

PLEASANT VIEW CHARTER SCHOOL

Student Policies

Table of Contents

PVCS - S1 School Entrance.....	3
PVCS - S2 School Day	4
PVCS –S3 Student Absences and Excuses	5
PVCS –S4 Supervision of Students	7
PVCS –S5 Student Conduct on Buses	8
PVCS –S6 Student Searches.....	9
PVCS –S7 Searches of Student Lockers/Desks.....	10
PVCS –S8 Student Records and Grades.....	11
PVCS –S9 Reporting Child Abuse	12
PVCS –S10 Students with Food Allergies.....	13
PVCS –S11 Student Use of the Internet and Electronic Communications.....	15
PVCS –S12 Student Dress Code	19
PVCS –S13 Medication Administration.....	21
PVCS –S13 Medication Permission Form.....	23
PVCS –S14 Limited Class Size.....	24
PVCS –S15 Drugs, Alcohol and Controlled Substance Offenses by Students.....	25
PVCS –S16 Student Transportation in Private Vehicles.....	27
PVCS –S17 Enrollment Process	28
PVCS –S18 Testing and Assessments.....	30
PVCS –S19 School Transportation	31
PVCS –S20 Release of Student Records	32
PVCS –S20 FERPA	37
PVCS –S20R Regulation of Release of Student Records	38
PVCS –S21 Student Conduct and Discipline	40
PVCS –S21A Disciplinary Removal from Classroom	42
PVCS –S21B Discipline of Students with Disabilities.....	43
PVCS –S21R Regulation of Student Discipline	47
PVCS –S22 Physical Intervention and Restraint	48
PVCS –S22A Incident Report.....	50
PVCS –S22B Notification	53
PVCS –S22R Regulation of Physical Intervention and Restraint	54
PVCS –S23 Suspension / Expulsion.....	58
PVCS –S23A Code of Conduct	61
PVCS –S23B Grounds for Suspension / Expulsion.....	63

PLEASANT VIEW CHARTER SCHOOL

Student Policies

Table of Contents

PVCS –S23R Regulation of Suspension / Expulsion	66
PVCS –S24 Expulsion Prevention.....	71
PVCS –S25 Bullying Prevention and Education.....	72
PVCS –S26 Student Fees and Charges.....	75
PVCS –S27 Weapons in School	77
PVCS –S28 Student Travel.....	79
PVCS –S29 Sexual Harassment	80
PVCS –S29A Sexual Harassment Title IX	82
PVCS –S30 Tobacco Use.....	100
PVCS- S31-R Regulation of Student Travel	102
PVCS –S32 School Regulation of Curricula	104
PVCS –S33 Suicide or Other Traumatic Loss of Life.....	105

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S1

School Entrance

As required by state law, every child who has attained the age of six years on or before August 1 of each year and is under the age of seventeen years, shall attend public school for at least 1,056 hours annually for secondary school students and 968 hours annually for elementary school students.

A child will be admitted to Kindergarten who is five years of age prior to October 1 of the year of entrance. To be admitted to first grade, a child must be six years of age prior to October 1 of the year of entrance to first grade or have completed a kindergarten program in a state other than Colorado. The child's age must be verified by a birth certificate before entrance will be granted.

Adopted: January 14, 2025

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S2

School Day

The school day shall be defined as follows:

- Classes begin promptly at 7:45 a.m.
- Students are released from school at 3:25 p.m.

Lunch periods will not be considered class time. Students shall not arrive before 7:30 a.m. and shall not remain longer than 3:25 p.m. unless specifically under the supervision of a teacher, parent or other after school approved program.

Adopted: January 14, 2025

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S3

Student Attendance/Excused Absence Policy

The importance of regular attendance cannot be stressed seriously enough. Your child being in school on time every day maximizes school success. Regular attendance is expected of all students. It is impossible to completely make up everything that is missed. A typical day is filled with learning that is not limited to books, i.e. group projects, class discussions and lab work. Paperwork can be made up, but the valuable learning opportunities cannot.

Outdoor Education and Wellness Days are an integral part of the school's curriculum and are under the same attendance requirements as any other school day.

Each year the director establishes the school attendance period by adopting a school calendar. Attendance requirements are established consistent with state laws governing mandatory schooling. Students who maintain good attendance generally achieve higher grades, enjoy school more and establish good work habits, which are beneficial to future employment.

Excused Absences

- 1) Illness: After 4 absences per semester the school may request medical verification.
- 2) Life Events: Weddings, family reunions, funerals, etc. Please prearrange with the director/designee and teacher.
- 3) Educational Enrichment: An activity of an educational nature that is carried out during the calendar year, and approved prior to absence by director or Designee.
- 4) Additional Absences: Other absences approved and pre-arranged with the director/designee and teacher.
- 5) Absences other than those listed above are unexcused.

Please make every attempt to have your child at school on time. Class begins promptly at 7:45. Your child needs to be in their classroom prior to this time. Our day is scheduled and when a child is late something is missed.

If your child will be absent or tardy please inform the school before 9:00 am. If a parent has not called by 9:00 am, school personnel will call to check on the child.

Missed classroom work will only be given to students on return to school and two days per day absent will be allowed to make up work. Meaning, if your child is absent one day s/he will have two days to make up work missed. Extended absence due to illness, life event or educational enrichment need to be arranged or prearranged with the classroom teacher.

Excessive Absences and Tardies

Excessive absence from school is defined as ten or more days absent (excused or unexcused) and/or ten or more tardies.

- 1) At 10 days absent and/or tardy, parents will receive a letter indicating the total days absent and the total tardiness events recorded.
- 2) At 15 days absent and/or tardy, parents will receive a second letter indicating the total days absent and the total number of tardies recorded. The director will set up a meeting with the parents to determine the circumstances surrounding the

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S3

absences and/or tardies and record a plan of action to prevent further absences and/or tardies.

- 3) At 20 days absent and/or tardy, the director will determine further actions to be taken, which may include grade repetition or summer school when available.

Adopted: January 14, 2025

References: C.R.S. 22-32-109 (1)(n)
C.R.S. 22-33-101 et seq. (School Attendance Law 1963)
C.R.S 301-78 Rules 1.00 et seq.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S4

Supervision of Students

Teachers shall assist in general supervision of halls, rooms, and grounds as directed by the director.

During all student contact hours that a teacher is on school property and is performing services on behalf of the school, and while performing such services at school-sponsored activities off school property, the teacher shall be responsible for the safe conduct of all students that fall within his/her assigned supervision. In carrying out this responsibility, the teacher may use reasonable force to detain or deter the act or acts of one or more students from interfering with the safe conduct of another student or students.

Adopted: January 14, 2025

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S5

Student Conduct on Buses

Riding a school bus to/from school or to/from a school activity is a privilege and not a right. Students who choose not to abide by bus rules shall be disciplined as necessary in order to protect the welfare and safety of all bus occupants.

The bus driver shall ensure the daily safety and operation of the bus and his/her passenger students. When a student fails to respond to the driver's safety directions and/or become a discipline problem, the driver shall report such problems to the director.

At the discretion of the director, parents shall be notified of the student's infraction and the student shall not be allowed to ride the bus for a period of time as set forth by the Director. Use of on-board video may be allowed when determining culpability and corrective action.

Adopted: January 14, 2025

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S6

Student Searches

Students have a constitutional right to privacy under the United States and Colorado Constitutions. However, the school has a duty to maintain an ordered educational environment free from all acts, things or substances, which are dangerous to student welfare or detrimental to the educational environment.

School personnel shall therefore have the authority to conduct lawful searches of students and their possessions and to seize any materials not legally or rightfully possessed by the student, when school officials have a reasonable suspicion that a search is necessary.

A student's person and/or personal effects (e.g., purse, book bag, etc.) may be searched whenever school personnel have a reasonable suspicion that the student is in possession of illegal or unauthorized material. Reasonable suspicion does not mean probable cause but rather is based upon either facts provided by a reliable informant to a school official or on personal observation which causes the school official to believe, based upon professional or personal experience, that a search of a particular person, place, or thing would lead to the discovery of evidence of a violation of Board policy or a municipal, state, or federal law.

Before conducting a search of a student's person or personal effects, school personnel shall request the student to voluntarily disclose the contents to be searched. If the student refuses to disclose the material, a search may be conducted in the following manner:

- 1) Whenever practical, the search shall be conducted by the Director or Business Manager.
- 2) If a pat down search of a student's person is conducted, it will be conducted in private by a school official of the same sex with an adult witness present when feasible. If extreme emergency conditions require a more intrusive search of the student's person, such a search may be conducted only in private by a school official of the same sex, with an adult witness of the same sex present, and only upon prior approval of the Director, unless the health or safety of students will be endangered by the delay which might be caused by following these procedures.

Adopted: January 14, 2025

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S7

Searches of Student Lockers/Desks

There is a need for students to have a place in which to store their books and personal effects. Student lockers and or student desks shall be available for this purpose, subject to the following guidelines:

- 1) All student lockers/desks are and shall remain the property of the school, and use of the lockers/desks is a privilege granted to students only for student convenience. The school shall have the right to regulate the use of lockers/desks in any manner it deems appropriate.
- 2) All locks used by a student (if issued by the school) to secure the locker assigned to that student must be approved by the Director, and the building principal shall at all times have the key or the combination necessary to open any such lock.
- 3) The school shall have access to and may conduct a search and inspection of any student locker/desk at any time to the extent allowed by law.
- 4) A student shall not store anything, substance or other material in his/her locker/desk which is prohibited by law or school regulations, is unsanitary, or otherwise inimical to the health and welfare of others, which the student is not entitled to have by ownership or other right of possession, or which the school determines to be inconsistent with the maintenance of a safe and orderly educational environment.
- 5) If the school determines that it is necessary to conduct a search of student lockers, the following procedures shall be followed:
 - a) If the school conducts a general inspection of all lockers or of randomly selected lockers/desk, the search shall be conducted by the Director and at least one other teacher or member of the office staff. If prohibited materials are discovered in a locker, such materials shall be removed and the student shall meet with the Director and be given the opportunity to explain the presence of such materials in his/her locker/desk. The school may take whatever disciplinary actions it deems appropriate and which are consistent with the law and school policies.
 - b) If the school determines that it is necessary for any reason to search the locker/desk of an individual student or students, the school shall, if possible, contact the student or students whose lockers will be searched and each student shall accompany the Director, a teacher or other members of the office staff during the search of the locker/desk. If the student whose locker/desk is to be searched cannot be reached, the Director shall be accompanied by another member of the office staff during the search. If materials are found in the locker/desk, which violate the law or school policy, the student shall be given the opportunity to explain the presence of such materials in his/her locker/desk. The school may take any disciplinary steps it deems appropriate which are consistent with the law and school policies.

Adopted: January 14, 2025

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S8

Student Records and Grades

The parents of students who are or have been in attendance in this school shall have the right to inspect and review the educational records of their children. The rights accorded to parents shall rest in the student when the student reaches the age of 18.

Parental requests to review records shall be written.

Parental request for a hearing to question student records shall be directed to the principal. The principal shall, after material in question is identified, arrange for a conference within five days to review with the parent, counselor, teacher and principal the relevancy of the material.

If any material or document in the educational record of the student includes information on more than the student involved, the parents of the student shall have the right to inspect and review only such parts of the materials and documents as related to the student or be informed of the specific information in such materials.

The release of personally identifiable records or files of students without the written consent of their parents shall be limited to:

- 1) Other school officials including teachers within the educational institution or local educational agency who have legitimate educational interests.
- 2) Officials of other schools or school systems in which the student intends to enroll, upon the condition that the student's parents be notified of the transfer.
- 3) Any authorized person involved in a student's application for or receipt of financial aid.

A court order or subpoena shall be required before records may be released to a law enforcement agency and notification to the parents required prior to the release of such record.

Parents shall be notified of their right to review their student's record. They shall have the right to challenge items in the school records if they are inaccurate, misleading, or otherwise inappropriate.

In accordance with the Family Education Rights and Privacy Act (FERPA) rulings, staff will ensure that student classroom grades remain confidential.

Teachers will not engage in the practice of allowing students or volunteers to hand out graded work when the grade is visible, or post graded student work in the classroom or hallways unless parents give written consent to release student information in this manner.

Each staff member will receive training regarding Colorado Law related to this issue.

Adopted: January 14, 2025

Legal References: C.R.S. 22-1-123
C.R.S. 22-72-204
U.S. Code (20 USC 1232g): Family Educational Rights and Privacy Act

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S9

Reporting Child Abuse

It is the intent of this policy to comply with the Child Protection Act. To this 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 shall immediately report such information to the Director.

The Director will then make or have the reporting person make a written report, to the Montezuma County Department of Social Services. A copy of this report will be maintained in the Director's "confidential" files and the "confirmation of report" portion will be returned to the person making the original report.

It is not the responsibility of the school official or the employee to investigate or to prove that the child has been abused or neglected, but only to report suspicion of abuse or neglect. Reporting persons will have protection by the law when the report is made without malicious intent.

The school shall provide periodic in-service necessary to train the staff in their responsibilities under this policy or to update the staff on changes in the Child Protection Act.

Adopted: January 14, 2025

Legal References: C.R.S. 22-1-123
C.R.S. 22-72-204
U.S. Code (20 USC 1232g): Family Educational Rights and Privacy Act

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S10

Student with Food Allergies

Allergen Guidelines

Severe allergies can be life threatening. Severe food intolerances (i.e. celiac disease) can be damaging and can produce chronic long-term health effects. The risk of accidental exposure to food allergens can be reduced in the school setting if schools partner with students, parents and physicians to minimize risks and provide a safe educational environment for severely allergic and food-intolerant students.

The foods most likely to cause allergic reactions are: peanuts, tree nuts, dairy, eggs, soy, wheat, fish and shellfish. Students affected by celiac disease must avoid wheat, rye, barley and oats. However, any food can cause an allergic reaction in an affected student.

Allergic reactions can produce mild reactions such as watery eyes or an itchy nose, moderate reactions such as hives, or life-threatening reactions called anaphylaxis wherein multiple body systems are affected.

Severe food intolerance (i.e. celiac disease) reactions vary in nature and time of onset, and may include severe stomach/gastrointestinal pain, diarrhea, vomiting and skin rash. In celiac disease, ingestion of gluten from wheat, rye, most oats and/or barley causes severe damage to the small intestine resulting in malabsorption of vital nutrients and other major concerns.

Pleasant View Charter School is committed to providing a safe, healthy environment for all students. PVCS cannot guarantee that a student will never experience an allergy-related event while at school but to reduce the risk of a life threatening attack the following guidelines were created.

Family Responsibilities

- 1) Notify the Director of any allergies/intolerances your child may have
- 2) Work with the school to determine an appropriate health plan
- 3) Provide a letter from a health care provider stating your child's' allergies and severity of reaction
- 4) Provide a list of food/ingredients to avoid
- 5) Updated emergency Contact Information
- 6) Provide safe lunches and snacks

Student Responsibilities

- 1) Attend (age appropriate) health care plan meetings and be educated about allergic reaction symptoms
- 2) Agree to not trade food items
- 3) Agree to not eat any food item with unknown ingredients
- 4) Notify an adult if they eat a food believed to contain the allergen
- 5) Make sure they (age appropriate) or an adult carries their Benadryl/Epinephrine at all times when on and off campus, and field trips
- 6) Bring to an adult's attention immediately if they believe they are experiencing an allergic reaction

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S10

School Responsibilities

- 1) Be knowledgeable and follow the current health care plan provided for the student
- 2) Review health care plan annually and disseminate to appropriate staff.
- 3) Take reasonable efforts to train all staff, students and parents on allergy attacks, causes and preventative measures
- 4) Take every reasonable precaution possible to provide allergen free classrooms and tables
- 5) Wash allergen free tables and classrooms often but especially after snack and lunch
- 6) For all teachers of food allergic or intolerant students, lessons involving food will be reviewed to determine appropriate alternatives
- 7) Review all supplies to ensure non allergenic
- 8) All treats brought to school for birthdays and other celebrations must be clearly labeled with ingredients
- 9) School wide food bans are discouraged however the school will encourage food safety and awareness is highly encouraged when packing lunches and snacks
- 10) All students K-6 will wash hands frequently, after snack and lunch at all grade levels but especially in the primary (K-2) level
- 11) Take reasonable steps to maintain a playground free of food allergens
- 12) On off campus whole school field trips: we encourage parents provide nut – free lunches and snacks

School Nurse Responsibilities

- 1) Write health care plan
- 2) Provide training to staff, parents and students on allergy attack signs and symptoms causes and prevention. (i.e. allergic reactions, angioedema, anaphylaxis)
- 3) Train appropriate staff in the administration of epinephrine and Benadryl
- 4) Review health care plan and ensure that information is related to appropriate staff

Adopted: January 14, 2025

Legal References: 20 U.S.C. 1400 et seq. (Individuals with Disabilities Education Improvement Act of 2007)
29 U.S.C. 701 et seq. (Section 504 of the Rehabilitation Act of 1973)
42 U.S.C. 12101 et seq. (Americans with Disabilities Act)
C.R.S. 22-2-135 (CO School Children's Food Allergy & Anaphylaxis Management Act)
C.R.S. 22-32-139 (policy required regarding management of food allergies and anaphylaxis among students)
C.R.S. 25-1.5-109 (Colorado Department of Public Health and Environmental shall develop, maintain and make available a standard form for school districts to gather information concerning students' food allergies)
CCR 301-68 (State Board of Education rules regarding Administration of Colorado School Children's Asthma and Anaphylaxis Act and Colorado School Children's Food Allergy and Anaphylaxis Management Act)

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S11

Student Use of Internet and Electronic Communications

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

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

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

Blocking or Filtering Obscene, Pornographic and Harmful Information

Software that blocks or filters material and information that is obscene, child pornography or otherwise harmful to minors, as defined by the school, shall be installed either on school computers or on a server or servers that all school computers must access to gain Internet access. Students shall report access to material and information that is obscene, child pornography, harmful to minors or otherwise in violation of this policy to the supervising staff member. If a student becomes aware of other students accessing such material or information, s/he shall report it to the supervising staff member.

No Expectation of Privacy

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

Unauthorized and Unacceptable Uses

Students shall use school computers and computer systems in a responsible, efficient, ethical and legal manner.

Students may bring smart phones, personal computers, notebooks, MP3 players, and tablets to school. However, no student may use this personal equipment (including but not limited to the above items) unless approved by his/her teacher. Upon approval, the student may use

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S11

personal equipment only in the classroom. No use of personal equipment is allowed anywhere else while on school grounds, including outside.

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

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

- 1) Promotes violence or advocates destruction of property including, but not limited to, access to information concerning the manufacturing or purchasing of destructive devices or weapons
- 2) Is not related to PVCS educational objectives
- 3) Contains pornographic, obscene or other sexually oriented materials, either as pictures or writings that are intended to stimulate erotic feeling or appeal to prurient interests in nudity, sex, or excretion
- 4) Harasses, threatens, demeans, or promotes violence or hatred against another person or group of persons in violations of the school's non-discrimination policies
- 5) Is for personal profit, financial gain, advertising, commercial transaction or political purposes that plagiarizes the work of another without express consent
- 6) Uses inappropriate or profane language likely to be offensive to others in the school community
- 7) Is knowingly false or could be construed as intending to purposely damage another person's reputation
- 8) Is in violation of any federal or state law or school policy, including but not limited to copyrighted material and material protected by trade secret that contains personal information about themselves or others, including information protected by confidentiality laws using another individual's Internet or electronic communications account without written permission from that individual
- 9) Impersonates another or transmits through an anonymous re-mailer
- 10) Accesses fee services

Security

Security on school computer systems is a high priority. Students who identify a security problem while using the Internet must immediately notify a school staff member. Students should not demonstrate the problem to other users.

