints are used, a written report shall be submitted within one school day to school administration.

2. The school principal or designee shall verbally notify the parents as soon as possible

but no later than the end of the school day that the restraint was used.

3. A written report based on the findings of the staff review required by paragraph G. below shall be emailed, faxed or mailed to the student's parent within five calendar days of the use of restraint. The written report of the use of restraint shall include:

a. the antecedent to the student's behavior if known;

b. a description of the incident;

c. efforts made to de-escalate the situation;

d. alternatives that were attempted;

e. the type and duration of the restraint used;

f. injuries that occurred, if any; and

g. the staff present and staff involved in administering the restraint.

4. A copy of the written report on the use of restraint shall be placed in the student's confidential file.

G. Review of specific incidents of restraint

1. The district shall ensure that a review process is established and conducted for each incident of restraint used. The purpose of this review shall be to ascertain that appropriate procedures were followed and to minimize future use of restraint.

2. The review shall include, but is not limited to:

a. staff review of the incident;

b. follow up communication with the student and the student's family;

c. review of the documentation to ensure use of alternative strategies; and

d. recommendations for adjustment of procedures, if appropriate.

3. If requested by the district or the student's parents, the district shall convene a meeting to review the incident. For students with IEPs or Section 504 plans, such review may occur through the IEP or Section 504 process.

H. General review process

1. The district shall ensure that a general review process is established, conducted and documented in writing at least annually. The purpose of the general review is to ascertain that the district is properly administering restraint, identifying additional training needs, minimizing and preventing the use of restraint by increasing the use of positive behavior interventions, and reducing the incidence of injury to students and staff.

2. The review shall include, but is not limited to:

a. analysis of incident reports, including all reports prepared pursuant to paragraphs F.1 and F.3 above and including, but not limited to, procedures used during the restraint, preventative or alternative techniques tried, documentation, and follow up;

b. training needs of staff;

c. staff to student ratio; and

d. environmental conditions, including physical space, student seating arrangements and noise levels.

I. Staff training

1. The district shall ensure that staff utilizing restraint in schools are trained in accordance with the State Board rules.

2. Training shall include:

   a. a continuum of prevention techniques;

   b. environmental management;

   c. a continuum of de-escalation techniques;

   d. nationally recognized physical management and restraint practices, including, but not limited to, techniques that allow restraint in an upright or sitting position and information about the dangers created by prone restraint;

   e. methods to explain the use of restraint to the student who is to be restrained and to the student's family; and

   f. appropriate documentation and notification procedures.

3. Retraining shall occur at a frequency of at least every two years.

Adopted: April 18, 2022 (CASB Core Policy Adoption)

GBEB - Staff Conduct

(And Responsibilities)

All staff members have a responsibility to make themselves familiar with and abide by federal and state laws as these affect their work, and the policies and regulations of the district.

As representatives of the district and role models for students, all staff must demonstrate and uphold high professional, ethical, and moral standards. Staff members must conduct themselves in a manner that is consistent with the educational mission of the district and must maintain professional boundaries with students at all times in accordance with this policy's accompanying regulation. Interactions between staff members must be based on mutual respect and any disputes will be resolved in a professional manner.

Rules of conduct

Each staff member must observe rules of conduct established in law which specify that a school employee must not:

1. Disclose or use confidential information acquired in the course of employment to further substantially the employee's personal financial interests.

2. Accept a gift of substantial value or substantial economic benefit tantamount to a gift of substantial value which would tend to improperly influence a reasonable person in the position to depart from the faithful and impartial discharge of the staff member's duties, or which the staff member knows or should know is primarily for the purpose of a reward for action taken.

3. Engage in a substantial financial transaction for private business purposes with a person whom the staff member supervises.

4. Perform an action which directly and substantially confers an economic benefit tantamount to a gift of substantial value on a business or other undertaking in which the staff member has a substantial financial interest or is engaged as counsel, consultant, representative, or agent.

All staff members are expected to carry out their assigned responsibilities with conscientious concern.

It is not considered a breach of conduct for a staff member to:

1. Use school facilities and equipment to communicate or correspond with constituents, family members, or business associates on an occasional basis.

2. Accept or receive a benefit as an indirect consequence of transacting school district business.

Essential to the success of ongoing school operations and the instructional program are the following specific responsibilities which are required of all personnel:

1. Faithfulness and promptness in attendance at work.

2. Support and enforcement of policies of the Board and regulations of the school administration in regard to students.

3. Diligence in submitting required reports promptly at the times specified.

4. Care and protection of school property.

5. Concern and attention toward the safety and welfare of students.

Child abuse

All district employees who have reasonable cause to know or suspect that any child is subjected to abuse or to conditions that might result in abuse or neglect must immediately upon receiving such information report such fact in accordance with Board policy and state law.

