

## **Policies and Regulations**

### **Rio Blanco Board of Cooperative Educational Services Rangely, Colorado**

#### **Introduction**

The Rio Blanco Board of Cooperative Educational Services (hereinafter “BOCES”) operates according to policies established by the Board of Directors (hereinafter “the Board”), which represents the member school districts. The Board implements the policies through specific regulations and procedures.

This manual contains the policies of the Rio Blanco BOCES and shall be available to anyone who is affected by the policies herein, and to the general public as provided by law.

Generally, a “policy” is a principle adopted by the Board to chart a course of action while a “regulation” is a more detailed direction developed by the administration to put the policy into practice. A “procedure” is a sequence of activities, tasks, steps, and/or decisions, that must always be undertaken in the sequence provided (e.g., “grievance procedure”).

Policies are reproduced on white paper, major regulations intended to implement policy are reproduced on yellow paper, and procedures, reference, or “exhibit” documents that relate to the policies and/or regulations are reproduced on green paper.

Section A  
Board Governance

## 1.0 BOCES History and Legal Status

### 1.1 BOCES Formation

Colorado Law Provides for the creation of “boards of cooperative services,” also referred to as “boards of cooperative educational services” (“BOCES”) where feasible to enable two or more school districts to cooperate in furnishing services authorized by law if cooperation appears desirable for the improvement and expansion of education services of the public schools.

The Rio Blanco County Special Purpose Board of Cooperative Educational Services was created by Meeker School District RE-1 and Rangely School District RE-4 boards of education on August 30, 1976. The name was changed to “Rio Blanco Board of Cooperative Educational Services” on March 31, 1987. Throughout these Policies, Regulations, and Procedures, the Rio Blanco Board of Cooperative Educational Services will be referred to as the “BOCES.”

### 1.2 Corporate Status

The BOCES is by statute a body corporate and in its name may hold property for any purpose authorized by law, sue and be sued, and be a party to contracts for any purpose authorized by law.

In the event of its dissolution, all assets shall be divided among member districts on a prorated basis determined by the Board.

Legal Refs.    CRS    22-5-102  
                  CRS    22-5-116

## 2.0 Membership and Eligibility for Services

### 2.1 Membership

The BOCES shall be comprised of the following school districts: Meeker RE-1 and Rangely RE-4.

Either member district may resign, and thereby dissolve the BOCES, by filing a written resignation with the secretary. However, the resignation shall not relieve either member district of the obligation to pay encumbrances, assessments or other charges assumed by the BOCES and unpaid for the ensuing year.

In the event of a resignation or other dissolution of the BOCES, the BOCES may be reconstituted and reestablished in accordance with law.

### 2.2 Eligibility for Services

Member districts in good standing shall be eligible for services offered by this BOCES.

### 3.0 Board of Directors

3.1 The BOCES shall be governed by a Board of Directors selected in accordance with the law.

3.2 The Board of Directors shall act in accordance with applicable law and the agreement made to form the BOCES.

## 4.0 Executive Director

### 4.1 Duties

The Board shall employ an Executive Director who shall be responsible for the administration of the affairs and programs of the BOCES.

The Executive Director shall have the authority and responsibility for the implementation of the orders and directions of the Board, for supervising and directing all personnel of the BOCES, for supervising and implementing all of the programs of the BOCES, and for advising the Board on all BOCES matters. More specifically, the Executive Director shall act in accordance with appropriate BOCES policy and procedures, Board directive, job descriptions, contract requirements, and similar proper directive.

### 4.2 Employment Contract

The Board and the Executive Director shall enter into a multi-year written contract. The Board may choose to extend the multi-year contract on an annual basis. The contract shall set forth the responsibilities and duties of the Executive Director.

### 4.3 Evaluation of the Executive Director

The Executive Director will receive at least one written evaluation of his/her performance each year. This evaluation will be completed by the BOCES Board no later than its March meeting. The Executive Director may have an oral conference with the BOCES Board to discuss the content of the evaluation. This policy is primarily for the benefit of the BOCES, and the Executive Director shall have no property rights or contract rights related to his/her annual evaluation.

## 5.0 BOCES Board Policy

### 5.1 Policy

It is the intent of the BOCES to develop policies and put them in writing so that they may serve as guidelines for its own operations and for the successful and efficient functioning of the BOCES.

The policies of the Board are framed and meant to be interpreted in terms of state laws and regulations and other regulatory agencies within state and federal levels of government

### 5.2 Policy Proposals

The Board considers policy development one of its chief responsibilities. Proposals regarding policies may originate with a member of the Board, the Executive Director, staff members, parents, students, consultants, civic groups or other residents of the districts served.