Students shall not:

- Use another person's password or any other identifier
- Gain or attempt to gain unauthorized access to school computers or computer systems
- Read, alter, delete or copy, or attempt to do so, electronic communications of other users

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

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S11

Safety

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

Vandalism

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

Unauthorized Software

Students are prohibited from using or possessing any software that has been downloaded or is otherwise in the user's possession without appropriate registration and payment of any fees owed to the software owner.

Assigning Student Projects and Monitoring Student Use

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

Opportunities shall be made available for PVCS parents to observe student use of the Internet and electronic communications.

All students shall be supervised by staff while using the Internet or electronic communications. Staff members assigned to supervise student use shall have received training in Internet and electronic communications safety and monitoring student use.

Student Use is a Privilege

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

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S11

PVCS Makes No Warranties:

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

Adopted: January 14, 2025

Legal References: C.R.S. 22-1-123
 C.R.S. 22-72-204
 U.S. Code (20 USC 1232g): Family Educational Rights and Privacy Act

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S12

Student Dress Code

A safe and disciplined learning environment is essential to a quality educational program. While the school recognizes that students have a right to express themselves through dress and personal appearance, students shall not wear apparel that is deemed disruptive or potentially disruptive to the classroom environment or to the maintenance of a safe and orderly school.

The dress code at PVCS is relaxed but is intended to help students concentrate on schoolwork, reduce discipline problems, and improve school order and safety. Any student inappropriately dressed will be required to change.

The following items are considered unsuitable to the classroom environment:

- Shorts, dresses, skirts or other similar clothing shorter than mid-thigh length
- Sunglasses or hats worn inside the building
- Sheer, tight, or low-cut clothing that bare or expose traditionally private parts of the body
- Shirts, tank tops, sweaters or similar clothing that do not graze the top of pants, shorts, skirts, etc.
- Pants, shorts, skirts, etc. that are worn lower than hip level
- Any clothing paraphernalia, grooming, jewelry, hair coloring, accessories or body adornments that are or contain an advertisement, symbols, words, slogans, patches, or pictures that; refer to drugs, tobacco, alcohol, or weapons, are of a sexual nature; are obscene, profane, vulgar, lewd, or legally libelous.

Footwear must be worn at all times.

Any student deemed in violation of the dress code shall be required to change into appropriate clothing or make arrangements to have appropriate clothing brought to school immediately. In this case, there shall be no further penalty. If the student cannot promptly obtain appropriate clothing, on the first offense, the student shall be given a written warning and the Director shall notify the student's parents/guardians. On the second offense, the student shall remain in the administrative office for the day and do schoolwork and a conference with parents/guardians shall be held. On the third offense, the student may be subject to suspension or other disciplinary action.

Exceptions

Appropriate athletic clothing may be worn in physical education classes. Clothing normally worn when participating in school-sponsored extracurricular or sports activities (such as cheer-leading uniforms and the like) may be worn to school when approved by the Director.

Requirements Related to Health and Safety

In consideration of the health and safety of our staff, students and visitors, the PVCS has implemented additional measures to the student dress code, which are intended to provide additional safety measures during the COVID pandemic. All district schools, along with PVCS will follow the State of Colorado and Centers for Disease Control guidelines to protect the health and safety of our school communities. Additionally, PVCS will follow all current, applicable orders and guidelines issued by the Montezuma County Health Department related to schools and the community. Montezuma County Public Health is the lead agency within the

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S12

District and PVCS for contact tracing and COVID-19 testing. All students are expected to abide by public health orders and regulations, in addition to any other, more restrictive, requirements issued by PVCS.

Face Coverings

“Face Covering” means a uniform piece of material, including multiple layers of fabric, that securely covers a person's nose and mouth and remains affixed in place without the use of one’s hands.

- Face Coverings may be required at all times (except during scheduled lunch/snack/ water breaks and in designated areas) when in the presence of others in the building and anywhere on school property (including on school transportation vehicles)
- Due to federal requirements, all students and staff must wear a face covering on the school bus.
- Bandanas and neck gaiters will not be allowed, except as noted below with the wearing of a face shield.
- When required by the District, the wearing of face coverings will be enforced in the same manner as any other district rule, policy, or behavior expectation
- Face shields may be worn as long as they have the additional gaiter covering around the chin and neck, or a face covering is worn with the face shield
- If required, refusal to wear a face-covering or continued concerns and discussion with a student regarding not wearing a face covering will be considered a safety violation and may result in disciplinary discussions/actions

Wellness Protocols

- Students are required to self-monitor their temperature and symptoms daily, prior to reporting to school. Students who become symptomatic at school will be sent home immediately. Symptomatic students should stay home and follow the instructions of their personal physician for staying home before returning to school
- Physicians can order quarantine for individuals as appropriate and/or district will follow quarantine orders put in place statewide, locally or in the best interests of the district’s staff, students, and community
- Classroom teachers will be provided with spray bottles and cleaning wipes to address frequently touched areas of their classrooms, items, and/or equipment
- Students are encouraged to wash their hands often, especially at key times when most likely to spread germs as well as the use of hand sanitizer on a regular basis. Signage posted in restrooms will illustrate proper hand washing and hygiene
- Even when wearing an appropriate face covering, students are encouraged to maintain social distancing

Adopted: January 14, 2025

Legal References: C.R.S. 22-32-109.1(2)(a)(IX)

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S13

Regulation of Administering Medications to Students

If under exceptional circumstances a student is required to take medication during school hours, only the school nurse or the nurse's designee may administer the medication to the student in compliance with the following regulation. In the alternative, the parent/guardian may come to school to administer the medication.

- 1) All directives of the accompanying policy shall be followed.
- 2) Written orders from the student's health care practitioner with prescriptive authority under Colorado law shall be on file in the school stating:
 - a) Student's name
 - b) Name of medication
 - c) Dosage
 - d) Purpose of the medication
 - e) Time of day medication is to be given
 - f) Anticipated number of days it needs to be given at school
 - g) Possible side effects
- 3) The medication shall be brought to school in a container appropriately labeled by the pharmacy or health care practitioner.
- 4) An individual record shall be kept of medications administered by school personnel.
- 5) Medication shall be stored in a clean, locked cabinet or container. Emergency medications (such as epinephrine) shall be kept in a secure location accessible to designated school staff.

Unless these requirements are met, medication will not be administered to students at school.

Self-administration of Medication for Asthma, Allergies or Anaphylaxis

A school shall permit a student to possess and self-administer medication, such as an inhaler or epinephrine, if all of the following conditions are met:

- 1) Written authorization signed by the student's health care practitioner must be on file with the school which shall include the student's name; the name, purpose, prescribed dosage, frequency, and length of time between dosages of the medication(s) to be self-administered; and confirmation that the student has been instructed and is capable of self-administration of the medication.
- 2) The school nurse or school administrator, in consultation with the school nurse, the student's health care practitioner, and the student's parent/guardian collaborate to make an assessment of the student's knowledge of his or her condition and ability to self-administer medication.
- 3) A written statement signed by the student's parent/guardian must be on file with the school, which shall include permission for the student to self-administer his/her medication and a release from liability for any injury arising from the student's self-administration of such medication.
- 4) A written contract between the school nurse, school administrator, the student, and the student's parent/guardian must be on file with the school, assigning levels of responsibility to the student's parent/guardian, student, and school employees.
- 5) A treatment plan authorizing a student to possess and self-administer medication for asthma or anaphylaxis shall be effective only for the school year in which it is approved.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S13

- 6) A student shall report to the school nurse or designee or to some adult at the school immediately after the student uses an epinephrine auto-injector during school hours. Upon receiving such report from a student, the school nurse, designee, or other adult will provide appropriate follow-up care to the student, which shall include making a 911 emergency call.

Adopted: January 14, 2025

Legal References: C.R.S. 12-38-132 (delegation of nursing tasks)
C.R.S. 22-1-119 (no liability for adverse drug reactions/side effects)
C.R.S. 22-1-119.5 (Colorado Schoolchildren's Asthma, Food Allergy, and Anaphylaxis Health Management Act)
C.R.S. 22-2-135 (Colorado School Children's Food Allergy and Anaphylaxis Management Act)
C.R.S. 24-10-101 et seq. (Colorado Governmental Immunity Act)
1 CCR 301-68 (State Board of Education rules regarding Administration of Colorado School Children's Asthma and Anaphylaxis Act and Colorado School Children's Food Allergy and Anaphylaxis Management Act)
6 CCR 1010-6, Rule 9-105 (regulations)

PLEASANT VIEW CHARTER SCHOOL

PLEASANT VIEW CHARTER SCHOOL Permission for Medication Administration at School

The parent/guardian of _____ ask that school staff give the following medication _____ at _____ to my child, according to the Health Care Provider's signed instructions on the lower part of this form.

Child's Name

Name of Medicine & Dosage

Time(s)

Prescription medications must come in a container labeled with: child's name, name of medicine, time medicine is to be given, dosage, route, date medicine is to be stopped, and licensed Health Care Provider's name. Pharmacy name and phone number must also be included on the label.

Over the counter medication must be labeled with child's name. Dosage must match the signed Health Care Provider authorization, and medicine must be packaged in original container.

The school/child care agrees to administer medication prescribed by a licensed Health Care Provider with prescriptive authority. The parent agrees to pick up expired or unused medication within one week of notification by staff. All medication(s) left at the school will be discarded according to the most current state regulatory recommendations for safe medication disposal.

By signing this document, I give permission for my child's Health Care Provider to share information about the administration of this medication with the school staff delegated to administer medication.

Parent/Legal Guardian's Name Parent/Legal Guardian Signature Date

Work Phone Alternate Phone

Health Care Provider Authorization

Child's Name:	Dosage:	Birthdate:
Medication:	Start Date:	Route:
To be given at the following times:	End Date:	
Special Instructions:		
Purpose of Medication:		
Side Effects to be reported:		

Signature of Health Care Provider with Prescriptive Authority Date

Print Name of Health Care Provider Phone & Fax Number

Signature of Child Care Health Consultant or School Nurse Date

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S14

Limited Class Sizes

The Board of Education and the Head of School have created a responsible growth plan for PVCS. Part of that plan includes the goal of limiting grade and class sizes. Limiting the number of students has multiple benefits, including:

- Maintaining the close-knit fabric of NRRCS is critical to its culture, its commitment to expeditionary learning, and the development of all students so they can achieve their highest potential in a positive, can-do, goal-oriented, nurturing and secure atmosphere.
- Research shows that smaller class size is one of only four evidence-based reforms that have been proven to increase student achievement.
- Smaller class size is the most effective method to improve the quality of teaching.
- When secondary students are placed in smaller classes, much greater time is spent “on task” and focused on learning, with special benefits for low-achievers and far lower rates of negative behavior.

The Director of PVCS, has, at all times, the right, obligation and ultimate authority to use his/her best judgment for new enrollments in any class.

Adopted: January 14, 2025

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S15

Drug, Alcohol and Controlled Substance Offenses by Students

The school shall promote a healthy environment for students by providing education, support and decision making skills in regard to alcohol, drugs and other controlled substances and their abuse. In order to accomplish this goal, a cooperative effort must be made among the schools, parents/guardians, community and its agencies.

It shall be a violation of school policy and considered to be behavior which is detrimental to the welfare or safety of other students or school personnel for any student to possess drug paraphernalia and to possess, use, sell, distribute, exchange or procure or to be under the influence of alcohol, drugs or other controlled substances. The unlawful possession or use of alcohol or controlled substances is wrong and harmful to students.

For purposes of this policy, the following definitions shall apply:

- Controlled substances include but are not limited to narcotic drugs, hallucinogenic or mind-altering drugs or substances, amphetamines, barbiturates, stimulants, depressants, marijuana, anabolic steroids, any other controlled substances as defined in law, or any prescription or nonprescription drug, medicine, vitamin or other chemical substances not taken in accordance with the school policy and regulations on administering medications to students.
- Possession shall mean bringing, possessing or having in one's control a controlled substance or drug paraphernalia.
- Sale shall mean exchanging money or any other item of value in a transaction where a controlled substance is exchanged.
- Distribution shall mean providing a controlled substance to another regardless of the exchange of money or item of value.
- Drug paraphernalia shall mean any equipment, product or material, which is used or intended to be used or designed for use in introducing a controlled substance into the body.
- Under the influence shall mean when a student has ingested, inhaled or applied a controlled substance or when a student's behavior, condition, speech, appearance, odor, well being or the well being of others is affected by the use of a controlled substance.

This policy also includes substances that are represented by or to the student to be any such controlled substance or what the student believes to be any such substance.

This policy shall apply to any student:

- On their way to or from school,
- On school property,
- Being transported in vehicles dispatched by the district or one of its schools,
- During a school-sponsored or school-sponsored activity or event,
- Off school property when the conduct has a reasonable connection to school or any school curricular or non-curricular event,
- Or whose conduct at any time or place interferes with the operations of the school or the safety or welfare of students or employees.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S15

Students violating this policy shall be subject to disciplinary sanctions which may include suspension and/or expulsion from school and referral for prosecution. Disciplinary sanctions and interventions for violations of this policy shall be in accordance with School policy concerning student suspensions, expulsions and other disciplinary interventions.

Situations in which a student seeks counseling or information from a professional staff member for the purpose of overcoming substance abuse shall be handled on an individual basis depending upon the nature and particulars of the case. Parents shall be involved and effort made to direct the substance abuser to sources of help.

The school, in recognition that drug and alcohol abuse is a community problem, shall cooperate actively with law enforcement, social services or other agencies and organizations, parents and any other recognized community resources committed to reducing the incidents of illegal use of drugs and alcohol by school-aged youths.

Whenever possible in dealing with student problems associated with drug and alcohol abuse, school personnel shall provide parents/guardians and students with information concerning available education and rehabilitation programs.

Information provided to students and/or parents about community substance abuse treatment programs or other resources shall be accompanied by a disclaimer to clarify that the school assumes no financial responsibility for the expense of drug or alcohol assessment or treatment provided by other agencies or groups unless otherwise required.

The school shall provide all students and parents/guardians with a copy of this policy and its accompanying procedures on an annual basis.

The school shall conduct a periodic review of its drug prevention program to determine its effectiveness and to implement any necessary changes.

Adopted: January 14, 2025

Legal References: 20 U.S.C. 7101 et seq. (Safe & Drug-Free Schools and Communities, Act of 1994)
21 U.S.C. 812 (definition of "controlled substance")
C.R.S. 18-18-407(2) (crime to sell, distribute or possess controlled substance on or near school grounds or school vehicles)
C.R.S. 22-1-110 (instruction related to alcohol and drugs)
C.R.S. 22-32-109.1(2)(a)(I)(G) (policy required as part of safe schools plan)
C.R.S. 22-33-106(1)(d) ((suspension or expulsion discretionary for the sale of a drug or controlled substance)
C.R.S. 25-1.5-106(12)(b) (possession or use of medical marijuana in or on school grounds or in a school bus is prohibited)
C.R.S. 25-14-103.5 (boards of education must adopt policies prohibiting use of retail marijuana on school property)

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S16

Student Transportation in Private Vehicles

A staff member or parent (“Driver”) may transport a student or group of students in a personal vehicle for school-related purposes only if the Driver has special permission for the school year.

Drivers with special permission to use their own vehicles for transporting students must carry their own liability insurance coverage in compliance with State law. A copy of the Driver’s driver license and insurance card shall be placed on file with a member of the school’s administrative staff prior to the transportation of students.

A “Transportation Memorandum of Understanding” shall be signed by the Driver and administrative staff member acknowledging that the Driver’s personal liability insurance shall be used first for any necessary coverage.

A permission form must be completed by each student’s parent or legal guardian. The form defaults to the entire school year, but the parent may limit the permission to a specific field trip or activity.

Adopted: January 14, 2025

Legal References: CRS 22-34-113(4)
CRS 42-7-101 et. Seq.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S17

Enrollment

Pleasant View Charter School (PVCS) is a public school that is tuition free. New students can enroll to attend Pleasant View Charter School through an open lottery process. Pleasant View Charter School encourages all students to enroll and all who enroll will have an equal chance of gaining a seat in our lottery. Student recruitment and enrollment decisions shall be made in a nondiscriminatory manner. In all cases, student recruitment and enrollment decisions shall be without regard to race, color, creed, national origin, sex, religion, ancestry, sexual orientation, disability or need for special education services.

If enrollment requests exceed the capacity of PVCS, the board will adhere to the following criteria for enrollment into the school. Students currently enrolled at Pleasant View Charter School has priority for enrollment the following school year. Beginning in January, parents, guardians, or legal custodians of students currently attending PVCS must declare their intentions to return to the school the next academic school year.

Enrollment Preferences

Enrollment preferences will be given to the following students:

- Children of staff members. Staff members are defined as any individual that is employed full time or part time at PVCS.
- Siblings of students already enrolled or have previously been enrolled will be given preference according to space availability.
- Children of Founding Families – Children of founding families are defined as current or former PVCS Board Members.

Selection Method

When the number of applicants exceeds the number of spaces available, students will be selected by a random lottery, taking into consideration the enrollment preferences described above. If additional spaces become available after the initial selection, students will be offered enrollment based on their order on the waiting list. Any spaces available after all students on the waiting list have been offered enrollment will be filled on a first-come, first-served basis. Waiting lists will be carried over from year to year. Students on the waiting list who are not offered enrollment and wish to be considered for enrollment the following year, will remain on the waiting list.

Enrollment Timeline and Procedures

PVCS enrollment timeline and procedures are subject to the following conditions:

- Prior to enrollment, parents and students will be encouraged to attend an informational session to fully understand the school values, methodology, curriculum, and expectations.
- PVCS will begin publicizing the enrollment dates at least two months prior to the date of the lottery.
- The Lottery will be held on the second Wednesday of April. (In the years when Spring Break falls during said Lottery, that date will be moved exactly one week earlier.)
- Based on space availability, PVCS will continue to accept students from its waiting list, once the wait list is exhausted, students will be enrolled on a first come, first serve basis up to full enrollment. The school may accept students after October 1 upon available space.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S17

- Families selected in the lottery process will have until April 30th of each lottery year to decide on whether their child will attend PVCS.

Adopted: January 14, 2025

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S18

Testing and Assessments

Each year the school must comply with federal- and state-mandated student assessments and is required to adopt specific policies, all of which are to be communicated to parents annually.

In accordance:

- All assessments will be administered in a pencil and paper test- taking format, or by use of the online platform.
- An assessment calendar, which includes estimated hours of time each assessment will take will be published on the school's website and otherwise provided to parents.
- A description of each assessment that the school will administer, along with identification of which assessments are required by federal law and which assessments are required by the state, and any additional assessments being administered by choice of PVCS will be published on the school's website and otherwise provided to parents.

Once finalized, PVCS will inform parents of the manner in which the Colorado Department of Education and the school plan to use the assessment results.

Parents/guardians may excuse their students from state and federal assessments by written request to the Director via email or letter prior to the start of testing.

PVCS will not impose any unreasonable burden or negative consequences, including, but not limited to, prohibiting school attendance, imposing unexcused absences, or exclusion from extracurricular activities, as a result of the parent's choice to excuse a student from the assessments.