The superintendent is authorized to conduct an internal investigation or to take any other necessary steps if information is received from a county department of social services or a law enforcement agency that a suspected child abuse perpetrator is a school district employee. Such information must remain confidential except that the superintendent must notify the Colorado Department of Education of the child abuse investigation.

Possession of deadly weapons

The Board's policy regarding public possession of deadly weapons on school property or in school buildings applies to district employees. However, the restrictions do not apply to employees who are required to carry or use deadly weapons in order to perform their necessary duties and functions.

Felony/misdemeanor convictions

If, subsequent to beginning employment with the district, the district has good cause to believe that any staff member has been convicted of, pled nolo contendere to, or received a deferred or suspended sentence for any felony or misdemeanor other than a misdemeanor traffic offense or infraction, the district must make inquiries to the Department of Education for purposes of screening the employee.

In addition, the district must require the employee to submit a complete set of fingerprints taken by a qualified law enforcement agency, an authorized district or BOCES employee, or any third party approved by the Colorado Bureau of Investigation. Fingerprints must be submitted within 20 days after receipt of written notification. The fingerprints must be forwarded to the Colorado Bureau of Investigation for the purpose of conducting a state and national fingerprint-based criminal history record check utilizing the records of the Colorado Bureau of Investigation and the Federal Bureau of Investigation. When the results of the fingerprint-based criminal history record check reveal a record of arrest without a disposition, the district must require the employee to submit to a name-based criminal history record check. Criminal history record information must be used solely for the purpose requested and cannot be disseminated outside the receiving departments, related agencies, or other authorized entities.

Disciplinary action, which could include dismissal from employment, may be taken against personnel if the results of fingerprint processing and/or name-based criminal history record check provide relevant information. Non-licensed employees must be terminated if the results of the fingerprint-based or name-based criminal history record check disclose a conviction for certain felonies, as provided in law.

Employees must not be charged fees for processing fingerprints under these circumstances.

Unlawful behavior involving children

The district may make an inquiry with the Department of Education concerning whether any current employee of the school district has been convicted of, pled nolo contendere to, or received a deferred or suspended sentence or deferred prosecution for a felony or misdemeanor crime involving unlawful sexual behavior, an allegation of a sexual act involving a student who is eighteen years of age or older, regardless of whether the student consented to the sexual act, or unlawful behavior involving children. Disciplinary action, including termination, may be taken if the inquiry discloses information relevant to the employee's fitness for employment.

Notification concerning arrests

District employees must notify the district when they are arrested for specific criminal offenses, in accordance with this policy's accompanying regulation.

The district must notify students' parents/guardians when district employees are charged with specific criminal offenses, as required by state law and in accordance with applicable Board policy.

Personnel addressing health care treatment for behavior issues

School personnel are prohibited under state law from recommending or requiring the use of psychotropic drugs for students. They are also prohibited from testing or requiring testing for a student's behavior without giving notice to the parent/guardian describing the recommended testing and how any test results will be used and obtaining prior written permission from the student or from the student's parent/guardian. See the Board's policy concerning survey, assessment, analysis or evaluation of students. School personnel are encouraged to discuss concerns about a student's behavior with the parent/guardian and such discussions may include a suggestion that the parent/guardian speak with an appropriate health care professional regarding any behavior concerns.

Adopted: April 18, 2022 (CASB Core Policy Adoption)

LEGAL REFS.: 28 C.F.R. 50.12 (b) (notification requirements regarding fingerprints)

C.R.S. 18-12-105.5 (unlawful carrying/possession of weapons on school grounds)

C.R.S. 18-12-214 (3)(b) (school security officers may carry concealed handgun pursuant to valid permit)

C.R.S. 19-3-308 (5.7) (child abuse reporting)

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

C.R.S. 22-2-119.3 (6)(d) (name-based criminal history record check - definition)

C.R.S. 22-32-109 (1)(ee) (duty to adopt policy prohibiting personnel from recommending certain drugs for students or ordering behavior tests without parent permission)

C.R.S. 22-32-109 (1)(pp) (annual employee notification requirement regarding federal student loan repayment programs and student loan forgiveness programs)

C.R.S. 22-32-109.1 (8) (policy requiring inquiries upon good cause to department of education for purpose of ongoing screening of employees)

C.R.S. 22-32-109.7 (duty to make inquiries prior to hiring)

C.R.S. 22-32-109.8 (non-licensed personnel - submittal of fingerprints and name-based criminal history record check)

C.R.S. 22-32-109.8 (6)(a) (requirement to terminate non-licensed employees for certain felony offenses)

C.R.S. 22-32-109.9 (licensed personnel - submittal of fingerprints and name-based criminal history record check)

C.R.S. 22-32-110 (1)(k) (power to adopt conduct rules)