PVCS will provide information and answer questions regarding assessments at events it judges to be appropriate and will have an open-door philosophy for parents to drop in and ask questions.

Adopted: January 14, 2025

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S19

School Transportation

The School provides bus transportation from designated bus stops to PVCS each morning school is in session and back to designated stops at the completion of each school day.

Note: Elementary students will not be discharged at places other than their regular bus stop unless by written authorization from parent/guardian or school official and then only at designated bus stops.

At the bus stop:

- Arrive on time, but not too early (five minutes before scheduled time).
- Treat the adjacent residents' property with respect and consideration.
- Have regard for the hazards and rights of motorists. Do not play or stand in the street.
- Any bus stop not used for three days in a row will be discontinued. If you are the only person at your stop, and not going to be riding for over three days call the transportation office.

During the loading and unloading process:

- When crossing the street to a stopped bus, cross at least ten feet in front of the bus (NEVER behind the bus!).
- Use the front door. The rear exit is to be used for emergencies only.
- Wait for an approaching bus at least ten feet from where the school bus is to come to a complete stop.
- NEVER rush toward a moving bus or crowd and push to board the vehicle.
- If you are not going to cross the street after leaving the bus, move back from the curb to allow the bus to continue on its route with out danger to you.

On the bus:

- Obey the directions of the driver.
- Take seats promptly and remain seated until time to unload and the bus has come to a complete stop.
- Keep the aisles clear.
- Seats may be assigned to pupils, at the discretion of the driver.
- The "noise" level permitted may consist of quiet talking. When directed to be silent, respond immediately and completely.
- Bus windows may be open when approved by the driver. Windows are to be closed at schools. Do not extend arms or head out of the window nor throw anything out of the window, since personal injury may occur.
- Do not tamper with or damage the bus.
- Flame or spark producing devices are not allowed on the school bus.
- Glass and other articles, which could result in danger to passengers, shall not be transported on buses.
- Items to be carried on the school bus cannot protrude into the aisle, extend above the seat back, or occupy space of another student.
- Animals/pets, living or otherwise, are strictly prohibited on vehicles transporting students
- Misrepresenting one's identity shall constitute misconduct.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S20

Student Records/Release of Information on Students

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

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

Content and Custody of Student Education Records

The Director is the official custodian of records. Student education records in all formats and media, including photographic and electronic, are those records that relate directly to a student. Student education records may contain, but will not necessarily be limited to, the following information:

- Identifying data;
- Academic work completed;
- Level of achievement (grades, standardized achievement test scores);
- Attendance data;
- Scores on standardized intelligence, aptitude and psychological tests;
- Interest inventory results;
- Health and medical information;
- Family background information;
- Teacher or counselor ratings and observations reports of serious or recurrent behavior patterns; and
- Any individualized education program (IEP).

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

In accordance with applicable law, requests for inspection and review of student education records, requests for copies of such records, and disclosure of personally identifiable information therein shall be maintained as a part of each student's education record.

School personnel shall use reasonable methods to authenticate the identity of parents, students, school officials, and any other party to whom they disclose student education records. Authentication of identity prior to disclosure of electronic records through passwords or other security measures shall be required.

Access to Student Education Records by Parents

A parent/guardian ("parent") has the right to inspect and review their child's education records, if the student is under 18 years of age. Access to student education records by parents shall be in accordance with the regulation accompanying this policy.

Request to Amend Student Education Records

A parent may ask the school to amend a student's education record they believe is inaccurate, misleading or otherwise violates the privacy rights of the student. Student grades cannot be challenged pursuant to this policy. Requests to amend a student's education record shall be in

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S20

accordance with the regulation accompanying this policy.

Disclosure with Written Consent

Whenever the school is required by law or policy to seek written consent prior to disclosing personally identifiable information from a student's education record, the notice provided to the parent shall contain the following:

- The specific records to be disclosed;
- The specific reasons for such disclosure;
- The specific identity of any person, agency or organization requesting such information and the intended uses of the information;
- The method or manner by which the records will be disclosed; and
- The right to review or receive a copy of the records to be disclosed.

The parent's consent shall only be valid for the specific instance for which it was given. Consent for a student to participate in any course, school activity, special education program or in any other school program shall not constitute the specific written consent required by this policy.

All signed consent forms shall be retained by the school.

Disclosure without Written Consent

The school may disclose student education records or personally identifiable information contained therein without written consent of the parent or eligible student if the disclosure meets one of the following conditions:

- 1) The disclosure is to a school official having a legitimate educational interest in the student's education record or the personally identifiable information contained therein. In accordance with law, only those school officials who have a legitimate educational interest as described in this policy shall be permitted access to specific student education records.
 - a) For purposes of this policy, a "school official" is a person employed by the school or district as an administrator, supervisor, teacher or support staff member (including health or medical staff and law enforcement unit personnel), a person serving on the Board of Education; a person or company with whom the school or district has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, consultant, or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student or other volunteer assisting another school official in performing his or her tasks.
 - b) A school official has a "legitimate educational interest" if disclosure to the school official is: (1) necessary for that official to perform appropriate tasks that are specified in his or her position description or by a contract agreement; (2) used within the context of official school business and not for purposes extraneous to the official's areas of responsibility; (3) relevant to the accomplishment of some task or to a determine about the student; and (4) consistent with the purposes for which the data are maintained.
- 2) The disclosure is to officials of another school, school system or postsecondary institution that has requested the records and in which the student seeks or intends to enroll, or has enrolled.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S20

Any records sent during the student's application or transfer period may be supplemented, updated or corrected as necessary.

- 3) The disclosure is to authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U. S. Department of Education, and state educational authorities.
- 4) The disclosure is in connection with a student's application for, or receipt of, financial aid.
- 5) The disclosure is to state and local officials and concerns the juvenile justice system's ability to effectively serve, prior to adjudication, the student whose records are disclosed as provided under the Colorado Open Records Act and Colorado Children's Code. Such records and personally identifiable information shall only be disclosed upon written certification by the officials that the records and information will not be disclosed to any other party, except as specifically authorized or required by law, without the prior written consent of the parent or eligible student.
- 6) The disclosure is to organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate or administer predictive tests; to administer student aid programs; or to improve instruction.
- 7) The disclosure is to accrediting organizations for accrediting functions.
- 8) The disclosure is in connection with an emergency, if knowledge of the information is necessary to protect the health or safety of the student or others.
- 9) The disclosure is to comply with a judicial order or lawful subpoena. Unless specified in the order or subpoena, the school shall make a reasonable effort to notify the parent or eligible student prior to complying with the order or subpoena.
- 10) The disclosure is of "directory information" as defined by this policy.

Disclosure of Directory Information

Directory information may also be disclosed without written consent of the parent or eligible student. "Directory information" means information contained in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information which may be release includes but is not limited to the student's name, e-mail address, photograph, date and place of birth, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, grade level, enrollment status, honors and awards received, the most recent previous educational agency or institution attended by the student, and other similar information.

Directory information also includes a student identification number or other unique personal identifier used by the student to access or communicate in electronic systems, but only if the identifier cannot be used to gain access to student education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a password known only by the authorized user.

Student telephone numbers and addresses shall not be disclosed pursuant to this section.

The parent has the right to refuse to permit the designation of any or all of the categories of directory information if such refusal is received in writing in the school office as part of the First Week Forms.

Disclosure of Disciplinary Information

In accordance with state law, the Director shall communicate disciplinary information concern-

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S20

ing any student enrolled in the school to any teacher who has direct contact with the student in the classroom and to any counselor who has direct contact with the student. Any teacher or counselor to whom disciplinary information is reported shall maintain the confidentiality of the information and shall not communicate it to any other person.

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

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

State law requires the director to inform the student and the student's parent when disciplinary information is communicated and to provide a copy of the shared disciplinary information. The student and/or the student's parent may challenge the accuracy of such disciplinary information through the process outlined in this policy and accompanying regulation.

The school/district discloses education records, including student discipline records, without consent, to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. See section "Disclosure without Written Consent" for additional information regulating release of students' records.

Disclosure to Medicaid

In all cases in which a student is enrolled in the Colorado Medicaid program, the district shall release directory information consisting of the student's name, date of birth and gender to Health Care Policy and Financing (Colorado's Medicaid agency) to verify Medicaid eligibility of students. The school shall obtain written consent annually from a parent before the release of any non-directory information required for billing as part of the First Week Forms.

Annual Notification of Rights

The district shall notify parents their rights pursuant to this policy at the beginning of each academic year. For notice to parents who are disabled or whose primary or home language is other than English, the format or method of notice will be modified so it is reasonably likely to inform them of their rights.

Governing Law

The school shall comply with the Family Educational Rights and Privacy Act (FERPA) and its regulations as well as state law governing the confidentiality of student education records. The district shall be entitled to take all actions and exercise all options authorized under the law. In the event this policy or accompanying regulation does not address a provision in applicable state or federal law, or is inconsistent with or in conflict with applicable state or federal law, the provisions of applicable state or federal law shall control.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S20

Information Obtained from State Agencies

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

School personnel receiving such information shall use it only in the performance of their legal duties and responsibilities and shall otherwise maintain the confidentiality of all information obtained. School personnel who knowingly violate this provision are subject to disciplinary action pursuant to district policy and to a civil penalty of up to \$1,000.

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

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

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

Adopted: January 14, 2025

Legal References: 20 U.S.C. 1232g (Family Educational Rights and Privacy Act)
20 U.S.C. 7908 (military recruiter information contained in No Child Left Behind Act of 2001)
34 C.F.R. 99.1 et seq. (FERPA regulations)
C.R.S. 19-1-303 and 304 (records and information sharing under Colorado Children's Code)
C.R.S. 22-1-123 (district shall comply with FERPA)
C.R.S. 22-32-109(1)(ff) (duty to establish policy on disclosing eighth grade students names and mailing addresses to the Colorado Commission on Higher Education)
C.R.S. 22-32-109.1(6) (duty to establish policy on sharing information consistent with state and federal law in the interest of making schools safe)
C.R.S. 22-32-109.3 (2) (duty to share disciplinary and attendance information with criminal justice agencies)
C.R.S. 22-33-106.5 (court to notify of conviction of crime of violence and unlawful sexual behavior)
C.R.S. 22-33-107.5 (school district to notify of failure to attend school)
C.R.S. 24-72-204 (3)(a)(VI) (schools cannot disclose address and phone number without consent)
C.R.S. 24-72-204 (3)(d) (information to military recruiters)
C.R.S. 24-72-204 (3)(e)(I) (certain FERPA provisions enacted into Colorado Law)
C.R.S. 24-72-204 (3)(e)(II) (disclosure by staff of information gained through personal knowledge or observation)
C.R.S. 24-72-205(5) (fee for copying public record)
C.R.S. 25.5-1-116 (confidentiality of HCPF records)

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S20

Family Education Rights and Privacy Act (FERPA)

(Notification to Parents and Students of Rights Concerning Student Education Records)

The Family Educational Rights and Privacy Act ("FERPA") and Colorado law afford parents/guardians ("parents") certain rights with respect to the student's education records, as follows:

- 1) The right to inspect and review the student's education records within a reasonable time period after the request for access is made (not to exceed 45 days).
- 2) The right to request the amendment of the student's education records that the parent believes is inaccurate, misleading or otherwise in violation of the student's privacy rights.
- 3) The right to privacy of personally identifiable information in the student's education records, except to the extent that FERPA and state law authorize disclosure without consent.
- 4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:
 - 5) Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-8520.
- 5) The right to refuse to permit the designation of any or all of the categories of directory information.

Adopted: January 14, 2025

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S20R

REGULATION OF STUDENT RECORDS/RELEASE OF INFORMATION ON STUDENTS

(review, amendment, and hearing procedures)

In accordance with policy S-21, this regulation contains the procedures to follow when a parent seeks to review or challenge the content of a student's education records.

Request to Review Student Education Records

- 1) The parent shall submit a written request to the principal of the school attended by the student, asking to review the student's education records.
- 2) Upon receipt of the written request, the director shall set a date and time for inspection and review of the records (usually within three working days after the request has been made).
- 3) The parent shall examine the student's education records in the presence of the director and/or other person(s) designated by the director. The record itself shall not be taken from the school building.
- 4) During inspection and review of student's education records by a parent and when requested by them, the principal will provide personnel necessary to give explanations and interpretations of the records.
- 5) Upon request, once copy of the records shall be provided within a reasonable time to the parent or eligible student at a cost of \$0.25 per page.

Request to Amend Student Education Records

- 1) The parent shall submit a written request to the director clearly identifying the part of the record to be amended and specifying why the record is inaccurate, misleading or otherwise violates the student's privacy rights.
- 2) The written request to amend the student's education records must be made in writing within 10 school days of the date the records were first examined by the parent or eligible student, unless additional time is granted by the district for good cause shown.
- 3) If the director denies the request to amend the student education record, the director shall notify the parent or eligible student of the decision and advise him or her of the right to a hearing to appeal the denial.

Request for a Formal Hearing

A request for a formal hearing must be made in writing and addressed to the director of the school. The school's response to the request shall be mailed within 10 school days.

The hearing shall be held in accordance with the following:

- 1) The hearing will be held within 25 school days after receipt of the request. Notice of the date, place and time of the hearing will be forwarded to the parent by certified mail.
- 2) The hearing will be conducted by the director or, if a conflict exists, by a member of the board designated by the board. The official conducting the hearing shall not be the director who made the initial decision, nor shall it be anyone with a direct interest in the outcome of the hearing.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S21R

- 3) Parents shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of their choice at their own expense, including an attorney.
- 4) The official designated above shall make a decision in writing within 20 school days following the conclusion of the hearing and shall notify the parent of that decision by certified mail.
- 5) The decision of the official shall be based upon the evidence presented at the hearing and shall include a summary of the evidence and the reason for the decision.
- 6) The decision shall include a statement informing the parents of the right to place in the student education record a statement commenting upon the information in the records and/or setting forth any reason for disagreement. Any explanation placed in the records shall be maintained by the school. If the student's education record is disclosed by the school to any other party, the explanation shall also be disclosed to that party.

Adopted: January 14, 2025

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S21

Student Conduct and Discipline

Student Conduct

The school's intention is to help students achieve maximum development of individual knowledge, skills and competence and learn behavior patterns which will enable them to be responsible, contributing members of society.

The school expects that every student will follow accepted rules of conduct and to show respect for and to obey persons in authority. The code shall emphasize that certain behavior, especially behavior that disrupts the classroom, is unacceptable and may result in disciplinary action. The code shall be enforced uniformly, fairly and consistently for all students.

The school has adopted specific Character Virtues; they, in addition to all student-related policies, are considered as constituting the conduct and discipline sections of the legally-required code. The "Code of Conduct" rules shall not infringe upon constitutionally protected rights, shall be clearly and specifically described, and shall be printed and made available to students and parents/guardians.

The director shall ensure reasonable measures are taken to ensure each student is familiar with the code. Copies shall be posted on the website. In addition, any significant change in the code shall be distributed to students and parents/guardians, and posted within the school.

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

Student Discipline

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

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

Immunity for Enforcement of Discipline Code

All employees of the school shall be required to administer and enforce school discipline policies and regulations in a consistent manner at all times.

An act of a school employee shall not be considered child abuse if the act was performed in good faith and in compliance with district policy and procedures.

A school employee acting in good faith and in compliance with the discipline code adopted by the school shall be immune from criminal prosecution or civil liability unless the person is acting willfully or wantonly.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S21

Remedial Discipline Plans

The director may develop a remedial discipline plan for any student who causes a material and substantial disruption in the classroom, on school grounds, in school vehicles or at school activities or sanctioned events. The goal of the remedial discipline plan shall be to address the student's disruptive behavior and educational needs while keeping the child in school.

Discipline of Habitually Disruptive Students

Students who have caused a material and substantial disruption in the classroom, on school grounds, in school vehicles or at school activities or sanctioned events three times during the school year shall be declared habitually disruptive students. Any student enrolled in the school may be subject to being declared a habitually disruptive student. Declaration as a habitually disruptive student may result in the student's expulsion.

Discipline of Special Education Students

Disruptive behavior by a student identified as a student with disability under the IDEA or Section 504 shall be dealt with in accordance with the student's IEP or Section 504 plan. A student with a disability shall be subject to expulsion as a habitually disruptive student only if a determination has been made by the student's IEP or Section 504 team that the disruptive behavior is not a manifestation of the student's disability.

Adopted: January 14, 2025

Legal References:

- C.R.S. 22-32-109.1 (policy required as part of safe schools plan)
- C.R.S. 22-32-109.1(2)(a) (policy required as part of safe schools plan and adoption and enforcement of conduct and discipline code)
- C.R.S. 22-33-106(1)(a-g) (grounds for suspension, expulsion and denial of admission)
- C.R.S. 18-6-401(1) (definition of child abuse)
- C.R.S. 22-33-101 et seq. (school attendance law)
- C.R.S. 22-32-126 (5) (disciplinary information to staff)
- C.R.S. 22-33-202 (identification of at-risk students)
- C.R.S. 22-33-203 (educational alternatives for expelled students)
- C.R.S. 26-20-102 et seq. (protection of persons from restraint)²⁰
- U.S.C. § 1401 et seq. (Individuals with Disabilities Education Act)
- C.R.S. 22-20-101 et seq. (Exceptional Children's Education Act)
- C.R.S. 22-32-109.1(2)(a)(I) (school district shall take reasonable measures to familiarize students with the conduct and discipline code)
- C.R.S. 22-32-109.1(2)(a)(III) (discipline of habitually disruptive students is required part of safe schools plan)
- C.R.S. 22-32-109.1(9) (immunity provisions in safe schools law)
- C.R.S. 22-33-106(1)(c.5) (habitually disruptive students)

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S21-A

Disciplinary Removal From Classroom

It is the policy of the school to maintain classrooms in which student behavior does not interfere with the ability of the teacher to teach effectively or the ability of other students to participate in classroom learning activities.

Students shall be expected to abide by the code of conduct created by the school and any other appropriate classroom rules of behavior established by the director and/or classroom teacher for the purpose of maintaining order and a favorable academic atmosphere. Any student who violates the code of conduct or other classroom rules may be subject to removal from class and/or disciplinary action.

Student removal from class is a serious measure and should not be imposed in an arbitrary, casual or inconsistent manner. Behavioral expectations are always more constructive and more likely to be followed when they are communicated as clearly as possible to students. However, it is neither possible nor necessary to specify every type of improper or inappropriate behavior, or every circumstance that would justify removal from class under this policy. Teachers are expected to exercise their best professional judgment in deciding whether it is appropriate to remove a student from class in any particular circumstance. All instances of formal removal from class shall be documented.

A teacher is authorized to immediately remove a student from the teacher's classroom if the student's behavior:

- Violates the code of conduct;
- Is dangerous, unruly, or disruptive; or
- Seriously interferes with the ability of the teacher to teach the class or other students to learn.

A student may be removed from class. Removal from class under this policy does not prohibit the school from pursuing or implementing additional disciplinary measures, including but not limited to detentions, suspensions, or expulsions for the conduct or behavior for which the student was removed.

Parents/guardians shall be notified of the student's removal from class in accordance with established procedures.