C.R.S. 24-18-104 (government employee rules of conduct)

C.R.S. 24-18-109 (local government employee rules of conduct)

C.R.S. 24-18-110 (voluntary disclosure)

CROSS REFS.: JLC, Student Health Services and Records

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

JLF, Reporting Child Abuse/Child Protection

KDBA*, Parent Notification of Employee Criminal Charges

KFA, Public Conduct on District Property

File: GBI* - Criminal History Record Information

NOTE: Colorado school districts are required by law to adopt a policy on this subject and the law contains some specific direction as to the content or language. This sample contains the content/language that CASB believes best meets the majority of the requirements for handling criminal history record information (CHRI), but districts must ensure that they have written, district-specific procedures in place regarding the district's specific incident response plan. The district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

The Board is committed to ensuring the protection of the Criminal Justice Information (CJI) and its subset of Criminal History Record Information (CHRI). CHRI will be retained for a period of three years, at which point the information will be purged or destroyed in accordance with applicable record retention rules.

NOTE: CASB recommends that districts retain Criminal History Record Information for a three-year retention period, but there is no legal requirement for the length of time a district must retain this information. However, the length of the retention period must be specifically included in policy. Therefore, in this Policy, CASB has included a three-year retention period, because it is consistent with the retention schedule for personnel job records, as outlined in the Colorado School District Record Management Manual Schedule No. 15 - Personnel Records. However, districts may choose an alternate retention period as appropriate or as best meets the district's local needs and circumstances.

Accordingly, this policy applies to any electronic or physical media containing Federal Bureau of Investigation (FBI) or Colorado Bureau of Investigation (CBI) CJI while being stored, accessed, or physically moved from a secure location within the district. This policy also applies to any authorized person who accesses, stores, and/or transports electronic or physical media containing criminal history record information.

Criminal Justice Information (CJI) and Criminal History Record Information (CHRI)

CJI refers to all of the FBI Criminal Justice Information Services (CJIS) provided data necessary for law enforcement and civil agencies to perform their missions including, but not limited to biometric, identity history, biographic, property, and case/incident history data.

CHRI means information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, information, or other formal criminal charges, and any disposition arising therefrom, including acquittal, sentencing, correctional supervision, and release. The term does not include identification information such as fingerprint records if such information does not indicate the individual's involvement with the criminal justice system. CHRI is a subset of CJI and for the purposes of this document is considered interchangeable. Due to its comparatively sensitive nature, additional controls are required for the access, use, and dissemination of CHRI.

Proper access, use, and dissemination of CHRI

CHRI must only be used for an authorized purpose consistent with the purpose for which it was accessed or requested and cannot be disseminated outside the receiving departments, related agencies, or other authorized entities. Dissemination to another agency is authorized if (a) the other agency is an Authorized Recipient of such information and is being serviced by the accessing agency, or (b) the other agency is performing noncriminal justice administrative functions on behalf of the authorized recipient and the outsourcing of said functions has been approved by Colorado Bureau of Investigation (CBI) officials with applicable agreements in place.

Personnel security screening

Access to CJI and/or CHRI is restricted to authorized personnel. Authorized personnel is defined as an individual, or group of individuals, who have completed security awareness training and have been granted access to CJI data.

Security awareness training

Basic security awareness training is required within six months of initial assignment, and biennially thereafter, for all personnel with access to said confidential information.

Physical security

All CJI and CHRI information must be securely stored. The district will maintain a current list of authorized personnel. Authorized personnel will take necessary steps to prevent and protect the district from physical, logical, and electronic breaches.

Media protection

Controls must be in place to protect electronic and physical media containing CJI while at rest, stored, or actively being accessed. Electronic media includes memory devices in laptops and computers (hard drives) and any removable, transportable digital memory media, such as magnetic tape or disk, backup medium, optical disk, flash drives, external hard drives, or digital memory card. Physical media includes printed documents and imagery that contain CJI.

The district must securely store electronic and physical media within physically secure locations. The district restricts access to electronic and physical media to authorized individuals. If physical and personnel restrictions are not feasible then the data must be encrypted. When no longer usable, information and related processing items must be properly disposed of to ensure confidentiality.

Media sanitization and disposal

When no longer usable, hard drives, diskettes, tape cartridges, CDs, ribbons, hard copies, print-outs, and other similar items used to process, store, and/or transmit FBI or

CBI CJI must be properly disposed of in accordance with measures established by the district.

Physical media (print-outs and other physical media) must be disposed of by one of the following methods:

1. shredding using district-issued shredders; or

2. placed in locked shredding bins for a private contractor to come on-site and shred, witnessed by district personnel throughout the entire process.