Adopted: January 14, 2025

Legal References:

C.R.S. 22-32-109.1(2)(a)(II) (policy required as part of safe school plan)

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S21-B

Discipline of Students with Disabilities

Students with disabilities are neither immune from a school district's disciplinary process nor entitled to participate in programs when their behavior impairs the education of other students. Students with disabilities who engage in disruptive activities and/or actions dangerous to themselves or others will be disciplined in accordance with the requirements of this policy, the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act (Section 504), and any other applicable law or district policy.

Nothing in this policy shall prohibit an IEP or Section 504 team from establishing consequences for disruptive or unacceptable behavior as a part of the student's IEP, Section 504 plan, and/or behavioral intervention plan.

Suspensions, Expulsions and Provision of Services during Periods of Disciplinary Removal

A "disciplinary change of placement" occurs when a student is removed from school for more than 10 consecutive school days or subjected to a series of removals that total more than 10 school days in a school year and constitute a pattern of removal under governing law. Prior to a disciplinary change in placement, the student's parents shall be notified of the decision to take such disciplinary action and of their procedural safeguards. If the student is eligible for services under the IDEA, parents also shall be provided with a copy of the district's IDEA procedural safeguards hand-out. This notification shall occur not later than the date on which such decision is made.

Students with disabilities may be suspended from school without receipt of educational services for up to 10 school days in any given school year for violations of the student code of conduct. These 10 days need not be consecutive. To the extent the school provides educational services to students without disabilities during such short periods of disciplinary removal, the school will do the same for students with disabilities.

For students who are eligible for services under the IDEA, educational services will be provided starting on the eleventh (11th) school day of disciplinary removal in a given school year. Such educational services shall be provided to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. Where the proposed removal does not constitute a disciplinary change of placement (e.g., where a suspension takes the student beyond the 10 day mark, but is not part of a pattern of removal), school personnel, in consultation with at least one of the student's teachers, shall determine the educational services to be provided. Where the proposed removal constitutes a disciplinary change of placement (e.g., where the student is being expelled or the suspension at-issue is part of a pattern of removal), the student's IEP team shall determine the educational services to be provided.

For students with disabilities who are not eligible for services under the IDEA (i.e., Section 504 students), there is no requirement that the district provide educational services during expulsions or other disciplinary changes of placement. However, educational services will be provided consistent with those provided to nondisabled students.

Manifestation Determination

Within 10 school days from the date of the decision to take disciplinary action that will result in a disciplinary change of placement, relevant members of the student's IEP or Section 504 team,

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S21-B

including the student's parents, shall review all relevant information in the student's file, including the student's IEP or Section 504 plan, any teacher observations, and any relevant information provided by the parents, to determine whether the student's misconduct was a manifestation of the student's disability.

The team shall determine: (1) whether the student's misconduct was caused by, or had a direct and substantial relationship to, the student's disability; or (2) whether the student's misconduct was the direct result of the school's failure to implement the student's IEP or Section 504 plan. If the answer to either of these two questions is "yes," the student's behavior shall be deemed to be a manifestation of the student's disability.

Special Note for Section 504 students currently engaged in the use of illegal drugs or alcohol: Under Section 504, the district may take disciplinary action pertaining to the use or possession of illegal drugs or alcohol against a student with a disability who is currently engaged in the use of illegal drugs or alcohol to the same extent that such disciplinary action is taken against students without disabilities. Accordingly, a manifestation determination need not be held for a Section 504 student if the misconduct at-issue involves the use or possession of illegal drugs or alcohol and the student is currently engaged in the use of illegal drug alcohol.

Disciplinary Action for Behavior that is Not a Manifestation

If the team determines that the student's behavior was not a manifestation of the student's disability, disciplinary procedures shall be applied to the student in the same manner as applied to nondisabled students.

As stated above, if the student is eligible for services under the IDEA, the student shall receive educational services during the period of expulsion or other disciplinary change of placement so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. Additionally, the student shall receive, as appropriate, a functional behavioral assessment (FBA) and behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.

If the student is not eligible for services under the IDEA (i.e., he/she is a Section 504 student), educational and behavioral intervention services will be provided consistent with those provided to nondisabled students.

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

If the team determines that the student's behavior is a manifestation of the student's disability, expulsion proceedings or other disciplinary change of placement will be discontinued, and the student will be returned to the placement from which he was removed. However, the student may be placed in an alternative setting for up to 45 school days as discussed in the section below, or the student's placement may be changed for educational reasons as determined by the IEP or Section 504 team or as otherwise permitted by law.

Additionally, for IDEA-eligible student, within a reasonable amount of time after determining that the student's behavior is a manifestation of the student's disability, the student's IEP team shall: (1) conduct an FBA of the student, unless an FBA has already been conducted; and (2) implement a BIP for the student. If a BIP has already been developed, the IEP team shall

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S21-B

review it and modify it as necessary to address the student's behavior.

Placement in an Alternative Setting for 45 School Days

Under the IDEA, school personnel may remove a student with a disability to an interim alternative setting for not more than 45 school days without regard to the manifestation determination if:

- 1) The student carried a weapon to school or a school function;
- 2) The student possessed a weapon at school, on school premises, or a school function;
- 3) The student knowingly possessed or used illegal drugs at school, on school premises, or at a school function;
- 4) The student knowingly sold or solicited the sale of a controlled substance at school, on school premises, or at a school function;
- 5) The student inflicted serious bodily injury on another person while at school, on school premises, or at a school function; or
- 6) A hearing officer or court of appropriate jurisdiction so orders.

Such removal to an alternative setting is permissible even if the student's behavior is determined to be a manifestation of the student's disability. The student's IEP team shall determine the educational services to be provided to the student in the alternative setting.

Protections for Students Not Determined Eligible for Special Education Services under the IDEA

Students who have not been identified as eligible for services under the IDEA shall be subjected to the same disciplinary measures applied to IDEA-eligible students if the district had "knowledge" of the student's disability before the behavior that precipitated the disciplinary action occurred.

The school is deemed to have knowledge of the student's disability if, prior to the misconduct at issue:

- 1) The student's parent expressed concern in writing to school administrative personnel, or the student's teacher, that the student was in need of special education and related services;
- 2) The student's parent requested an IDEA evaluation; or
- 3) The student's teacher or other school personnel expressed specific concerns about the student's pattern of behavior directly to the director of special education or other district supervisory personnel.

The school shall not be deemed to have knowledge that the student is a child with a disability if the parent has not allowed an evaluation of the student under the IDEA, or the student has been evaluated and it was determined that he or she is not a child with a disability, or the student was determined eligible for special education and related services, but the parent refused services.

If the school did not have knowledge that the student is a child with a disability prior to the misconduct at issue, the child may be subjected to the disciplinary measures applied to children without disabilities who engage in comparable behavior.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S21-B

If a request for an IDEA evaluation is made during a disciplinary period of removal, the evaluation will be expedited. Until the evaluation is completed, the student shall remain in the school's determined educational placement, which can include suspension or expulsion without educational services.

Adopted: January 14, 2025

Legal References:

- 20 U.S.C. § 1401 et seq. (Individuals with Disabilities Education Act)
- 29 U.S.C. § 794 (Section 504 of the Rehabilitation Act)
- 34 C.F.R §§ 300.530-300.536 (IDEA regulations)
- C.R.S. § 22-20-101 et seq. (Exceptional Children's Educational Act)
- C.R.S. § 22-33-106 (1)(c) (Manifestations)

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S21-R

Regulation of Student Discipline

Remedial Discipline Plans

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

Habitually Disruptive Students

A student will be declared "habitually disruptive" if three times during the course of the school year the student causes a material and substantial disruption on school grounds, in a school vehicle or at school activity or sanctioned event.

- 1) The student and the parent/guardian will be notified in writing of each disruption which counts toward declaring the student habitually disruptive. The student and parent/guardian will also be notified in writing and by telephone or other oral communication of the definition of "habitually disruptive student."
- 2) School procedures for suspension and/or expulsion may be initiated when the student has been declared habitually disruptive.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S22

Use of Physical Intervention and Restraint

To maintain a safe learning environment, school 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 school employee.

Within the scope of their employment, school employees may use reasonable and appropriate physical intervention with a student, which 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 five or more minutes unless the provisions regarding restraint (contained in this policy and accompanying regulation) are followed.

Restraint

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

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

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

Use of Mechanical or Prone Restraints

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); however, no law enforcement officer or armed security official shall use handcuffs on any student unless the student poses an immediate danger to themselves or others or if handcuffs are solely used during a custodial arrest requiring transport.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S22

- 2) When the student is openly displaying a deadly weapon, as defined in C.R.S. 18-1-901 (3)(e).

Adopted: January 14, 2025

Legal References:

C.R.S.18-1-703(use of physical force by those supervising minors)
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 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(2)(a)(IV) (policy required as part of safe schools plan)
C.R.S. 22-32-109.1(9) (immunity provisions in safe schools law)
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. 22-32-147 (use of restraints on students)
C.R.S. 26-20-101 et seq. (Protection of Persons from Restraint Act)
CCR 301-45, 2620-R-1.00 et seq. (State Board of Education rules for the Administration of the Protection of Persons from Restraint Act)

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S22-Form

Student Restraint Incident Report Form

Student: _____

Location: _____

Date: _____ Time: _____

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

Staff witnesses (include names and titles):

Description of events immediately before the behavior occurred, including the antecedent to the student's behavior, if known:

Alternatives attempted and/or efforts made to deescalate the situation prior to the use of restraint (if none could be used due to emergent nature of behavior, explain why):

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

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S22-Form

Type/description of restraint used (i.e., type of physical hold or nature of seclusion used):

Time restraint began: _____ Time restraint ended: _____

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

Resolution of the incident:

_____ 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 (please describe): _____

Injuries or property loss/damage that occurred, if any:

Recommendations for adjustment of procedures based on staff review, if appropriate:

Print name and title of person writing report:

Signature:

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S22-Form

Checklist	Date	Comments
If an injury to staff or student Has occurred, submit student Accident report and/or staff incident report		
Director or designee verbally notify parent by end of the school day that the restraint was used (indicate name/title of person who made, and method of, notification)		
Conduct internal staff review of incident of restraint		
Report e-mailed, mailed or faxed to parent with 5 calendar days of the use of restraint (indicate date and method of delivery)		
If requested by parents or the school, convene a meeting (that may be an IEP, BIP or 504 meeting) to review the incident		

Copy to: Parent and student's confidential file

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S22-Notification

Parent Notification Regarding The Use of Restraint

Student Name: _____ Date: _____

Due to prior dangerous or potentially-dangerous behaviors exhibited by your child, it is anticipated that physical restraint and/or seclusion might be used in an emergency situation.

Physical restraint is the use of bodily physical force to involuntarily limit an individual's freedom of movement, and it typically involves some type of "hold." A hold used to protect a child or others from harm that lasts less than five minutes is not a restraint. Seclusion is the placement of a student alone in a room from which egress is prevented. The specific restraint procedures and circumstances in which restraint may be used are outlined in your child's Behavior Plan.

If there is a need to use restraint:

- 1) It will only be used as a means to protect your child or others from a serious, probable, and imminent threat of bodily injury.
- 2) It will only be used after less restrictive alternatives have failed or if it is determined that such alternatives would be ineffective under the circumstances.
- 3) It will be administered only by staff who have received appropriate training. The staff who may be involved in administering restraint are identified (by title) in your child's Behavior Plan.
- 4) Staff will continuously monitor your child's physical safety during any use of restraint, and opportunities to have the restraint removed will be provided if the child indicates a willingness to cease the violent or dangerous behavior, and every effort will be made to assist the child to regain self-control.
- 5) In all cases, restraint will be removed when it is determined that it is no longer necessary to protect the student or others. When seclusion is no longer necessary, staff will reintegrate the student or clearly communicate to the student that he/she is free to leave the area used for seclusion.
- 6) A review process will be conducted for each incident of restraint. As part of this process, the director or designee will verbally notify you as soon as possible, but no later than the end of the school day if restraint has been used. Additionally, a written report will be mailed, e-mailed or faxed to you within five (5) calendar days following the use of any restraint.

I acknowledge that I am the parent/guardian of the student identified above; that I have received a copy of my student's Behavior Plan and this notification regarding the use of restraint; that additional information regarding the use of restraint can be found in earlier in this policy and that I can contact the individual listed below and/or the building with any questions or concerns.

Parent/Guardian Signature

Signature of Person explaining restraint procedure

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S22-R

Regulation of Use of Physical Intervention and Restraint

Definitions

In accordance with 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, mechanical devices, chemicals 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 limited 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. Ashtmacort, 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) "Seclusion" means the place 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
- 6) "Time-out" is the removal of a student from potentially rewarding people or situa-

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S22-R

tions. 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.

- 7) "Emergency" means serious, probable, imminent threat of bodily injury to self or others with the present ability to affect such bodily injury. Emergency includes situations in which the student creates such a threat by abusing or destroying property.
- 8) "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).
- 9) "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, 2620-R-1.00 et seq.

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 restructuring 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.

Duties related to the use of restraint - general requirements

When restraints are used, school staff 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 school 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 school 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.

Proper administration of specific restraints

- 1) Chemical restraints shall not be used.
- 2) Mechanical restraints shall not be used, except that this provision shall not apply to

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S22-R

armed security officers who have received documented training in defensive tactics utilizing handcuffing procedures and are detaining the student for law enforcement.

- 3) Physical restraint may be used in an emergency. However:
 - 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 reason.
- 4) Seclusion
 - a) Relief periods from seclusion shall be provided for reasonable access to toilet facilities; and
 - b) Any space in which a student is secluded shall have adequate lighting, ventilation and size. To the extent possible under the specific circumstances, the space should be free of injurious items.

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 restrain 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.

Documentation requirements

- 1) If restraints are used, a written report shall be submitted within one school day to school administration.
- 2) The director shall verbally notify the parents as soon as possible but no later than the end of the school day that the restrain was used.
- 3) A written report based on the finding of the staff review required by paragraph G below shall be e-mailed, 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. The antecedent to the student's behavior if known;
 - a) A description of the incident;
 - b) Efforts made to de-escalate the situation;
 - c) Alternatives that were attempted;
 - d) The type and duration of the restraint used;
 - e) Injuries that occurred, if any; and
 - f) 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.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S22-R

Review of specific incidents of restraint

- 1) The school 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 school or the student's parents, the school 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 that appropriate procedures were followed and to minimize future use of restraint.

General review process

- 1) The school 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 school 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 1 and 3 in Documentation Requirements 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

Staff training

- 1) The school shall ensure that staff, utilizing restraint in schools, is 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) Restraining shall occur at a frequency of at least every two years.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S23

Suspension/Expulsion of Students

The school shall provide due process of law to students, parents/guardians and school personnel through written procedures consistent with law for the suspension or expulsion of students and the denial of admission.

As an alternative to suspension, the Director or designee may permit the student to remain in school with the consent of the student's teachers if the parent/guardian attends class with the student for a period of time specified by the principal or designee. If the parent/guardian does not agree or fails to attend class with the student, the student shall be suspended in accordance with the accompanying regulations.

This alternative to suspension shall not be used if expulsion proceedings have been or are about to be initiated or if the Director or designee determines that the student's presence in school, even if accompanied by a parent/guardian, would be disruptive to the operations of the school or be detrimental to the learning environment.

Delegation of Authority

- 1) The Board of Education delegates to the Director or to a person designated in writing by the Principal the power to suspend a student in that school for:
 - a) Not more than five school days on the grounds stated in C.R.S. 22-33-106 (1) (a), (1) (b), (1) (c) or (1) (e) {disobedience, destruction of property, behavior}
 - b) Not more than 10 school days on the grounds stated in C.R.S. 22-33-106 (1) (d) {sale/use of drugs, robbery, possession of weapons, assault} unless expulsion is mandatory under law (see S-21-E Grounds for Suspension/Expulsion), but the total period of suspension shall not exceed 25 school days.
- 2) The Board of Education delegates to the Director the authority to suspend a student, in accordance with C.R.S. 22-33-105, for an additional 10 school days plus up to and including an additional 10 days necessary in order to present the matter to the Board.
- 3) The Board of Education delegates to the Director to a designee who shall serve as a hearing officer the authority to deny admission to or expel for any period not extending beyond one year any student whom the superintendent, in accordance with the limitations imposed by Title 22, Article 33, of the Colorado Revised Statutes, shall determine does not qualify for admission to or continued attendance at the public schools of the district. If the hearing is conducted by a designee serving as a hearing officer, the hearing officer shall prepare findings of fact and recommendations for the superintendent at the conclusion of the hearing. The Director shall render a written opinion in the expulsion matter within five days after the hearing.

The Director shall report on each case acted upon at the next meeting of the Board, briefly describing the circumstances and the reasons for action taken. Such denial of admission or expulsion by the Director shall be subject to appeal to the Board. The appeal shall consist of a review of the facts that were presented, arguments relating to the decision and questions of clarification from the Board.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S23

House Bill 19-1194

Preschool-Second Grade

- (a) Children in preschool and early elementary years are at a critical stage of development, and a child's early experiences in school have a dramatic impact on the child's health and future success in school; (b) The practice of out-of-school suspension or expulsion of a young child may have profound consequences for the child, as these exclusionary measures come at a time when the child is supposed to be forming positive associations with school and building positive relationships with teachers and peers; and (c) Research indicates that young children who are suspended or expelled from school are several times more likely to experience disciplinary action later in their academic careers, drop out or disengage from high school, report feeling disconnected from school, and be incarcerated later in life. (2) The general assembly therefore declare that the standard for suspension and expulsion of young children should be developmentally appropriate, and implementing inclusive discipline practices, rather than out-of-school suspension and expulsion, is an important step in supporting a positive school experience for young children preschool and early elementary programs that will result in greater long-term success for the child.

According to C.R.S. § 22-33-106.1(2), a school may impose an out-of-school suspension or expel a student enrolled in preschool to second grade only if the all 3(a,b,c) of the below requirements are satisfied:

- (a) The enrolling entity determines that the student has engaged in conduct on school grounds, in a school vehicle, or at a school activity or sanctioned event that:
Involves the possession of a dangerous weapon without the authorization of the public school or enrolling entity, if different;
Involves the use, possession, or sale of a drug or controlled substance, as defined in section 18-18-102(5); or
Endangers the health or safety of others;
- (b) The enrolling entity determines that failure to remove the student from the school building would create a safety threat that cannot otherwise be addressed; and
- (c) The enrolling entity, on a case-by-case basis, considers each of the factors set forth in section 22-33-106(1.2) before suspending or expelling the student. The enrolling entity shall document any alternative behavioral and disciplinary interventions that it employs before suspending or expelling the student.

The factors to be analyzed under this step include [C.R.S. § 22-33-106(1.2)]:

- 1) The age of the student;
- 2) The disciplinary history of the student;
- 3) Whether the student has a disability;
- 4) The seriousness of the violation committed by the student;
- 5) Whether the violation committed by the student threatened the safety of any student or staff member; and
- 6) Whether a lesser intervention would properly address the violation committed by the student.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S23

The incidents and consequences that follow are meant to be guidelines; School officials are permitted to use their discretion to determine the appropriate disciplinary response to each incident of student misconduct.

Expulsion for Unlawful Sexual Behavior or Crime of Violence

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

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

The school may determine to wait until the conclusion of court proceedings to consider expulsion, in which case it shall be the responsibility of the school to provide an alternative educational program for the student as specified in state law.

Annual Reports

The school annually shall report to the State Board of Education the number of students expelled from school for disciplinary reasons or for failure to submit certificates of immunization. Expelled students shall not be included in calculating the dropout rate for the school.

Adopted: January 14, 2025

Legal References:

- C.R.S. 16-22-102(9) (unlawful sexual behavior)
- C.R.S. 18-1.3-406 (crime of violence)
- 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)(E) (policy required as part of safe schools plan)
- C.R.S. 22-32-109.1(3) (agreements with state agencies)
- C.R.S. 22-33-105 (suspension, expulsion and denial of admission)
- C.R.S. 22-33-106 (grounds for suspension, expulsion and denial of admission)
- C.R.S. 22-33-106.3 (use of student's written statements in expulsion hearings)
- C.R.S. 22-33-106.5 (information concerning offenses committed by students)
- C.R.S. 22-33-107 (compulsory attendance law)
- C.R.S. 22-33-107.5 (notice of failure to attend)
- C.R.S. 22-33-108 (juvenile judicial proceedings)
- C.R.S. 25-4-903 (1) (immunization)

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S23-A

Code of Conduct

The director may suspend or recommend expulsion of a student who engages in one or more of the following activities while in school buildings, on school property, when being transported in vehicles dispatched by the school, during a school-sponsored activity or event and off-school property when the conduct has a reasonable connection to a school curricular or non-curricular event.

- 1) Causing or attempting to cause damage to school property or stealing or attempting to steal school property of value.
- 2) Causing or attempting to cause damage to private property or stealing or attempting to steal private property.
- 3) Commission of any act which if committed by an adult would be robbery or assault as defined by state law.
- 4) Violation of criminal law which has an effect on the school or on the general safety or welfare of students or staff.
- 5) Violation of school policy or building regulations.
- 6) Violation of the school's policy on weapons in the school. In accordance with federal law, expulsion shall be mandatory for using or possessing a firearm.
- 7) Violation of the school's alcohol use/drug abuse policy.
- 8) Violation of the school's tobacco-free schools policy.
- 9) Violation of the school's policy on sexual harassment.
- 10) Violation of the school's policy on nondiscrimination.
- 11) Throwing objects, unless part of a supervised school activity, that can cause bodily injury or damage property.
- 12) Directing profanity, vulgar language or obscene gestures toward other students, school personnel or visitors to the school.
- 13) Engaging in verbal abuse, i.e., name calling, making a threat of harm to other individuals or property, ethnic or racial slurs, or derogatory statements addressed publicly to others that precipitate disruption of the school program or incite violence. Committing extortion, coercion or blackmail, i.e., obtaining money or other objects of value from an unwilling person or forcing an individual to act through the use of force or threat of force.
- 14) Lying or giving false information, either verbally or in writing, to a school employee.
- 15) Scholastic dishonesty which includes but is not limited to cheating on a test, plagiarism or unauthorized collaboration with another person in preparing written work.
- 16) Continued willful disobedience or open and persistent defiance of proper authority including deliberate refusal to obey a member of the school staff
- 17) Behavior on or off school property which is detrimental to the welfare or safety of other students or school personnel.
- 18) Repeated interference with the school's ability to provide educational opportunities to other students.
- 19) Engaging in "hazing" activities, i.e., forcing prolonged physical activity, forcing excessive consumption of any substance, forcing prolonged deprivation of sleep, food, or drink, or any other behavior which recklessly endangers the health or safety of an individual for purposes of initiation into any student group.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S23-A

- 20) Violation of the school's dress code policy.
- 21) Making a false accusation of criminal activity against a school employee to law enforcement or to the school.
- 22) Violation of the school's policy on bullying prevention and education.

Adopted: January 14, 2025

Legal References:

- C.R.S. 12-22-303(7) (definition of controlled substance)
- C.R.S. 18-3-202 et seq. (offenses against person)
- C.R.S. 18-4-301 et seq. (offenses against property)
- C.R.S. 18-9-124(2)(a) (prohibition of hazing)
- C.R.S. 22-12-105(3) (authority to suspend or expel for false accusations)
- C.R.S. 22-32-109.1(2)(a)(I) (policy required as part of safe schools plan)
- C.R.S. 22-32-109.1(2)(a)(I)(A) (duty to adopt policies on student conduct, safety and welfare)
- C.R.S. 22-32-109.1(2)(a)(II) (policy required as part of safe schools plan)
- C.R.S. 22-32-109.1(9) (immunity provisions in safe schools law)
- C.R.S. 22-33-106(1)(a-g) (grounds for suspension, expulsion, denial of admission)

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S23-E

Grounds for Suspension/Expulsion of Students

According to Colorado Revised Statutes 22-33-106(1)(a-g) and 3(e) and 22-12-105(3), the following may be grounds for suspension or expulsion from a public school:

- 1) Continued willful disobedience or open and persistent defiance of proper authority.
- 2) Willful destruction or defacing of school property.
- 3) Behavior on or off school property that is detrimental to the welfare or safety of other pupils or of school personnel, including behavior that creates a threat of physical harm to the child or other children.
- 4) Declaration as a habitually disruptive student.
 - a) For purposes of this paragraph, "habitually disruptive student" means a child who has caused a material and substantial disruption three or more times during the course of the school year in the classroom, on school grounds, in a school vehicle or at a school activity or sanctioned event. Any student who is enrolled in a public school may be subject to being declared a habitually disruptive student.
 - b) The student and the parent, legal guardian, or legal custodian shall have been notified in writing of each disruption counted toward declaring the student as habitually disruptive and the student and parent, legal guardian, or legal custodian shall have been notified in writing and by telephone or other means at the home or the place of employment of the parent or legal guardian of the definition of "habitually disruptive student."
- 5) The use, possession or sale of a drug or controlled substance as defined in C.R.S. 18-18-102(5) on school grounds, in a school vehicle or at a school activity or sanctioned event.
- 6) The commission of an act on school grounds, in a school vehicle, or at a school activity or sanctioned event that, if committed by an adult, would be robbery pursuant to C.R.S. 18-4-301 or assault pursuant to C.R.S. 18-3-201, other than the commission of an act that would be third degree assault under C.R.S. 18-3-204 if committed by an adult.
- 7) Possession of a dangerous weapon on school grounds, in a school vehicle, or at a school activity or sanctioned event, without the authorization of the school or school district.
 - a) Note: In accordance with the federal law, expulsion shall be mandatory for no less than one full calendar year for a student who is determined to have brought to or possessed a firearm at school. The director may modify the length of this federal requirement for expulsion on a case-by-case basis. Such modification shall be in writing.
- 8) As used in this paragraph, "dangerous weapon" means:
 - a) A firearm;
 - b) Any pellet gun, BB gun, or other device, whether operational or not, designed to propel projectiles by spring action or compressed air.
 - c) A fixed-blade knife with a blade that exceeds three inches in length;
 - d) A spring-loaded knife or a pocket knife with a blade exceeding three and one-half inches in length; or
 - e) Any object, device, instrument, material, or substance, whether animate or inanimate, that is used or intended to be used to inflict death or serious bodily injury.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S23-E

- 9) Repeated interference with a school's ability to provide educational opportunities to other students.
- 10) Carrying, using, actively displaying, or threatening with the use of a firearm facsimile that could reasonably be mistaken for an actual firearm in a school building or in or on school property.
- 11) Failure to comply with the provisions of Part 9, Article 4, Title 25, C.R.S. (immunization requirements). Any suspension, expulsion or denial of admission for such failure to comply shall not be recorded as a disciplinary action but may be recorded with the student's immunization record with an appropriate explanation.
- 12) Pursuant to C.R.S. 22-12-105(3), making a false accusation of criminal activity against an employee of an educational entity to law enforcement authorities or to school district officials or personnel.

House Bill 19-1194

Preschool-Second Grade

- (a) Children in preschool and early elementary years are at a critical stage of development, and a child's early experiences in school have a dramatic impact on the child's health and future success in school; (b) The practice of out-of-school suspension or expulsion of a young child may have profound consequences for the child, as these exclusionary measures come at a time when the child is supposed to be forming positive associations with school and building positive relationships with teachers and peers; and (c) Research indicates that young children who are suspended or expelled from school are several times more likely to experience disciplinary action later in their academic careers, drop out or disengage from high school, report feeling disconnected from school, and be incarcerated later in life. (2) The general assembly therefore declare that the standard for suspension and expulsion of young children should be developmentally appropriate, and implementing inclusive discipline practices, rather than out-of-school suspension and expulsion, is an important step in supporting a positive school experience for young children preschool and early elementary programs that will result in greater long-term success for the child.

According to C.R.S. § 22-33-106.1(2), a school may impose an out-of-school suspension or expel a student enrolled in preschool to second grade only if the all 3(a,b,c) of the below requirements are satisfied:

- a) The enrolling entity determines that the student has engaged in conduct on school grounds, in a school vehicle, or at a school activity or sanctioned event that:
 - i) Involves the possession of a dangerous weapon without the authorization of the public school or enrolling entity, if different;
 - ii) Involves the use, possession, or sale of a drug or controlled substance, as defined in section 18-18-102(5); or
 - iii) Endangers the health or safety of others;
- b) The enrolling entity determines that failure to remove the student from the school building would create a safety threat that cannot otherwise be addressed; and
- c) The enrolling entity, on a case-by-case basis, considers each of the factors set forth in section 22-33-106(1.2) before suspending or expelling the student. The enrolling entity shall document any alternative behavioral and disciplinary interventions that it employs before suspending or expelling the student.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S23-E

The factors to be analyzed under this step include [C.R.S. § 22-33-106(1.2)]:

- 1) The age of the student;
- 2) The disciplinary history of the student;
- 3) Whether the student has a disability;
- 4) The seriousness of the violation committed by the student;
- 5) Whether the violation committed by the student threatened the safety of any student or staff member; and
- 6) Whether a lesser intervention would properly address the violation committed by the student.

The incidents and consequences that follow are meant to be guidelines; The Director is permitted to use their discretion to determine the appropriate disciplinary response to each incident of student misconduct.

According to C.R.S. 22-33-106(2), subject to the school's responsibilities under the Exceptional Children's Education Act and applicable federal law (see policy S-22-B, Discipline of Students with Disabilities), the following shall be grounds for expulsion from or denial of admission to a public school or diversion to an appropriate alternate program:

- 1) Physical or mental disability such that the child cannot reasonably benefit from the programs available.
- 2) Physical or mental disability or disease causing the attendance of the child suffering therefrom to be inimical to the welfare of other students.

Adopted: January 14, 2025

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S23-R

Regulation of Suspension/Expulsion of Students

Procedure for Suspension of 10 Days or Less

Through written policy the Board of Education has delegated to the director the power to suspend a student for not more than five or 10 days, depending upon the type of infraction. Pursuant to policy S-24, the director has been delegated the power to suspend a student for additional periods of time. However, the total period of suspension will not exceed 25 school days. As a general rule, a suspension will be 10 days or less.

The following procedures will be followed in any suspension, unless the student is suspended pending an expulsion proceeding, in which case the expulsion procedures will apply. The Restorative Justice process is a component of suspension and/or expulsion and may be required in conjunction with suspension and expulsion disciplinary sanctions.

When the term "parent/guardian" is used, it refers to the parent/guardian of students under 18 years of age. All references to parent/guardian are intended to also include legal custodian.

Notice. The Director at the time of contemplated action will give the student and the parent/guardian notice of the contemplated action. Such notice may be oral or in writing. If oral, such notice will be given in person. If written, delivery may be by United States mail addressed to the last known address of the student or student's parent/guardian.

Contents of notice. The notice will contain the following basic information:

- a) A statement of the charges against the student.
- b) A statement of what the student is accused of doing.
- c) A statement of the basis of the allegation. Specific names may be withheld if necessary.

This information need not be set out formally but should sufficiently inform the student and parent/guardian of the basis for the contemplated action.

Notification following suspension. If a student is suspended the administrator delegated the authority to suspend will immediately notify the parent/guardian that the student has been suspended, the grounds for such suspension and the period of such suspension. The notification will include the time and place for the parent/guardian to meet with the administrator to review the suspension.

Removal from school grounds. A suspended student must leave the school building and the school grounds immediately following the meeting with the parent/guardian at which time the best way to transfer custody of the student to the parent/guardian will be determined.

Re-admittance. No student will be readmitted to school until the meeting with the parent/guardian has taken place or until, in the opinion of the administrator, the parent/guardian has substantially agreed to review the suspension with the administrator. However, if the administrator cannot contact the parent/guardian or if the parent/guardian repeatedly fails to appear for scheduled meetings, the administrator may readmit the student. The meeting will address whether there is a need to develop a remedial discipline plan for the student in an effort to prevent further disciplinary action.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S23-R

Make-up work: Suspended students will be provided an opportunity to make up school work during the period of suspension, so the student is able to reintegrate into the educational program of the district following the period of suspension. Students will receive full credit for makeup work which is completed satisfactorily.

House Bill 19-1194

Preschool-Second Grade

- (a) Children in preschool and early elementary years are at a critical stage of development, and a child's early experiences in school have a dramatic impact on the child's health and future success in school; (b) The practice of out-of-school suspension or expulsion of a young child may have profound consequences for the child, as these exclusionary measures come at a time when the child is supposed to be forming positive associations with school and building positive relationships with teachers and peers; and (c) Research indicates that young children who are suspended or expelled from school are several times more likely to experience disciplinary action later in their academic careers, drop out or disengage from high school, report feeling disconnected from school, and be incarcerated later in life. (2) The general assembly therefore declare that the standard for suspension and expulsion of young children should be developmentally appropriate, and implementing inclusive discipline practices, rather than out-of-school suspension and expulsion, is an important step in supporting a positive school experience for young children preschool and early elementary programs that will result in greater long-term success for the child.

According to C.R.S. § 22-33-106.1(2), a school may impose an out-of-school suspension or expel a student enrolled in preschool to second grade only if the all 3(a,b,c) of the below requirements are satisfied:

- a) The enrolling entity determines that the student has engaged in conduct on school grounds, in a school vehicle, or at a school activity or sanctioned event that:
 - i) Involves the possession of a dangerous weapon without the authorization of the public school or enrolling entity, if different;
 - ii) Involves the use, possession, or sale of a drug or controlled substance, as defined in section 18-18-102(5); or
 - iii) Endangers the health or safety of others;
- b) The enrolling entity determines that failure to remove the student from the school building would create a safety threat that cannot otherwise be addressed; and
- c) The enrolling entity, on a case-by-case basis, considers each of the factors set forth in section 22-33-106(1.2) before suspending or expelling the student. The enrolling entity shall document any alternative behavioral and disciplinary interventions that it employs before suspending or expelling the student.

The factors to be analyzed under this step include [C.R.S. § 22-33-106(1.2)]:

- 1) The age of the student;
- 2) The disciplinary history of the student;
- 3) Whether the student has a disability;
- 4) The seriousness of the violation committed by the student;
- 5) Whether the violation committed by the student threatened the safety of any student or staff member; and
- 6) Whether a lesser intervention would properly address the violation committed by the student.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S23-R

The incidents and consequences that follow are meant to be guidelines; School officials are permitted to use their discretion to determine the appropriate disciplinary response to each incident of student misconduct.

Procedure for Expulsion or Denial of Admission

In the event the director contemplates action denying admission to any student or prospective student or expelling any student, the following procedures will be followed:

- 1) **Notice.** Not less than 3 days prior to the date of the contemplated action, the school level administrator will cause written notice of such proposed action to be delivered to the student and the student's parent/guardian. Such delivery may be by United States mail addressed to the last known address of the student or the student's parent/guardian.
- 2) **Emergency Notice.** In the event it is determined that an emergency exists necessitating a shorter period of notice, the period of notice may be shortened provided that the student or the student's parent/guardian have actual notice of the hearing prior to the time it is held.
- 3) **Contents of Notice.** The notice will contain the following basic information:
 - a) A statement of the basic reasons alleged for the contemplated denial of admission or expulsion.
 - b) A statement that a hearing on the question of expulsion or denial of admission will be held if requested by a district administrator, the student or parent/guardian within 5 days after the date of the notice.
 - c) A statement of the date, time and place of the hearing in the event one is requested.
 - d) A statement that the student may be present at the hearing and hear all information against him or her, that the student will have an opportunity to present such information as is relevant and that the student may be accompanied and represented by a parent/guardian and an attorney.
 - e) A statement that failure to participate in such hearing constitutes a waiver of further rights in the matter.
- 4) **Conduct of hearing.** A hearing may be requested by the parent/guardian. Such hearing will be conducted by the director. The hearing may be conducted in open session or may be closed except to those individuals deemed advisable by the director but including in all events the student, the parent/guardian and, if requested, an attorney. Such individuals as may have pertinent information will be admitted to a closed hearing to the extent necessary to provide such information.

Testimony and information may be presented under oath. However, technical rules of evidence will not be applicable, and the director may consider and give appropriate weight to such information or evidence he or she deems appropriate. The student's written statement, if any, may be presented as evidence in accordance with applicable law. The student or representative may question individual's presenting information.

A sufficient record of the proceedings will be kept so as to enable a transcript to be prepared in the event either party so requests. Preparation of the transcript will be at the expense of the party requesting the same. The director will prepare specific factual findings and issue a written decision within five days after the hearing.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S23-R

specific factual findings and issue a written decision within five days after the hearing.

- 5) **Appeal.** Within 5 days after the decision of the director, the student may appeal the decision to the Board. Failure to request an appeal within 5 days will result in a waiver of the right to appeal and the director's decision will become final.

If an appeal is properly requested, the Board will review the findings of fact from the hearing and arguments relating to the decision. The student may be represented by counsel at the appeal. Representatives of the district and the parents may make brief statements to the Board, but no new evidence may be presented unless such evidence was not reasonably discoverable at the time of the hearing. Members of the Board may ask questions for purposes of clarification of the record.

The Board will make final determination regarding the expulsion of the student and will inform the student and his parent/guardian of the right to judicial review.

- 6) **Parental responsibility.** If a student between the ages of six and 16 is expelled, the parent/guardian will be responsible for ensuring compliance with the compulsory school attendance law during the expulsion period. Upon expelling a student, district personnel will provide information to the student's parent/guardian concerning the educational alternatives available to the student during the period of expulsion, including the right a parent/guardian to request that the district provide services during the expulsion. If the parent/guardian chooses to provide a home-based education program for the student, district personnel will assist the parent/guardian in obtaining appropriate curricula for the student if requested by the parent/guardian.

If a student is expelled for the remainder of the school year, the school will contact the expelled student's parent/guardian at least once every 60 days until the beginning of the next school year to determine whether the child is receiving educational services. School personnel need not contact the parent/guardian after the student is enrolled in another school in the district or in an independent or parochial school or if the student is committed to the department of human services or sentenced to a juvenile or adult detention facility.

- 7) **Re-admittance.** A student who has been expelled shall be prohibited from enrolling or re-enrolling in the same school in which the victim of the offense or member of the victim's immediate family is enrolled or employed when:
 - a) The expelled student was convicted of a crime, adjudicated a juvenile delinquent, received a deferred judgment or was placed in a diversion program as a result of committing the offense for which the student was expelled;
 - b) There is an identifiable victim of the expelled student's offense; and
 - c) The offense for which the student was expelled does not constitute a crime against property.

If the school has no actual knowledge of the name of the victim, the expelled student shall be prohibited from enrolling or re-enrolling only upon request of the victim or a member of the victim's immediate family.

No student will be readmitted to school until after a meeting between the Director or designee, and the parent/guardian has taken place, except that if the administrator cannot contact the parent/guardian or if the parent/guardian repeatedly fails to appear for scheduled meetings, the Director may readmit the student.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S23-R

Procedure for Crimes of Violence or Unlawful Sexual Behavior

The following procedures will apply when the district receives notification that a student has been charged in juvenile or district court with a crime of violence or unlawful sexual behavior, as those terms are defined by state law.