Electronic media (hard-drives, tape cartridge, CDs, printer ribbons, flash drives, printer and copier hard-drives, etc.) must be disposed of by one of the following methods:\

1. Overwriting (at least 3 times) - an effective method of clearing data from magnetic media. As the name implies, overwriting uses a program to write (1s, 0s, or a combination of both) onto the location of the media where the file to be sanitized is located.

2. Degaussing - a method to magnetically erase data from magnetic media. Two types of degaussing exist: strong magnets and electric degausses. Note that common magnets (e.g., those used to hang a picture on a wall) are fairly weak and cannot effectively degauss magnetic media.

3. Destruction – a method of destroying magnetic media. As the name implies, destruction of magnetic media is to physically dismantle by methods of crushing, disassembling, etc., ensuring that the platters have been physically destroyed so that no data can be pulled.

IT systems that have been used to process, store, or transmit FBI or CBI CJI and/or sensitive and classified information must not be released from the district's control until the equipment has been sanitized and all stored information has been cleared using one of the above methods.

Account management

The district must manage information system accounts, including establishing, activating, modifying, reviewing, disabling, and removing accounts. The district must validate information systems accounts at least annually and must document the validation process.

All accounts must be reviewed at least annually by the designated CJIS point of contact or their designee to ensure that access and account privileges commensurate with job functions, need-to-know, and employment status on systems that contain CJI. The CJIS point of contact may also conduct periodic reviews.

Reporting information security events

The district must promptly report incident information to appropriate authorities to include the CBI's Information Security Officer (ISO). Information security events and weaknesses associated with information systems must be communicated in a manner allowing timely corrective action to be taken. Formal event reporting and escalation procedures must be in place. Wherever feasible, the district must employ automated mechanisms to assist in the reporting of security incidents.

All employees, contractors, and third party users must be made aware of the procedures for reporting the different types of event and weakness that might have an impact on the security of district assets and are required to report any information security events and weaknesses as quickly as possible to the designated point of contact.

Policy violation/misuse notification

Violation of this policy or misuse of CHRI by any personnel can result in significant disciplinary action, up to and including loss of access privileges, civil and criminal prosecution, and/or termination.

Likewise, violation of this policy or misuse of CHRI by any visitor can result in similar disciplinary action against the sponsoring employee, and can also result in termination of services with any associated consulting organization or prosecution in the case of criminal activity.

(Adoption date)

LEGAL REFS.: P.L. 92-544 *(authorizes the FBI to exchange CHRI with officials of state and local governmental agencies for licensing and employment purposes)*

28 C.F.R. 20.33 (b) *(limited dissemination of criminal history record information)*

28 C.F.R. 50.12 (b) *(notification requirements regarding fingerprints)*

C.R.S. 22-2-119.3 (6)(d) *(name-based judicial history record check –definition)*

C.R.S. 22-32-109.8 *(non-licensed personnel – submittal of fingerprints and name-based judicial history record check)*

C.R.S. 22-32-109.9 *(licensed personnel – submittal of fingerprints and name-based judicial history record check)*

C.R.S. 24-72-302 *(definition of criminal justice information)*

CROSS REFS.: GBEB, Staff Conduct (and Responsibilities)

GCE/GCF, Professional Staff Recruiting/Hiring

GDE/GDF, Support Staff Recruiting/Hiring

[Revised February 2024]

COLORADO SAMPLE POLICY 2020©

GBI* - Criminal History Record Information

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Criminal Justice Information (CJI) and Criminal History Record Information (CHRI)

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Proper access, use, and dissemination of CHRI

CHRI must only be used for an authorized purpose consistent with the purpose for which it was accessed or requested and cannot be disseminated outside the receiving departments, related agencies, or other authorized entities. Dissemination to another agency is authorized if (a) the other agency is an Authorized Recipient of such information and is being serviced by the accessing agency, or (b) the other agency is performing noncriminal justice administrative functions on behalf of the authorized recipient and the outsourcing of said functions has been approved by Colorado Bureau of Investigation (CBI) officials with applicable agreements in place.

Personnel security screening

Access to CJI and/or CHRI is restricted to authorized personnel. Authorized personnel is defined as an individual, or group of individuals, who have completed security awareness training and have been granted access to CJI data.

Security awareness training

Basic security awareness training is required within six months of initial assignment, and biennially thereafter, for all personnel with access to said confidential information.

Physical security

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Media protection

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Media sanitization and disposal

When no longer usable, hard drives, diskettes, tape cartridges, CDs, ribbons, hard copies, print-outs, and other similar items used to process, store, and/or transmit FBI or CBI CJI must be properly disposed of in accordance with measures established by the district.

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3. Destruction – a method of destroying magnetic media. As the name implies, destruction of magnetic media is to physically dismantle by methods of crushing, disassembling, etc., ensuring that the platters have been physically destroyed so that no data can be pulled.

IT systems that have been used to process, store, or transmit FBI or CBI CJI and/or sensitive and classified information must not be released from the district's control until the equipment has been sanitized and all stored information has been cleared using one of the above methods.

Account management

The district must manage information system accounts, including establishing, activating, modifying, reviewing, disabling, and removing accounts. The district must validate information systems accounts at least annually and must document the validation process.

All accounts must be reviewed at least annually by the designated CJIS point of contact or their designee to ensure that access and account privileges commensurate with job functions, need-to-know, and employment status on systems that contain CJI. The CJIS point of contact may also conduct periodic reviews.

Reporting information security events

The district must promptly report incident information to appropriate authorities to include the CBI's Information Security Officer (ISO). Information security events and weaknesses associated with information systems must be communicated in a manner allowing timely corrective action to be taken. Formal event reporting and escalation procedures must be in place. Wherever feasible, the district must employ automated mechanisms to assist in the reporting of security incidents.

All employees, contractors, and third party users must be made aware of the procedures for reporting the different types of event and weakness that might have an impact on the security of district assets and are required to report any information security events and weaknesses as quickly as possible to the designated point of contact.

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Adopted: April 18, 2022 (CASB Core Policy Adoption)

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C.R.S. 22-32-109.9 (licensed personnel – submittal of fingerprints and name-
based criminal history record check)

C.R.S. 24-72-302 (definition of criminal justice information)

CROSS REFS.: GBEB, Staff Conduct (and Responsibilities)

GCE/GCF, Professional Staff Recruiting/Hiring

GDE/GDF, Support Staff Recruiting/Hiring

File: GBEB - Staff Conduct

NOTE: Colorado school districts are required by law to adopt a policy that requires screening of new and current employees for criminal activities. The screening provisions have been included in this sample policy. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

(And Responsibilities)

All staff members have a responsibility to make themselves familiar with and abide by federal and state laws as these affect their work, and the policies and regulations of the district.

As representatives of the district and role models for students, all staff must demonstrate and uphold high professional, ethical, and moral standards. Staff members must conduct themselves in a manner that is consistent with the educational mission of the district and must maintain professional boundaries with students at all times in accordance with this policy's accompanying regulation. Interactions between staff members must be based on mutual respect and any disputes will be resolved in a professional manner.

Rules of conduct

Each staff member must observe rules of conduct established in law which specify that a school employee must not:

1. Disclose or use confidential information acquired in the course of employment to further substantially the employee's personal financial interests.

2. Accept a gift of substantial value or substantial economic benefit tantamount to a gift of substantial value which would tend to improperly influence a reasonable person in the position to depart from the faithful and impartial discharge of the staff member's duties, or which the staff member knows or should know is primarily for the purpose of a reward for action taken.

3. Engage in a substantial financial transaction for private business purposes with a person whom the staff member supervises.

4. Perform an action which directly and substantially confers an economic benefit tantamount to a gift of substantial value on a business or other undertaking in which the staff member has a substantial financial interest or is engaged as counsel, consultant, representative, or agent.

All staff members are expected to carry out their assigned responsibilities with conscientious concern.

It is not considered a breach of conduct for a staff member to:

1. Use school facilities and equipment to communicate or correspond with constituents, family members, or business associates on an occasional basis.

2. Accept or receive a benefit as an indirect consequence of transacting school district business.

Essential to the success of ongoing school operations and the instructional program are the following specific responsibilities which are required of all personnel:

1. Faithfulness and promptness in attendance at work.

2. Support and enforcement of policies of the Board and regulations of the school administration in regard to students.

3. Diligence in submitting required reports promptly at the times specified.

4. Care and protection of school property.

5. Concern and attention toward the safety and welfare of students.

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All district employees who have reasonable cause to know or suspect that any child is subjected to abuse or to conditions that might result in abuse or neglect must immediately upon receiving such information report such fact in accordance with Board policy and state law.

The superintendent is authorized to conduct an internal investigation or to take any other necessary steps if information is received from a county department of social services or a law enforcement agency that a suspected child abuse perpetrator is a school district employee. Such information must remain confidential except that the superintendent must notify the Colorado Department of Education of the child abuse investigation.

Possession of deadly weapons

The Board's policy regarding public possession of deadly weapons on school property or in school buildings applies to district employees. However, the restrictions do not apply to employees who are required to carry or use deadly weapons in order to perform their necessary duties and functions.

Felony/misdemeanor convictions

If, subsequent to beginning employment with the district, the district has good cause to believe that any staff member has been convicted of, pled *nolo contendere* to, or received a deferred or suspended sentence for any felony or misdemeanor other than a misdemeanor traffic offense or infraction, the district must make inquiries to the Department of Education for purposes of screening the employee.