- 1) The Director or its designee will make a preliminary determination whether it will proceed with an expulsion hearing, based on the following factors:
 - a) Whether the student has exhibited behavior that is detrimental to the safety, welfare or morals of other students or school personnel.
 - b) Whether educating the student in school would disrupt the learning environment, provide a negative example for other students or create a dangerous and unsafe environment for students or other school personnel.

The determination may be made in executive session to the extent allowed by state law.

- 2) If it is determined that the student should not be educated in the school and that grounds for expulsion exist, the school will proceed with the expulsion of the student, in accordance with the procedures set forth above.
- 3) Alternatively, expulsion proceedings may be postponed, pending the outcome of the court proceedings. If the expulsion proceedings are postponed, the student will not be permitted to return to school during that period. An appropriate alternative education program, including but not limited to, an online program authorized by state law or a home-based education program will be established for the student during the period pending the resolution of the juvenile proceedings. The time that a student spends in an alternative education program will not be considered a period of expulsion.
- 4) If the student pleads guilty to the charge, is found guilty or is adjudicated a delinquent juvenile, the director or designee may proceed to expel the student following the procedures set forth in these regulations.
- 5) Information regarding the details of the alleged crime of violence or unlawful sexual behavior will be used by the director or its designee for the purposes set forth in this policy, but will remain confidential unless the information is otherwise available to the public by law.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S24

Expulsion Prevention

School personnel shall enforce provisions of the student code of conduct (policy S-24-A) so that students demonstrating unacceptable behavior and their parents/guardians understand that such behavior shall not be tolerated and shall be dealt with according to the code.

It is the belief of the school that all available alternatives should be explored to help students who are at risk of expulsion before expulsion becomes a necessary step. Expulsion shall be regarded as a punishment of last resort unless a student's behavior would cause imminent harm to others in the school, or when federal law or the school's conduct and discipline codes require expulsion. The director shall work with the professional staff to identify students who are at risk of suspension or expulsion. Among those students who may be at risk are those who are truant, who have been or are likely to be declared habitually truant, or who are likely to be declared habitually disruptive.

The school, working with the student's parent/guardian, shall provide students who are identified as at risk of suspension or expulsion with a plan to provide necessary support services to help them avoid expulsion. Services may include:

- 1) Educational services (tutoring, alternative educational programs or career and technical education programs that provide instruction in the academic areas of reading, writing, mathematics, science and social studies);
- 2) Counseling services;
- 3) Drug or alcohol addiction treatment programs, and/or;
- 4) Family preservation services.

The school shall not pay for such services unless otherwise required by law.

In some cases, a remedial discipline plan may be the means by which various intervention and prevention services are identified and made available to a student. Support services may be provided through agreements with appropriate local governmental agencies, community-based organizations and institutions of higher education.

The failure of the school to identify a student for participation in an expulsion prevention program or the failure of such program to remediate a student's behavior shall not be grounds to prevent school personnel from proceeding with appropriate disciplinary measures including but not limited to suspension and/or expulsion.

Adopted: January 14, 2025

Legal References:

- C.R.S. 22-14-101 et seq. (dropout prevention and student re-engagement)
- C.R.S. 22-33-202 (identification of at-risk students)
- C.R.S. 22-33-204 (services for at-risk students)
- C.R.S. 22-33-204.5(students in facility schools shall be considered at-risk)
- C.R.S. 22-33-205 (grants for services to expelled, at-risk and truant students)

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S25

Bullying Prevention and Education

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

Bullying by students is prohibited on all school property, at school-related activities, in school vehicles, and off school property when such conduct has a connection to school curricular or non curricular activity. Sec. 22-33-106(1)(a), C.R.S. Sec. 22-32-109.1 (2)(a)(X)

Definition

"Bullying" means a pattern of any written or verbal expression or physical act or gesture or a pattern thereof intended to coerce, intimidate, or cause any physical, mental or emotional harm to any student. It includes, but is not limited to, any such behavior that is directed toward a student on the basis of his or her academic performance or again who federal and state laws prohibit discrimination upon any bases described in section 22-32-109(1)(11)(I).

Section 22-32-109(1)(11)(I): The schools and districts are subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, sex, sexual orientation, national origin, religion, ancestry, or need for special education services.

Prohibited behavior

- Bullying
- Retaliation against those reporting bullying and/or other behaviors prohibited by this policy
- Knowingly make false accusations of bullying behavior

Examples of bullying

Examples of acts that may constitute bullying include but are not limited to:

- 1) Derogatory written or pictorial communications in any media (e.g., letters, notes, voice mail, text messages, pager messages, newspaper articles, invitations, posters, photos, cartoons).
- 2) Derogatory verbal comments (e.g., name-calling, taunting, hostile teasing, spreading rumors, epithets, jokes, or slurs).
- 3) Threats of force or violence against a person's body, possessions or residence (e.g., obtaining food or money by threats of force).
- 4) Physical conduct (e.g., provocative gestures, overly rough horseplay, restricting freedom of action or movement, violence, defacing or destruction of property).

Cyber bullying

Cyber bullying involves the use of information and communication technologies such as email, cell phone and pager text messages, instant messaging, defamatory personal websites, and defamatory online personal polling websites, in school, on school equipment, or related to school events, to support deliberate, repeated, and hostile behavior by an individual or group that is, or could become, detrimental to the welfare or safety of other pupils. Cyber bullying will not be tolerated and will constitute the same levels of disciplinary action as other types of bullying.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S25

Responses to bullying

All administrators, teachers, classified staff and students share the responsibility to ensure that bullying does not occur at any district school, on district property, at district or school-related activities, in any district vehicle, and/or off school property when such conduct has a connection to school or any district curricular or non curricular activity or event.

Toward that end:

- 1) All students who believe they have been victims of bullying in any such circumstance shall immediately report it to an administrator or teacher or other adult at their school.
- 2) All students who witness student bullying in any such circumstance shall immediately report it to an administrator or teacher at their school.
- 3) All building administrators and teachers who have any incident of bullying reported to them shall promptly forward the report(s) to the Director or designee for appropriate action.
- 4) All administrators, teachers and classified staff who witness student bullying in any such circumstance shall immediately take appropriate action to stop the bullying, as prescribed by the school, and shall promptly report the bullying to the Director or designee for appropriate action.
- 5) The Director or designee shall ensure that all reports involving student bullying in any such circumstance are promptly and thoroughly investigated, that appropriate action is taken, and that a written report is generated.
- 6) The Director or designee shall contact law enforcement officials, as appropriate.
- 7) Written records shall be maintained that are sufficient to protect victims of bullying and to help prevent bullying behavior from one year to another, and from building to building.

Disciplinary action for bullying

In determining the appropriate action to be taken in response to incidents of student bullying, the Director or designee shall consider existing policies and regulations that address the type of conduct that may be involved in bullying. Any necessary discipline shall be imposed pursuant to existing policies.

In deciding on appropriate discipline, the circumstances surrounding the behavior, the severity of the conduct, and whether the conduct represents a pattern should be considered. The discipline process should be instructive and corrective and its focus should be on helping the student to change or control inappropriate behavior. In making determinations under this policy, due consideration will be given to the rights to freedom of expression of public school students under federal and state law.

Disciplinary consequences for student bullying may include but not be limited to any type of suspension and/or expulsion. In addition, the director shall consider other actions which may be appropriate in response to student bullying.

Bullying prevention efforts

Bullying prevention efforts are designed to send a message that bullying will not be tolerated in school. Well-designed bullying prevention efforts can reduce and prevent bully/victim problems, as well as significantly improve the overall school climate. Effective bullying prevention also requires a commitment on the part of all adults to reduce or eliminate bullying.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S25

Effective prevention programs rely on a number of components to reduce and prevent bullying problems. Components may be implemented at the school level, the classroom level, or at the individual level. The use of particular components may vary according to maturity level of students, grade level, learning environment goal(s) for the school, etc. Taking action in the classroom and at individual levels is vital to counteract any bully/victim problems. In this way, students will be exposed to consistent messages from different persons/sources and in different contexts regarding the school's views of and attitudes toward bullying.

Monitoring data related to bullying is crucial to the bullying prevention efforts. Data may be collected and evaluated through surveys, questionnaires, analyzing discipline statistics, and data for the learning environment goal(s) in the annual school improvement plan.

The Director shall develop a comprehensive program to address bullying at all school levels. The program shall be aimed toward accomplishing the following goals:

- 1) To send a clear message to students, staff, parents and community members that bullying will not be tolerated.
- 2) To implement procedures for immediate intervention, investigation, and confrontation of students engaged in bullying behavior.
- 3) To initiate efforts to change the behavior of students engaged in bullying behaviors through re-education on acceptable behavior, discussions, counseling, and appropriate negative consequences.
- 4) To support victims of bullying by means of individual and peer counseling, including if appropriate, social skills training for provocative victims.
- 5) To recognize and praise positive, supportive behaviors of students toward one another on a regular basis through the Character Trait program.

Adopted: January 14, 2025

Legal References:

- C.R.S. 22-33-106(1)(a)
- C.R.S. 22-32-109.1(2)(a)(I)(K) (policy required as part of safe schools plan)
- C.R.S 22-32-109(1)(11)(I)

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S26

Student Fees and Charges

Book/Material Fees

Teachers shall determine a basic course for each class which can be completed with materials furnished by the school. However, students will be charged a fee for expendable supplies and materials used in the course. Fees for expendable supplies and materials shall relate directly to the actual cost of providing these materials to the student. Students may be required to pay for materials that go into crafts or art projects, etc. that are above the basic requirements for the course and are to be retained by the student.

Fieldwork and Miscellaneous Fees

Students may be asked to pay miscellaneous fees and expenses on a voluntary basis as a condition of attending, participating in, or obtaining materials/clothing/equipment used in school-sponsored activity or program not within the academic portion of the educational program. The School may assess rental fees not to exceed the direct cost of such use for the use of items such as choral robes, band uniforms, school-owned instruments, etc.

Students participating in required Outdoor Education and Wellness days and Expeditionary Learning fieldwork trips may be required to pay charges covering the cost of the activity. Such charges may include but are not limited to admission fees, food costs and transportation costs on activity trips.

In all cases, it is incumbent upon the teacher and Director to make every effort to be sure no student is denied the right to participate in trips or other enrichment activities because of lack of funds.

All students will be responsible for special condition assessed fines, such as destruction or loss of property.

Waiver of Fees

All fees, and charges for textbooks, expendable supplies and materials required for classes within the academic portion of the educational program, as well as all extracurricular fees and field trips, shall be waived for indigent students. For purposes of determining if a student can pay, an indigent student is defined as any child who is eligible for a free or reduced-price lunch under the federal poverty income guidelines. Because PVCS does not offer a lunch program, it is incumbent upon the parent or guardian to bring this matter, with evidence of indigency, to the attention of the Director.

Fee Schedule

The Director and Business Manager will review fees as part of the budget process each year. The School shall prepare and make available upon request a complete list of student fees and the purpose of each fee.

Parents shall be informed on the fee schedule, whether fees are voluntary or mandatory and the specific activity from which the student will be excluded if the fee is not paid. Students qualifying for a fee waiver will receive it without unnecessary embarrassment or public exposure of their needs.

Originally adopted:

Legal References.:

C.R.S. 22-32-118 (summer school fees)

C.R.S. 22-45-104 (disposition of monies collected from fines and fees)

C.R.S. 22-32-109(1) (u) (free textbooks to indigent students without loss/damage deposit)

C.R.S. 22-32-110(1) (o) (textbooks for free or reasonable rental fee)

August 2017

C.R.S. 22-32-117 (fees)

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S26

Adopted: January 14, 2025

Legal References.:

- C.R.S. 22-32-117 (fees)
- C.R.S. 22-32-118 (summer school fees)
- C.R.S. 22-45-104 (disposition of monies collected from fines and fees)
- C.R.S. 22-32-109(1) (u) (free textbooks to indigent students without loss/damage deposit)
- C.R.S. 22-32-110(1) (o) (textbooks for free or reasonable rental fee)
- C.R.S. 22-32-110(1) (jj) (sanctions for failing to return textbooks and library resources)
- C.R.S. 22-32-113(5) (transportation of pupils and imposition of fee for excess transportation costs)

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S27

Weapons in School

Possession and/or use of a dangerous weapon by students are detrimental to the welfare and safety of the students and school personnel.

Using, possessing or threatening to use a dangerous weapon without the authorization of the school is prohibited on school property, on school vehicles, or at any school-sponsored or district-sponsored activity or event and off school property when the conduct has a reasonable connection to school or any district curriculum or non-curriculum event.

Dangerous weapons include but are not limited to: a firearm, whether loaded or unloaded; any pellet, BB gun or other device, whether operational or not, designed to propel projectiles by spring action or compressed air; a fixed blade that measures longer than three inches in length or spring loaded knife or pocket knife with a blade that measures longer than three and one-half inches in length; or any object, device, instrument, material, or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury, including without limitation a slingshot, bludgeon, brass knuckles or artificial knuckles of any kind and nunchucks.

Student possession, use and/or threatened use of a dangerous weapon in violation of this policy shall be grounds for suspension and/or expulsion.

In accordance with the federal law, expulsion for carrying, bringing, using or possessing firearm shall be mandatory for no less than one full calendar year for a student who is determined to have brought a firearm to or possessed a firearm at school. The Director may modify the length of this federal requirement for expulsion on a case-by-case basis. Such modification shall be in writing.

Firearm Facsimiles

Carrying, using, actively displaying or threatening with the use of a firearm facsimile that could reasonably be mistaken for an actual firearm, without the authorization of the school is prohibited on school property, on school vehicles, at any school-sponsored or district-sponsored activity or event, and off district property when the conduct has a reasonable connection on to school or any district curricular or non-curricular event. Students who violate this policy provision may be subject to disciplinary action including but not limited to suspension and/or expulsion.

A student may seek prior authorization from the Director to carry, bring, use or possess a firearm facsimile that could reasonably be mistaken for an actual firearm on school property for purposes of a school-related or non-school related activity. A student's failure to obtain in such prior authorization is a violation of this policy provision and may result in disciplinary action, including but not limited to suspension and/or expulsion. The Director's decision to deny or permit a student to carry, bring, use or possess a firearm facsimile that could reasonably be mistaken for an actual firearm on school property shall be final.

The Director shall consider violations of this policy provision on a case-by-case basis to determine whether suspension, expulsion or any other disciplinary action is appropriate based upon the individual facts and circumstances involved.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S27

Referral to Law Enforcement

In accordance with applicable law, school personnel shall refer any student who brings a firearm or weapon to school without authorization of the school to law enforcement.

Gun Free Schools Act

Section 921 of Title 18, U.S.C. defines “firearm” as:

- Any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive.
 - ◊ The frame or receiver of any weapon described above.
 - ◊ Any firearm muffler or firearm silencer; or
 - ◊ Any destructive device.

Section 921 of Title 18, U.S.C. defines “destructive device” as:

- Any explosive, incendiary, or poison gas:
 - ◊ bomb
 - ◊ grenade
 - ◊ rocket having a propellant charge of more than four ounces
 - ◊ missile having an explosive or incendiary charge of more than one-quarter ounce
 - ◊ mine; or devices described in listed items above.
- Any type of weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and
- Any combination or parts either designed or intended for use in converting any device into any destructive device described in above and from which a destructive device may be readily assembled.

Adopted: January 14, 2025

Legal Reference:

- 18 U.S.C. 921(a) (3) (federal definition of “firearm”)
- 20 U.S.C. 7151 (Gun-Free Schools Act)
- 20 U.S.C. 7151(h) (requiring schools to have policies requiring referral to law enforcement)
- C.R.S. 22-32-109.1 (2)(a)(G) (policy required as part of safe school’s plan)
- C.R.S. 22-33-102(4) (definition of “dangerous weapon”)
- C.R.S. 22-33-106 (1) (grounds for suspension, expulsion, denial of admission)
- C.R.S. 2-2-33-106(1)(f) (firearm facsimiles)

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S28

Student Travel

PVCS permits out-of-district travel for course-related and extracurricular related activities. The travel should further the learning that is taking place in the classroom or expand upon participation in extracurricular activities. Travel should be limited to educational experiences that cannot be acquired at the school.

The Director is authorized to develop regulations regarding student travel. Reasonable expense for the trip should be made to the parent/guardian as early in the school year as possible. Other financial options can be discussed with the Director.

School sponsored student trips and travel are those that are sanctioned by PVCS. Non-school sponsored trips are those that involve an outside agency or third party and have not been approved by the Director for student participation.

Persons who have not been approved or sanctioned by the School may not advertise or contact students at the school or utilize official school channels for communication to parents or students regarding student trips.

Nothing in this policy is meant to apply to field trips or activity trips scheduled in support of the day-to-day instructional and extracurricular programs.

Definitions

Field Trips and Outdoor Education Wellness (OEW) trips: These trips are directly related to a specific subject or course, which does not require an overnight stay.

Fieldwork Trips and Special Event Travel: These trips are directly related to a specific subject or course, which requires at least one overnight stay.

Regulations of student travel can be found in PVCS S-31-R: Regulation of Student Travel.

Non-School Sponsored Trips

Promotion, fundraising, or enrollment of students for non-school sponsored trips is not permitted on school property. Employees of the School shall not promote, fundraise or enroll students for non-school sponsored travel on school property and may not use school email or other school communication methods to inform students and parents of such trips. Staff participating in non-school sponsored trips as described in the previous paragraph, are expected to adhere to applicable ethical conduct standards as described in State Board rules 15.02(10).

Adopted: January 14, 2025

Legal References:

1 Colorado Code of Regulations 301-37, rules 15.02(10)

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S29

Sexual Harassment

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

School's Commitment

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

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

Sexual Harassment Behaviors

Unwelcome sexual advances, requests for sexual favors, or other verbal, non-verbal or physical conduct of a sexual nature may constitute sexual harassment, even if the harasser and the student being harassed are the same sex and whether or not the student resists or submits to the harasser, when:

- 1) Submission to such conduct is made either explicitly or implicitly a term or condition of a student's participation in an education program or activity.
- 2) Submission to or rejection of such conduct by a student is used as the basis for education decisions affecting the student.
- 3) Such conduct is sufficiently severe, persistent or pervasive such that it limits a student's ability to participate in or benefit from an education program or activity or it creates a hostile or abusive educational environment. For a one-time incident to rise to the level of harassment, it must be severe.

Any conduct of a sexual nature directed by a student toward a staff member or by a staff member to a student is presumed to be unwelcome and shall constitute sexual harassment.

Acts of verbal or physical aggression, intimidation or hostility based on sex, but not involving conduct of a sexual nature may also constitute sexual harassment.

Sexual harassment as defined above may include, but is not limited to:

- 1) Sex-oriented verbal "kidding," abuse or harassment.
- 2) Pressure for sexual activity.
- 3) Repeated remarks to a person with sexual implications.
- 4) Unwelcome touching, such as patting, pinching or constant brushing against the body of another.
- 5) Suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades or similar personal concerns.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S29

Sexual Harassment

Legitimate non-sexual touching or other non-sexual conduct is not sexual harassment.