In addition, the district must require the employee to submit a complete set of fingerprints taken by a qualified law enforcement agency, an authorized district or BOCES employee, or any third party approved by the Colorado Bureau of Investigation. Fingerprints must be submitted within 20 days after receipt of written notification. The fingerprints must be forwarded to the Colorado Bureau of Investigation for the purpose of conducting a state and national fingerprint-based criminal history record check utilizing the records of the Colorado Bureau of Investigation and the Federal Bureau of Investigation. When the results of the fingerprint-based criminal history record check reveal a record of arrest without a disposition, the district must require the employee to submit to a name-based criminal history record check. Criminal history record information must be used solely for the purpose requested and cannot be disseminated outside the receiving departments, related agencies, or other authorized entities.

Disciplinary action, which could include dismissal from employment, may be taken against personnel if the results of fingerprint processing and/or name-based criminal history record check provide relevant information. Non-licensed employees must be terminated if the results of the fingerprint-based or name-based criminal history record check disclose a conviction for certain felonies, as provided in law.

Employees must not be charged fees for processing fingerprints under these circumstances.

Unlawful behavior involving children

The district may make an inquiry with the Department of Education concerning whether any current employee of the school district has been convicted of, pled *nolo contendere* to, or received a deferred or suspended sentence or deferred prosecution for a felony or misdemeanor crime involving unlawful sexual behavior, an allegation of a sexual act involving a student who is eighteen years of age or older, regardless of whether the student consented to the sexual act, or unlawful behavior involving children. Disciplinary action, including termination, may be taken if the inquiry discloses information relevant to the employee’s fitness for employment.

NOTE: The following paragraph is optional and requires employees to notify the district when they are arrested for specific crimes, in accordance with this policy’s accompanying regulation. CASB believes requiring employee notification of arrests reflects “best practices,” as it assists the district in becoming aware of potential criminal charges against a district employee that may necessitate employee disciplinary action and parent notification. See, C.R.S. 22-1-130.

Notification concerning arrests

District employees must notify the district when they are arrested for specific criminal offenses, in accordance with this policy’s accompanying regulation.

The district must notify students' parents/guardians when district employees are charged with specific criminal offenses, as required by state law and in accordance with applicable Board policy.

Personnel addressing health care treatment for behavior issues

School personnel are prohibited under state law from recommending or requiring the use of psychotropic drugs for students. They are also prohibited from testing or requiring testing for a student's behavior without giving notice to the parent/guardian describing the recommended testing and how any test results will be used and obtaining prior written permission from the student or from the student's parent/guardian. See the Board's policy concerning survey, assessment, analysis, or evaluation of students. School personnel are encouraged to discuss concerns about a student's behavior with the parent/guardian and such discussions may include a suggestion that the parent/guardian speak with an appropriate health care professional regarding any behavior concerns.

(Adoption date)

LEGAL REFS.: 28 C.F.R. 50.12 (b) *(notification requirements regarding fingerprints)*

C.R.S. 18-12-105.5 *(unlawful carrying/possession of weapons on school grounds)*

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C.R.S. 19-3-308 (5.7) *(child abuse reporting)*

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C.R.S. 22-32-109 (1)(ee) *(duty to adopt policy prohibiting personnel from recommending certain drugs for students or ordering behavior tests without parent permission)*

C.R.S. 22-32-109 (1)(pp) *(annual employee notification requirement regarding federal student loan repayment programs and student loan forgiveness programs)*

C.R.S. 22-32-109.1 (8) *(policy requiring inquiries upon good cause to department of education for purpose of ongoing screening of employees)*

C.R.S. 22-32-109.7 *(duty to make inquiries prior to hiring)*

C.R.S. 22-32-109.8 *(non-licensed personnel – submittal of fingerprints and name-based criminal history record check)*

C.R.S. 22-32-109.8 (6)(a) *(requirement to terminate non-licensed employees for certain felony offenses)*

C.R.S. 22-32-109.9 *(licensed personnel – submittal of fingerprints and name-based criminal history record check)*

C.R.S. 22-32-110 (1)(k) *(power to adopt conduct rules)*

C.R.S. 24-18-104 *(government employee rules of conduct)*

C.R.S. 24-18-109 *(local government employee rules of conduct)*

C.R.S. 24-18-110 *(voluntary disclosure)*

CROSS REFS.: JLC, Student Health Services and Records

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

JLF, Reporting Child Abuse/Child Protection

KDBA*, Parent Notification of Employee Criminal Charges

KFA, Public Conduct on District Property

NOTE 1: State law defines "economic benefit tantamount to a gift of substantial value" to include: 1. A loan at a rate of interest substantially lower than the prevailing commercial rate; 2. Compensation received for private services rendered at a rate substantially exceeding the fair market value; and 3. Goods or services for the district employee's personal benefit offered by a person who is at the same time providing goods or services to the district under a contract or other means by which the person receives payment or other compensation from the district. C.R.S. 24-18-104 (2). However, state law permits a district employee to receive such goods or services if the "totality of the circumstances" indicates the transaction is legitimate, the terms are fair to both parties, the transaction is supported by full and adequate consideration, and the employee does not receive any substantial benefit resulting from the employee's status that is unavailable to members of the public generally. C.R.S. 24-18-104 (2)(b).

NOTE 2: State law lists the type of items that are not considered "gifts of substantial value or substantial economic benefit tantamount to a gift of substantial value" and are therefore permissible for a district employee to receive. See, C.R.S. 24-18-104 (3). Such items include campaign contributions or contributions in kind that are reported in accordance with the Fair Campaign Practices Act; an unsolicited item of trivial value (i.e. currently less than $75), "such as a pen, calendar, plant, book, notepad or similar item;" and an unsolicited token or award of appreciation in the form of a plaque, trophy, desk item, wall memento or similar item. Id.; see also, Colo. Const. Art. XXIX, Section 3.

NOTE 3: The amount of the gift limit ($75) is identical to the gift limit under section 3 of Article XXIX of the state constitution. This amount is adjusted for inflation contemporaneously with any adjustment to the constitutional gift limit. C.R.S. 24-6-203 (8). The state constitution requires an adjustment for inflation every four years. The next adjustment must occur in the first quarter of 2027. Colo. Const. Art. XXIX, Section 3 (6).

NOTE 4: Federal law requires school districts to notify employees fingerprinted pursuant to this policy that the fingerprints will be used to check the criminal history records of the Federal Bureau of Investigation (FBI). Districts must also notify fingerprinted employees about the opportunity to challenge the accuracy of the information contained in the FBI identification record and the procedure to obtain a change, correction, or update of an FBI identification record. 28 C.F.R. 50.12(b). Districts must retain documentation that this notification was provided.

NOTE 5: State law requires school districts to annually distribute to employees "informational materials related to federal student loan repayment and student loan forgiveness programs, including updated materials received from the department of education." C.R.S. 22-32-109 (1)(pp). Distribution to employees may be made via email "or as part of a mailing or regular communication to employees" Id.

[Revised July 2023]

COLORADO SAMPLE POLICY 1994©

File: DJB*-R - Federal Procurement

> *NOTE: Colorado school districts that receive federal funds are required by federal law to adopt procurement procedures and the law contains some specific direction as to the content or language. This sample regulation and the accompanying policy contain the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.*
>
> *The district may continue to comply with the procurement standards in previous federal guidance for two additional fiscal years following the implementation of the federal Uniform Grant Guidance (UGG), which became effective December 26, 2014. If the district chooses to use previous procurement standards, the district must document this decision in its internal procurement policies and procedures. As of July 1, 2017, districts that receive federal funds must comply with the requirements of the UGG for all purchases made with federal funds and must implement procurement procedures that meet the UGG's requirements.*

"Single source" procurement

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

1. The item is only available from a single source;
2. A public exigency or emergency exists and does not permit the delay that would result from a competitive solicitation;
3. After solicitation of a number of sources, the district determines that competition is inadequate; or
4. The federal awarding agency or the state as the pass-through entity has expressly authorized noncompetitive proposals in response to a written request from the district.

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

Standards for obtaining price or rate quotations

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

1. Obtain at least two price or rate quotations that represent acceptable procurement options.
2. Price or rate quotations may be obtained from an online search, publicly advertised prices, written quotations prepared upon request or by documenting verbal quotations.

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

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

b. such differences predominate over a strict cost comparison.

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

Additional standards applicable to procurements under the federal Uniform Grant Guidance

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

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

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

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

(Approval date)

COLORADO SAMPLE REGULATION 2017

File: DJB* - Federal Procurement

NOTE: Colorado school districts that receive federal funds are required by federal law to adopt procurement procedures and the law contains specific direction as to the content or language. This sample policy and its accompanying regulation contain the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

As of July 1, 2017, districts that receive federal funds must comply with the UGG for all purchases made with federal funds and must implement procurement procedures that meet the UGG´s requirements.

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

District employees must follow Board policy concerning employee purchasing authority when making any purchase with federal funds and must obtain prior Board approval in those instances when it is required by Board policy. District employees must also follow applicable state law and Board policy concerning competitive bidding, to the extent state law and/or Board policy establish additional requirements or procedures--including conducting criminal background checks for any person providing direct services to students pursuant to a written contract--that do not conflict with this policy and its accompanying regulation.