Reporting, Investigation and Sanctions

Sexual harassment cannot be investigated or corrected by the school until the school is made aware of such harassment. Therefore, students are encouraged to report all incidences of sexual harassment to a teacher or the Director and file a formal complaint. All reports and indications from students, employees and third parties shall be forwarded to the Director.

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

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

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

Notice and Training

Notice of this policy shall be published on the website and incorporated in all student handbooks.

All students and district employees shall receive periodic training related to recognizing and preventing sexual harassment. School employees shall receive additional periodic training related to handling reports of sexual harassment.

Adopted: January 14, 2025

Legal References:

20 U.S.C.1681 et seq. (Title IX of the Education Amendments of 1972)

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S29-A

Title IX Sexual Harassment Policy and Procedure

Pleasant View Charter School Title IX Compliance Coordinator Designation:

Melissa Carver - Director
Pleasant View Charter School
15238 County Road CC, Pleasant View, CO 81331
970.562.4286 / mcarver@cortez.k12.co.us

Prohibition

The School's organizing documents, charter contract, and policies commit it to prohibiting, trying to prevent, and correcting discrimination based on all characteristics protected by federal, state, or local law, or charter-authorizer requirements, including sex or gender. This prohibition and protection extends to all School education programs and activities and applies to all school staff, students, parents, visitors or other actors over whom the School is in a position to exercise an appropriate degree of supervision or control. The School also recognizes that harassment (as defined in law) is one form or manifestation of prohibited discrimination. Therefore, all school staff and students, and any other persons whose behavior occurs on school grounds or in school activities, or whose other activities are under School supervision are prohibited from engaging in sexual harassment.

Definitions Unless context requires otherwise:

Complainant means a person who is alleged to be the target of conduct that could constitute sex-based discrimination or harassment.

Coordinator means a person designated to coordinate its efforts to comply with Title IX. The Coordinator may serve as the Investigator or may delegate that responsibility on a case by case basis. The School may designate more than one Coordinator. The School shall prominently post the Coordinator(s) name/title, address, telephone number and email address to the website.

Decision Maker means the person who receives a recommendation regarding a complaint of sexual harassment from the Coordinator, assesses the relevant evidence and decides if the burden of proof has been met to determine that a respondent has engaged in sexual harassment. The Decision Maker shall be Director, unless the Director is implicated in the complaint as a Respondent or witness, in which case the Board shall designate an independent Decision Maker. The Decision Maker may not be the Coordinator or an Investigator.

Education program or activity means locations, events, or circumstances in which the School exercises substantial control over the Complainant and Respondent and the context in which alleged sexual harassment occurs.

Investigator means a person trained to evaluate objectively the credibility of witnesses, synthesize evidence and take into account the unique circumstances of each situation involved in an alleged act or pattern of sexual harassment. The Coordinator may be the investigator or may delegate that responsibility to a trained employee investigator or qualified outside investigator. An investigator may not have a conflict of interest in a matter under investigation.

Parties means the Complainant(s) and Respondent(s) in an individual matter. Respondent means an individual alleged to have engaged in sex-based discrimination or sexual harassment.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S29-A

Sexual harassment means conduct :

- of a school director or employee that conditions an aid, benefit or service of the school, including employment, on participation in unwelcome sexual conduct (that is, quid pro quo harassment);
- of a school employee who is engaging in sexual misconduct involving a student;
- that is unwelcome and that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to employment or to the school's education program and activities; or
- that constitutes sexual violence, dating violence, domestic violence or stalking. See 20 U.S.C. § 1092(F)(6)(A)(v) & 34 U.S.C. § 12291(a)(10).

Supportive Measures means non-disciplinary, non-punitive individualized services designed to restore or preserve equal access to the School's educational programs and activities (including employment), without unreasonably burdening any other party, and offered without charge. Supportive Measures may include, without limitation, counseling, mentoring, class modification, schedule changes, monitoring, supervision, or restorative justice activities, as deemed appropriate by the Coordinator. Supportive measures provided will remain confidential to the extent that maintaining confidentiality would not impair the ability for supportive measures to be provided.

Employee Reporting Obligation. All employees are obligated to report any actual knowledge they have that causes them reasonably to believe there has been conduct that constitutes sexual harassment. Parents, students, or others may also make actual knowledge reports. Such reports must be made to the Coordinator.

Response to Actual Knowledge Report. Any person (including a Complainant) may report sexual harassment, in person, by mail, by telephone or by email to the Coordinator at any time. The report must include the nature of the alleged violation; names of the person(s) responsible for the alleged violation (if known); and any other relevant background information. Upon receiving an actual knowledge report, the Coordinator shall promptly and confidentially contact the Complainant. The Coordinator must (a) discuss the availability of Supportive Measures; (b) consider any request for Supportive Measures, (c) inform the Complainant that Supportive Measures are available without regard to whether the Complainant does or does not file a formal complaint; and (d) explain the process for filing a formal complaint, if applicable. Without regard to whether a formal complaint is filed, the Coordinator shall complete the form attached as Exhibit 1 for each actual knowledge report.

Formal Complaint. A Complainant (or their parent or guardian, if appropriate) or the Coordinator, but not a third-party reporter, may sign a complaint. At the time of a complaint, the Complainant must be participating in or attempting to participate in the School's education program or activities (including employment). Upon filing of a formal complaint, the Coordinator shall offer Supportive Measures (if not already offered or provided) to both the Complainant and Respondent. Complainants will be asked to complete the form in Exhibit 2 to this policy. Completion of this form by a complainant is not required to file a complaint.

Failure to Offer Supportive Measures. If supportive measures were not offered in response to a report or a formal complaint, the Coordinator must document in detail why such failure was reasonable under the circumstances.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S29-A

Alternative Dispute (Informal) Resolution. If and only if (a) a formal complaint is filed, and (b) the complaint does not concern alleged harassment of a student by a School employee, the Parties may voluntarily agree in writing to an alternative form of dispute resolution, such as restorative justice procedures, mediation, fact-finding, or arbitration. The Coordinator may disapprove of the use of alternative dispute resolution for certain complaints, including but not limited to complaints of sexual violence, or refuse to approve certain agreements, including but not limited to those containing onerous terms, and proceed with formal investigation. If informal resolution is attempted and unsuccessful (e.g., a restorative justice process that does not reach the hoped-for resolution), the matter may return to formal investigation.

Administrative Leave — Emergency Removal — Safety Plans. The School may place a Respondent who is an employee on administrative leave while allegations are investigated and resolved. The School may remove a Respondent who is a student if removal is necessary to protect the student or another person from an immediate threat to physical health or safety. Removal of a student who is on an IEP or Section 504 plan is subject to compliance with requirements of the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973, as applicable. If a Complainant and Respondent remain in the School pending or following investigation the Coordinator shall determine if a safety plan is advisable and, if so, initiate the process for creating a written safety plan. A decision not to create a safety plan should be documented in writing. If a student or employee is removed, the School will provide notice and an opportunity to challenge the decision immediately following the removal.

Presumption of Innocence — Burden of Proof — Equitable Treatment. At the outset of any investigation, the Respondent is presumed not responsible for sexual harassment. The burden of proof to overcome the presumption is that a violation of the prohibition on sexual harassment is more likely than not; that is, shown by a preponderance of the evidence. Throughout each investigation, the Complainant and Respondent shall each be treated with respect and in an equitable manner.

Summary Dismissal — Relation to Discipline. If the School in consultation with the Title IX Coordinator determines that the allegations of a formal complaint do not meet the definition of Sexual Harassment (or other prohibitions specific to this policy), or did not occur in the School's educational program or activity, or did not occur in the United States, the Investigator shall summarily dismiss the complaint. If the Respondent withdraws from the School or terminates employment with the School, or the Complainant requests withdrawal of the complaint, or other specific circumstances prevent an investigation that permits a determination based on appropriate evidence, the Investigator may dismiss the complaint. Regardless of such dismissal, the School may take whatever separate disciplinary or corrective action is appropriate against a Respondent under its student Code of Conduct or under its employment policies and practices. Notice of summary dismissal shall include a statement of the process and bases for an appeal and whether other actions or forms of grievance processing will take place.

Investigation — General Principle. The Investigator shall investigate each formal complaint that is not referred to alternative dispute resolution and not summarily dismissed. Investigation includes interviewing the complainant, respondent and any witnesses, collecting evidence, reviewing documents, preparing the investigative report and consulting with School staff as needed.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S29-A

False Evidence Prohibited. Complainants, Respondents, and all witnesses are prohibited from making any knowing false statement or providing other evidence known to be false in any investigation. The School may take disciplinary or corrective action against a person making false statements or submitting other false evidence. Inconsistencies between evidence and an investigative report or determination of responsibility do not prove a knowing use of false evidence. Discipline for a knowing use of false evidence is not retaliation as otherwise prohibited by this policy.

Written Notice of Formal Complaint. The School will provide written notice to the Complainant and the Respondent of the allegations of a formal complaint and this process, including any opportunity for an informal resolution. The notice must include:

- Sufficient detail to permit the Respondent to prepare a response. This includes a description of the conduct alleged, the date and location of the conduct and the names of the Complainant and other involved parties, if any.
- A statement that the Respondent is presumed not to be responsible for the conduct and that responsibility will be determined at the conclusion of the process.
- A notice of the Complainants and Respondents rights to have an attorney or select an advisor of their choice.
- A statement of the right of the Complainant and Respondent to inspect and review any evidence.
- A statement of the prohibition on providing false statements or evidence.

If additional allegations arise and require investigation, the School will provide written notice of such additional allegations to the Complainant and Respondent. A form of the notice required by this paragraph is Exhibit 3 to this policy.

Privileged and Irrelevant Evidence. Evidence that is privileged by law and evidence of sexual predisposition or prior sexual behavior (unless offered to prove either that a person other than respondent committed the alleged conduct or to prove legally recognized consent) is neither admissible nor relevant in this process.

Access to Evidence — Parties' Written Response. Once all evidence is collected, the Investigator will provide the Complainant and Respondent (and advisors, if any) with an equal opportunity to review all evidence directly related to the allegations of the formal complaint. If possible, the evidence will be provided in an electronic format that does not permit downloading or copying. The evidence shall include all exculpatory and inculpatory evidence and any evidence that the Investigator will not rely upon. Within 10 calendar days of receipt or inspection of the evidence, the Parties may submit a written response to the Investigator.

No Live Hearing. The School will not conduct live hearings under this Policy.

Investigative Report — Parties' Responses — Proposed Questions. The Investigator will consider all the relevant evidence discovered during the investigation and consider any written response to the evidence submitted by a Party. Following the date by which any written response must be submitted, the Investigator will promptly prepare and issue a written investigation report that fairly summarizes the relevant evidence discovered during the investigation. The investigative report must be provided to the Parties and the Decision Maker. The report must include or be accompanied by a notice that the Parties may submit a written response to the report and proposed written, relevant questions the Party wants asked of any other Party or witness. A form of such notice is provided in Exhibit 4. Such response and proposed questions

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S29-A

must be provided to the Decision Maker within five calendar days of the transmission of the report.

Written Questioning. The Decision Maker must review the investigative report and the Parties' responses and proposed questions, if any. The Decision Maker shall either exclude questions as irrelevant, with an explanation to the Party proposing the question, or submit the questions for answer and provide each Party with such answers. The Decision Maker shall allow limited follow-up questions from either Party.

Decision. No sooner than 30 days after the distribution of the investigative report, the Decision Maker shall determine the question of responsibility. Such determination must be based on facts the Decision Maker finds to be more likely than not, and the written decision must include:

- A statement of the allegations that may constitute sexual harassment;
- A summary of the process followed from receipt of the formal complaint through determination, including notices provided, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
- Findings of fact;
- Conclusions regarding application of any code of conduct or employment policy and practice to the facts;
- A statement of, and rationale for,
 - ◊ the conclusions as to each allegation;
 - ◊ disciplinary sanctions, if any, on the Respondent; and
 - ◊ Remedies, if any, designed to restore or preserve the Complainant's equal access to the School's programs and activities (including employment, if applicable).
- A statement of the process and bases for appeal. A form for this statement is provided in Exhibit 5 and may accompany the determination of responsibility (as illustrated in Exhibit 5) or be incorporated into that document.

Appeal — Filing and Grounds. An appeal may be filed within five calendar days of notice of a determination of responsibility or summary dismissal. The notice need only identify the Party filing the appeal, the decision or dismissal appealed from and which of the three grounds listed in 20(a) through (c) below will be relied upon. An optional form of notice that may be used is provided in Exhibit 6. An appeal shall be filed with the Decision Maker Appeals will only be permitted on the following grounds:

- A procedural irregularity affected the outcome of the matter;
- New evidence not available at the time of the determination of responsibility or summary dismissal could affect the outcome of the matter; or
- The Title IX Coordinator, Investigator or Decision Maker had a conflict of interest or was biased against a Party or biased against all complainants or all respondents.

Appeal — Process. The Decision Maker, upon receiving a notice of appeal, shall provide a notice to both Parties (or, in the case of appeal of a summary dismissal, to Complainant) that the appeal has been filed and that each Party has five calendar days to file a brief written statement supporting or challenging the outcome. A form of such notice is provided in Exhibit 7. The Decision Maker shall also initiate the formation of an Appeal Officer. The Appeal Officer shall be provided with copies of the notice of appeal, statements of the parties challenging or supporting the decision appealed, the formal complaint and, as appropriate, either the summary dismissal

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S29-A

or the investigative report and determination of responsibility. Either Party may attach other documents produced during the process to their statement supporting or challenging the outcome. The Appeals Officer shall provide a written decision describing the appeal and the rationale for its decision simultaneously to the Parties. If the Appeals Officer is evenly divided on the proper outcome to the appeal, the summary dismissal or determination of responsibility shall be upheld.

Remedies. Upon determination that a Complainant was sexually harassed the School may:

- Offer the Complainant any remedies that will restore or preserve the Complainant's access to the School's educational program and activities (including employment). These may include Supportive Measures or actions similar to supportive measures that have a disciplinary component toward the Respondent. Remedies may be kept confidential as deemed necessary by the School.
- Impose any disciplinary sanctions on a Respondent Student, including mandatory participation in counseling services; revocation of extra-curricular privileges (including, but not limited to sports); no-contact orders; schedule changes; short-term or long-term suspension or expulsion, or change of placement as otherwise authorized by law.
- Impose any disciplinary sanctions on a Respondent Employee, including mandatory participation in counseling services, no-contact orders, reassignment; suspension without pay; or termination of employment.

Time Limits — Inference from Refusal to Provide Evidence. The Coordinator, Investigator, Decision Maker or Appeals Officer may extend any time limit for good cause shown. At all events, the School will endeavor to reach a determination of responsibility or other resolution within 120 days. The Investigator or Decision Maker may consider the advantages of receiving a report of a parallel law enforcement or other investigation in determining the timeline for investigative activities or a determination of responsibility but shall not unduly delay the process to assure such receipt. The Investigator and Decision Maker are permitted, but not required, to draw adverse factual inferences from the refusal or failure of a Complainant or Respondent to be interviewed or provide other requested evidence.

Confidentiality. The identities of persons who made a report of sexual discrimination or harassment, the Complainant, the Respondent, any person reported to have been a perpetrator, and any witness shall not be made public except as provided in the Family Educational Rights and Privacy Act (FERPA), as otherwise provided by law, or as needed for the conduct of any formal investigation or judicial proceeding.

Retaliation & Intimidation. Neither the School nor any person may intimidate, threaten, coerce, or discriminate against an individual because such individual has exercised rights under, participated in, or declined to participate in, any proceeding under this policy. Claims of retaliation may be filed under the School grievance policy that would be applicable to a claim of sex discrimination (not including sexual harassment) by the person alleging retaliation.

Records. All records created of activity under this policy, including, without limitation, training materials, investigative records, alternative dispute resolution records, disciplinary records, supportive measures, decisions, remedies and appeals, shall be maintained for seven years.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S29-A

Training. All School staff and the School's governing board shall receive basic Title IX training that includes, without limitation, the definition of sexual harassment and the obligation of school employees and officials to report suspected sexual harassment to the Coordinator. Any person who will serve as a Coordinator, Investigator, alternative dispute resolution practitioner, Decision Maker, or member of an Appeals Panel must have had or receive appropriate advanced training on Title IX - specifically, as applicable and without limitation, on all matters covered in basic training, conducting investigations, methods of alternative dispute resolution, preparation of investigative reports, preparation of determinations of responsibility, conducting appeals, identification of privileged or irrelevant evidence (including treatment of evidence of prior sexual conduct), impartiality, avoidance of prejudgment, and avoiding use sex stereotypes.

Posting & General Notifications. The School shall place in its student/family and employee handbooks:

- The name or title, office address, electronic mail address, and telephone number of the Coordinator(s);
- The availability of the Coordinator(s) to receive at any time a report of sex discrimination, including any complaint of sexual harassment (whether or not by the person alleged to be the victim);
- A statement of the School policy to not discriminate on the basis of sex in any education program or activity it operates or in employment
- A copy of or link to this policy and related School policies forbidding and providing procedures for receiving and processing complaints of sex discrimination.
- A copy of or link to training materials used by the School to comply with paragraph 28, above.

Code of Conduct and Employment Policy and Practice Held Harmless. Nothing in this policy prevents the ordinary application of the School's student Code of Conduct or employment policies and practices to matters or issues other than sexual harassment, provided this is not done in retaliation under paragraph 26. For clarity, matters and issues other than sexual harassment includes misconduct that was alleged to be sexual harassment but is another form of misconduct or matters that are first revealed as a result of proceedings under this policy.

Policy Review. The Board will review this policy and make appropriate changes, if any, should the Title IX regulation published at 85 Fed. Reg. 30572 (May 19, 2020) be amended, repealed, replaced, or held unlawful in any part in a final and unappealable judgment by a court of competent jurisdiction.

Adopted: January 14, 2025

Legal References:

- 20 U.S.C. § 1681, et seq.
- 34 C.F.R. §§ 106.8, 106.30, 106.44, 106.45 & 106.71.
- C.R.S. §§ 24-34-101, et seq.
- Bostock v. Clayton County*, 590 U.S. (2020).
- Rosenberg v. Bd. of Educ.*, 710 P.2d 1095 at n. 11 (Colo. 1985).
- Kutz & Bethke LLC Title IX policy recommendations* (April, 2021)

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S29-A

**EXHIBIT 1
Actual Knowledge Report
(to be completed by the Title IX Coordinator)**

- 1) Date: _____
- 2) Name of Reporter: _____
- 3) Name of Complainant: _____
- 4) Name of Respondent: _____
- 5) Summary of Report: _____

Additional pages attached? No Yes (if yes, indicate number of pages) _____

- 6) Was the report discussed with the Complainant? Yes No
Date: _____
- 7) Was the Complainant:
 - Informed of available Supportive Measures, with or without a formal complaint?
Yes No
 - Given an explanation of the process for filing a formal complaint?
Yes No
- 8) Were Supportive Measures requested? Yes No
- 9) Will Supportive Measures be provided? Yes No . If yes, describe:

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S29-A

10) If an answer under 6 through 9 above is "No," fully explain why (attach pages if needed)

Additional pages attached? No Yes (if yes, indicate number of pages) _____

11) Formal Complaint filed by/for Complainant? Yes No

12) Formal Complaint filed by Title IX Coordinator? Yes No

Signature of Title IX Coordinator

Date

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S29-A

EXHIBIT 2 Sexual Harassment (Title IX) Complaint Form

Instructions for filling out this form: If you believe that you have been the victim of sexual harassment, please fill out this form and submit it by hand delivery, electronic mail, or U.S. mail to the School's Title IX Coordinator. **You are not required to use this form and may file a complaint by any other reasonable means, orally or in writing.** If the victim of sexual harassment is a minor, the form may be completed and signed by a parent or guardian. A person believed to be a victim of sexual harassment is the "complainant."