Federal micro-purchases (less than $10,000)

NOTE: While the federal micro-purchase threshold will remain at $10,000, districts may have a lower threshold or may self-certify a micro-purchase threshold up to $50,000. This self-certification must be done annually and include a justification, clear indication of the new threshold, and supporting documentation of any of the following: (1) a qualification as a low-risk auditee in accordance with the criterion in 2 CFR 200.520 or (2) an annual internal institutional risk assessment to identify, mitigate, and manage financial risk.

A "micro-purchase" is a purchase of supplies or services using simplified acquisition procedures, the aggregate amount of which does not exceed the micro-purchase threshold.

Micro-purchases may be made or awarded without soliciting competitive price or rate quotations if district staff considers the price to be reasonable based on research, experience, purchase history, or other information and documents its files accordingly.

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

Federal simplified acquisition threshold ($10,000 to under $250,000)

"Simplified acquisition threshold" means the dollar amount below which a non-Federal entity may purchase property or services using small purchase methods. Non-Federal entities adopt small purchase procedures in order to expedite the purchase of items costing less than the simplified acquisition threshold.

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

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

2. the district elects to use a more formal competitive bid or request for proposal process.

Competitive bidding threshold ($250,000 or more)

The district must conduct a cost or price analysis for purchases that exceed the simplified acquisition threshold. At a minimum, this must include making an independent estimate before receiving bids or proposals (including noncompetitive proposals). A cost analysis means evaluating the separate cost elements that make up the price. A price analysis means evaluating the total price, without looking at the individual cost elements.

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

Unnecessary or duplicative items

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

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

Recordkeeping

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

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

(Adoption date)

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

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

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

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

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

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

2 C.F.R. 200.336 (access to records)

7 C.F.R. 226 (USDA procurement thresholds)

7 C.F.R. 3016.36 (USDA´s procurement standards)

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

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

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

C.R.S. 22-32-144 (4) (background check provision required in service contracts)

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

DAC*, Federal Fiscal Compliance

DJ/DJA, Purchasing/Purchasing Authority

DJE, Bidding Procedures

DKC, Expense Authorization/Reimbursement (Mileage and Travel)

EHB, Records Retention

GBEA, Staff Ethics/Conflict of Interest

NOTE: The federal government periodically adjusts the threshold amounts for federal procurement. See USDA Memo SP02CACFP03SFSP01-2022 (December 15, 2021). This table lists the amounts effective as of November 2020:

Procurement Method	**Amount**
Micro Purchase Threshold	$10,000 or less
Simplified Acquisition Threshold (for small purchases)	$10,000 - $250,000
Competitive Bidding Threshold	$250,000 or more

*Districts may self-certify a micro-purchase threshold up to $50,000

[Revised February 2022]

COLORADO SAMPLE POLICY 2017©

DJB* - Federal Procurement

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Adopted: April 18, 2022 (CASB Core Policy Adoption)

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Adopted: April 18, 2022 (CASB Core Policy Adoption)

Board Communication to Community
Mancos Matters Monthly Updates
2026-27

Purpose:
- Highlight what Board is working on
- What's coming up
- How to engage

Frequency:
- Monthly - Last Wednesday of the month

Format:
- Mancos Matters

Contents - Every Month
- Box w/ dates - topics
- Recap
- Upcoming topics/policy review

Contents - Topic Ideas
- Financial info/learning blub w/ link to transparency
- Ballot issues FAQ
- Highlight board member of the month
- Seed topics FAQ that might be on a board agenda someday - capital improvements, housing,

Mancos School District BOE Planning Calendar	**Monthly Obligations and Annualized Board Responsibilities** *Working Document*					
July-December						
	July	**August**	**Sept**	**October**	**November**	**December**
District Goals & Strategic Plan (SP)		~~Strategic Plan & Goals~~	BOCES Presentation	District Operations Presentation	Elementary School Presentation	
		~~First Week Highlights/Updates from Leaders~~	Accountability: Data & UIP			
Financial			Audit Review presentation			Deadline to submit audit to CDE
						Revised 26-27 Budget
				Pupil count certified and due		City Assessor certifies
					5 year budget review	
Student Board Members		~~Applications distributed~~	Review Applications, seat at September meeting	Student BOE seated Student participation CASB discussed		
Policy Review		~~Special Policy Updates~~	Policy Review Plan			
Curriculum			Curriculum Review Plans			
Linkage			- Town/MSD Collaboration 4th Workshop September - Summer Hub Report			
Superintendent Review					Superintendent self-evaluation due November WS	BOE Evaluation forms due pre WS Discussed @ Dec Work Session
CASB Events			CASB Fall Conference & Delegate Assembly			CASB Annual Convention - Students?
Election Activities		*Board candidate season opens: Aug 1-Sept 1 - NO SY 27*		*Board candidate forum during election years*	*Board Elections every 2 yrs*	
					Board duties established	
BOE Retreat & Work	Annual Board Retreat					Board self-evaluation CASB Retreat
	District Goals work session					