If you are reporting sexual harassment you witnessed or know of against another person, please report this to the School's Title IX Coordinator. **Do not use this form.** Please identify for the Coordinator the victim, the alleged perpetrator; the date, time and place of the conduct; and other factual details. **Under federal law, only an alleged victim (for themselves or, for a minor, through a parent or guardian) or the Title IX Coordinator has the right to file a complaint.**

Please print or type when completing this form.
If needed, attach additional sheets and indicate the number of additional pages below.

Name of complainant: _____

Parent or guardian (if applicable) _____

Address: _____

Telephone number: _____

Email address: _____

I am an/a: Employee Student Parent/Guardian
Other (_____)

You have the right to be represented by an advisor (who may be an attorney, advocate or someone else) during the complaint process. If you have an advisor, please provide contact information. You may provide this information at a later time.

Name: _____

Address: _____

Telephone number: _____

Email address: _____

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S29-A

A person alleged to have committed sexual harassment is called the "respondent."
Please identify the respondent(s) and indicate their relationship to the School.

Employee Student Parent/Guardian
Other (_____)

Please describe the facts and circumstances giving rise to this complaint.
When and where did these events occur? Provide dates, times, and locations, if possible.

Provide dates, times, and locations, if possible.

Please provide the names of anyone else you believe is a victim of such conduct:

Please provide the names and contact information of anyone who may have witnessed the alleged conduct.

If you have reported this to another person, please state to whom you reported the behavior and provide their contact information (if known).

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S29-A

If you reported to a School employee, please state when, to whom, and what response you received. Please note such a report was not required.

Please list below any evidence that you believe is relevant. This could include audio or visual media, physical objects, online materials, text messages, voicemail messages, screen captures, emails, or any other item. Please include any information in the possession of the School or the Respondent that may be helpful (such as emails, pictures, or video).

Is there any other information you believe would be helpful? For example, if this conduct constituted harassment or misconduct on some other grounds, you may explain that here.

Please explain how this conduct has impacted you. This includes any injuries as well as impacts on your ability to access or benefit from the School's education program or activities or from your employment.

Please describe the outcome or remedy you seek.

Please provide below your physical signature.

Signature:

Name (printed):

Check one: Complainant Parent/Guardian Title IX Coordinator

Date:

Notice to Complainant: *This document is a legal record requesting a formal investigation. Please keep a copy of this completed form and any supporting documentation for your records. If your complaint is found not to support a claim of sexual harassment, but would be proper under any other School policy, the School will notify you and proceed to consider your complaint under the proper policy.*

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S29-A

EXHIBIT 3

Written Notice of Formal Complaint

[To be promptly prepared and provided by the Investigator to the Complainant and Respondent after a formal complaint is filed, if the complaint is not summarily dismissed.]

[School Letterhead]

[Date]

PLEASE TAKE NOTICE THAT, a formal complaint alleging sexual harassment has been filed with the School. I will be the Investigator in this process and will submit an investigative report with findings and recommendations.

In such complaints the alleged victim is referred to as the Complainant and the alleged perpetrator is referred to as the Respondent. One purpose of this notice is to assure that both the Complainant and Respondent are aware of certain rights they may exercise in this process. Another purpose is to allow the Respondent to be prepared to appropriately participate in this process. When a party is a minor, the parent or guardian will be given this notice. The terms "Complainant" and "Respondent" may in some cases refer to a representative of a minor.

At the outset of this process, the Respondent is presumed not to be responsible for the conduct alleged. Responsibility will be determined at the conclusion of the process.

Complainant: _____

Respondent: _____

Summary of the Complaint: _____

Date(s) of conduct: _____

Location of conduct: _____

Names of other parties, if any: _____

Description of the conduct alleged. This is a summary intended to provide sufficient detail to allow the Respondent to prepare a response. (Additional pages may be attached)

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S29-A

Both the Complainant and the Respondent have a right to be advised by an attorney or non-attorney of their choice, at their own expense.

Both the Complainant and the Respondent have the right to collect and submit evidence in this process. Please submit such evidence directly to me. Such evidence must be submitted within 21 days of receipt of this notice.

During this process both the Complainant and Respondent will be given the opportunity to inspect and review all evidence that I have gathered.

Submitting knowingly false statements or evidence is a violation of School policy and will result in disciplinary consequences. Such consequences are not "retaliation." Mere disagreement between the parties, or between a party and a school official investigating or deciding this matter does not, by itself, demonstrate knowing submission of false evidence.

If a party refuses to cooperate, I am empowered to nonetheless finish the investigation and issue a report. I may also decide that a party refusing to respond to questions or provide evidence means that they have no basis for disputing certain factual issues.

I will be following up as needed during the investigation. Please contact me with any questions or concerns.

_____/s/ Investigator

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S29-A

EXHIBIT 4

Notice to Parties Concerning Investigative Report

[At the conclusion of the investigation this notice will accompany the investigative report and be provided by the Investigator to the Complainant, the Respondent, and the Decision Maker.]

[School letterhead]

[Date]

[Addressee]

Attached to this notice is a copy of the investigative report on an allegation of sexual harassment in which you are [the Complainant/the Respondent/the Decision Maker].

Further proceedings in this matter will be handled by the [Decision Maker/Other Title], who is:

[Name/Title]

[Street address]

[fax]

[email]

The Complainant and the Respondent each have the right to submit a written response to this report. The Complainant and the Respondent each also have the right to submit proposed written, relevant questions they want the Decision Maker to ask of the other Party or a witness. **Any written response or proposed questions must be provided to the [Decision Maker/Other Title] within five (5) days of receipt of this report.**

I want to thank everyone for their efforts in this investigative process.

/s/ [Investigator]

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S29-A

EXHIBIT 5

Notice to Parties Concerning Determination of Responsibility

[This notice is to accompany the transmission of, or be incorporated into, the determination of responsibility to the Complainant and Respondent. The form given here is of a cover letter.]

[School Letterhead]

[Date]

[Addressee]

Please find attached the determination of responsibility in this matter. This determination can be appealed on one or more of the following three grounds:

- You believe a procedural irregularity affected the outcome of the matter;
- You have new evidence not available as of the date of this decision that could have affected the outcome of this matter; or
- You believe either I was biased, or the Investigator was biased, against you or biased against all persons in your position (that is, all complainants or all respondents).

If you wish to appeal, please send me a notice identifying the ground(s) on which you are appealing. An optional form of notice of appeal is provided in Exhibit 6 to the School's Sexual Harassment (Title IX) Policy and Procedure. If an appeal is filed, I will forward your notice of appeal to an Appeals Panel formed under the School's sexual harassment policy and provide you with a further notice of details of that process.

/s/ [Decision Maker]

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S29-A

**EXHIBIT 6
Notice of Appeal**

[This illustrates one proper form for filing a notice of appeal. This may be used by a Complainant in response to a summary dismissal or by a Complainant or Respondent in response to a determination of responsibility.]

[Date]

From: [Name and Contact information of party filing the appeal]

To: [Name, Title and Contact information of Decision Maker]

To Whom it May Concern:

I am appealing the (check one) Summary Dismissal Determination of Responsibility in this matter dated [date]. I believe (check appropriate boxes and summarize details, if desired):

A procedural irregularity affected the outcome of the matter. Describe (optional):

I have new evidence not available as of the date of this decision that could have affected the outcome of this matter. Describe (optional):

The (check as appropriate) Investigator or Decision Maker was biased against me or biased against all persons in my position. Describe (optional):

/s/ [Complainant or Respondent]

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S29-A

EXHIBIT 7

Notice to Parties of Appeal

[To be provided by the Decision Maker to the Complainant in the event of appeal of a summary dismissal, or to the Complainant and Respondent in the event of appeal of a determination of responsibility.]

[School letterhead]

[Date]

[Addressed to Complainant in cases of appeal of summary dismissal or to the Complainant and Respondent in cases of appeals of determination of responsibility.]

This will confirm that I have received a notice of appeal in this matter. If you did not file the notice of appeal, it is attached. You may file a brief written statement challenging or supporting the outcome in this matter within five (5) days of receipt of this notice. The notice of appeal and such written statements will be provided to the Appeals Panel, together with the formal complaint and, as appropriate, either the summary dismissal or the investigative report and determination of responsibility.

You may attach other documents from this proceeding to your written statement.

/s/[Decision Maker]

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S30

TOBACCO USE IN OR ON SCHOOL PROPERTY

To promote the general health, welfare, and well-being of students and staff, smoking, chewing, or any other use of any tobacco product by students, staff, and members of the public is prohibited on all school property. Possession of any tobacco product by a person under the age of 18 is also prohibited on school property.

For the purpose of this policy, the following definitions apply:

- 1) "School property" means all property owned, leased, rented or otherwise used or contracted for by a school included but not limited to the following:
 - a) All indoor facilities and interior portions of any building or other structure used for children under the age of 18 for instruction, educational, or library services, routine health care, daycare, or early childhood development services, as well as for administration, support services, maintenance, or storage.
 - b) All school grounds over which the school exercises control including areas surrounding any buildings, playgrounds, athletic fields, recreation areas, and parking areas.
 - c) All school-owned vehicles, including those used by the school for transporting students, staff, visitors, or other persons.
- 2) "Tobacco product" means:
 - a) Any product that contains nicotine or tobacco or is derived from tobacco and is intended to be ingested or inhaled by or applied to the skin of an individual, including but not limited to cigarettes, cigars, pipe tobacco, snuff and chewing tobacco; and
 - b) Any electronic device that can be used to deliver nicotine to the person inhaling from the device, including but not limited to an electronic cigarette, cigar, cigarillo or pipe.
 - c) "Tobacco product" does not include any product that has been approved by the appropriate federal agency as a tobacco use cessation product. E-cigarettes are not approved by the Food and Drug Administration for safety and effectiveness, and have not been approved to help people quit smoking.
- 3) "Use" means lighting, chewing, smoking, ingesting, or application of any tobacco product.

Signs will be posted in prominent places on all school property to notify the public that smoking and the use of other tobacco products is prohibited in accordance with state law and district policy. This policy will be published in all student and employee handbooks, posted on bulletin boards, and announced in staff meetings.

Any member of the general public considered by the Director to be in violation of this policy will be instructed to leave school property. Employees found to be in violation of this policy will be subject to appropriate disciplinary action.

Disciplinary measures for student who violate this policy will include in-house detention, revocation of privileges and exclusion from extracurricular activities. Repeated violations may result in suspensions from school. In accordance with state law, no student will be expelled solely for tobacco use.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S30

Students who violate the Tobacco Free Policy will receive notification (written communication) at the time the violation occurs and will be subjected to the following disciplinary plan:

1st Violation:

Warning/written communication: A letter containing the policy and consequences of further violations will be sent home to the parent(s).

2nd Violation:

The parent(s) will be notified of the student's violation and the Director will discuss options with the student regarding disciplinary action

3rd Violation:

The parent(s) will be notified of the student's violation and the Director will discuss options with the student regarding disciplinary actions

4th Violation:

Disciplinary action will be determined by school administration.

Adopted: January 14, 2025

Legal Reference:

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

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

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S31-R

Regulation of Student Travel

Participation in all school-sponsored student travel is limited to assigned students, official chaperones and designated staff members. No other individuals may participate in a school-sponsored student trip. This does not preclude individuals or groups from making separate arrangements to travel in conjunction with a school-sponsored student trip.

Students and staff participating in school-sponsored trips are expected to adhere to the policies and regulations of the school as well as all federal and state laws. This applies to domestic or international student trips.

There are several types of student travel:

- Outdoor Education and Wellness (OEW) trips (one day or less)
- Classroom field trips (one day or less)
- Classroom fieldwork travel (typically overnight trips)
- Special event travel (e.g., Model U.N, 6th-grade science camp, graduation trip)

The first two types of trips are typically by bus; the other two types of trips may be by bus, train, air, or any combination.

Travel Specifics:

Planning

Prior to the start of the school year, school personnel shall submit to the Director a written plan of all OEW, field and fieldwork requests for approval. When possible, special event travel should also be submitted. This request will provide the purpose of trip, location, start and end dates, all fees and distance to be traveled. It is understood that dates and, in some instances, locations may change; the Director must approve all changes.

Duration

The maximum length for these travel experiences shall not exceed five school days. The Director must approve the duration and calendar days of the trip.

Should circumstances make a trip exceeding five total school days necessary for performance, educational, or cultural purposes, a written request for an exception shall be made to the Director prior to the development of the formal proposal.

Transportation

Students must travel with their grade level and or/group/team to and from the event in whatever transportation has been arranged by the school. In extenuating circumstances, students may travel to and/or from the event with his/her own parent/guardian if a written request has been submitted in advance and approved by the teacher/coach/director. The parent/guardian must check in with the teacher/advisor/coach prior to leaving the event. A student may ride only with his/her parent/guardian unless they have a completed and signed a transportation waiver form to travel with another student's parent/guardian. If air travel is part of the part, special authorizations may be required from each student's parent/guardian.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S31-R

Chaperone Guidelines

If a parent is interested in being a chaperone, they must indicate his/her willingness to the designated trip leader two to three weeks in advance. The teacher/coach will evaluate the need for additional chaperones to augment available school staff.

Parents selected as volunteer chaperones may not bring other grade level children or out of school age children with them on the trip--their duty is to oversee the specific PVCS students on the field trip. This includes OEWS Friday trips.

Parents may choose to independently come on a field/fieldwork trip with siblings. In that case, they are not acting as chaperones and may not direct any sanctioned activities or students on that trip.

At least one chaperone per 12 students must accompany students on an overnight trip. Male and female chaperones (adults over 21 years of age) are required when male and female students are involved. Volunteer chaperones will be required to submit to a background check prior to participating in an overnight trip.

Chaperone Responsibilities and Obligations

- Personally follow and ensure students follow all school protocols and school rules.
- Give out a lot of positive encouragement: the more you praise a student's good behavior, the more willing s/he will be to listen when a behavior correction needs to be given.
- Do not hesitate to issue a behavior correction. Students expect boundaries.
- Follow teacher/coach rules regarding use of electronic devices on the bus and at other times.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S32

School Regulation of Curricula

PVCS procedures are in place for when mature or controversial content is part of the curriculum and that includes giving parents advance notice and allowing them to opt their child out of participating. The objection may be due to the content or the delivery of the content.

At the beginning of each year, all teachers are trained on the proper procedures around incorporating controversial materials and follow them. Students who cannot engage in the presentation of this material will be given an alternative assignment. Additionally, substitutes will be informed as to this policy.

PVCS Board of Education has the final determinative authority in all school curricula offerings.

Procedures

If a parent makes a formal complaint to the Director concerning a piece of curriculum, a parent meeting (if necessary by the Director) may take place with the three-person committee described below. The procedures below will be implemented and the final decision will be made within 3 school-days of parent complaints.

Our procedures are:

Prior to each school year, the Director will designate three volunteers (one from SAC, one staff and one parent) to participate in potential reviews of specific components of a teacher's curricula as identified by the school.

If a part of the curriculum is deemed controversial, it is brought to the attention of the Director, who notifies the three volunteers and a private meeting is convened.

Adopted: January 14, 2025

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S33

Suicide or Other Traumatic Loss of Life

Prevention of Suicide

All staff will receive professional development on risk factors, warning signs, protective factors, response procedures, referrals, postvention, and resources regarding youth suicide prevention through evidence-based programs such as QPR (Question, Persuade and Refer) and Youth Mental Health First Aid.

Assessment and Referral

When a student is identified by a staff person as potentially suicidal, the student will be seen by District BOCES professional within the same school day to assess risk, safety plan and facilitate referral. If there is no mental health professional available, the registered school nurse or an administrator will fill this role until a mental health professional can be brought in.

For youth at risk:

- 1) School staff will continuously supervise the student to ensure their safety.
- 2) The Director will be made aware of the situation as soon as reasonably possible.
- 3) The Director will contact the student's parent or guardian and will assist the family with an urgent referral. When appropriate, this may include calling a community based mental health mobile crisis response team or contacting law enforcement to transport the student to the Emergency Department. However, in most cases, will involve implementing a safety plan and setting up an outpatient mental health or primary care appointment and communicating the reason for referral to the health care provider.
- 4) For students returning to school after a mental health crisis (e.g., suicide attempt or psychiatric hospitalization), a school employed mental health professional, the principal, or designee will meet with the student's parent or guardian, and if appropriate, the student to discuss re-entry and appropriate next steps to ensure the student's readiness for return to school.

Out-of-School Suicide Attempts

If a staff member becomes aware of a suicide attempt by a student that is in progress in an out-of-school location, the staff member will:

- 1) Call the police and/or emergency medical services, such as 911.
- 2) Inform the student's parent or guardian.
- 3) Inform the Director.

In the event a staff member becomes concerned that a student may be experiencing suicidal ideation they can contact Colorado Crisis Services (1-844- 493-8255). This resource is available 24 hours a day, 7 days a week, 365 days a year and can be accessed in different languages. In addition, the Montezuma County Behavioral Health Crisis Center can be consulted at 970-247-5245.

Postvention

Anyone who hears about a suicide or other traumatic loss of life involving a district student or employee should contact the Director immediately.

If the tragedy occurred in school, crisis intervention procedures should be followed.

PLEASANT VIEW CHARTER SCHOOL

PVCS Policies

PVCS-S33

If the tragedy occurred outside of school, the principal will attempt to verify the information by calling the local police station or coroner and/or the family of the deceased. The Director will identify him or herself as principal of the school and maintain a log of all communications. The principal will inform the Director who will communicate appropriate information to staff and Board members as quickly as possible. The information shall be handled with great care.

Appropriate school personnel will meet as soon as possible to discuss the specifics of the situation. An emergency telephone chain will be used to notify employees of the tragedy if the tragedy occurred outside of school hours. If possible, an emergency mandatory meeting of teachers at the affected building will be called to review the situation and procedures.

The Director will act as spokesperson to answer questions from the press and community. Staff members should not talk to the media about the tragedy in order to protect the privacy of the victim's family and ensure accuracy of information.

Counselors and other professionals trained in crisis intervention will be available in the drop-in centers throughout the school day. This service will be available for as many days after the tragedy as needed. Any student who would like to talk about his or her feelings regarding the tragedy is invited to use this service.

Students and staff should discuss with the building principal any students whom they believe are especially vulnerable in the aftermath of the suicide/other tragedy. As much as possible, staff will attempt to identify and offer support to siblings, cousins, and friends in other grade levels. Students who are visibly upset will be referred to the drop-in center immediately.

Additionally, staff will continue to assess for the need for ongoing postvention by being aware of anniversaries and continuing to provide support to those impacted by suicide deaths in subsequent years.

Follow-up

- 1) The Director will express condolences and offer help to the family of the deceased on behalf of School.
- 2) The school will strive to treat all deaths in the same way. However, it is important to memorialize a student that died by suicide in a way that does not inadvertently glamorize or romanticize. The focus should be on how the student lived, rather than how he or she died.
- 3) Students who have parental permission will be excused from school to attend any funeral or memorial service. As much as possible, the school policy will be "business as usual." Counseling services will be available to all students, but classroom teachers should continue to use class time for schoolwork.