Except in an emergency situation, policies should not be adopted at the meeting at which they are initially introduced.

### 5.3 Policy Revision and Review

In an effort to keep its written policies up-to-date, the Board shall review its policies on a continuing basis.

The Executive Director will call to the Board's attention all policies that are out of date or for other reasons appear to need revision. Policy revision shall be accomplished in the same manner as policy adoption.

The Executive Director shall recall all policy and regulation manuals periodically for administrative updating and Board review.

### 5.4 Board Review of Regulations

The Executive Director has the authority to issue regulations and procedures to implement policy. Except in an emergency, the Executive Director shall present copies of all such regulations and procedures to the Board prior to issuance, and the Board reserves the right to review such regulations and procedures at its discretion, and may revise or veto such regulations or procedures when, in the Board's judgment, they are inconsistent with policies and directives adopted by the Board.

Regulations shall be officially approved by the Board when this is required by state or federal law or when strong community, employee or student attitudes make it advisable for the regulations to have Board approval.

Before issuance, regulations shall be properly titled and coded as appropriate to the policy codification system.

### 5.5 Policy Accessibility

The Executive Director is instructed to establish and maintain an orderly plan for preserving and making accessible the policies adopted by the Board and the regulations needed to put them into effect.

Accessibility is to extend to employees of the BOCES, to members of the Board and the Superintendents of the Member Districts, and to the public in accordance with law.

#### 5.6 Suspension/Variance/Repeal of Policy

In the event of special circumstances, the operation of any section of Board policies, including those governing its own operating procedures, may be temporarily suspended or a variance may be granted by a majority vote of Board members present at any regular or special meeting. This, however, does not apply to any section of Board policies that are established by law or by contract.

Policy repeal shall be accomplished in the same manner as policy adoption.

#### 5.7 Policy Manuals

All policy manuals distributed to anyone shall remain the property of the BOCES and shall be considered as “on loan” to anyone or any organization in whose possession they might be at any time. They are subject to recall at any time for updating.

The Board’s policy manual is a public record and shall be open for inspection and copying at the administrative offices of the BOCES. When a member of the public obtains copies of some or all of the policy manual pursuant to the Colorado Open Records Act (CORA), the BOCES shall have no obligation to recall such copies for updating.

#### 5.8 Administration in the Absence of Policy

In cases when action must be taken and the Board has provided no policy for such action, the director shall have the power to act as he/she deems appropriate.

The Executive Director’s decisions, however, shall be subject to review by the Board at its next regular meeting. It shall be the duty of the Executive Director to inform the Board promptly of such action and whether the need for a new policy should be considered.



## 6.0 Employee Input in Decision Making

### 6.1 Policy

It shall be the policy of the BOCES to encourage input from its employees and the Member Districts in all those processes which help the Board make decisions which concern employees and/or the Member Districts, including planning, gathering and presenting information, making proposals, budgeting, salaries, personnel, working conditions, policies and grievances.

The Board, Executive Director, and Member District administrators will establish channels for hearing the viewpoints of individual employees and personnel of the Member Districts on matters related to BOCES activities.

## 7.0 Communication Plan

Because the Board believes that a supportive and involved public is crucial to the safety and achievement of students in district schools, it asks the superintendents of each Member District to work with the BOCES to develop and implement a BOCES-wide communication plan to provide information and feedback concerning safety and student achievement that:

- Includes two-way communication involving both listening and telling activities
- Has a primary goal of building productive relationships between the Member Districts, Board, staff, parent/guardian, students and community members
- Promotes dialogue between the Member Districts, BOCES, staff, parents, students and community members around issues of importance to the community
- Is targeted to include different messages and different strategies depending on the audience
- Includes strategies of communicating internally as well as outside the BOCES and Member Districts

Moved to Employment section

moved to instruction section

## 8.0 BOCES Board of Directors Powers and Responsibilities

This Board considers that its most important functions fall into the following categories:

### 8.1 Policymaking

The Board is responsible for the development of policy and for the employment of an Executive Director who will carry out its policy through the development and implementation of regulations.

### 8.2 Educational Planning

The Board is responsible for acquiring reliable information which will enable it to make the best possible decisions about the scope and nature of the educational program. The Board is responsible for requiring appraisal of the results of the educational program.

### 8.3 Staffing

The Board is responsible for employing the staff necessary for carrying out the instructional program and establishing salaries and salary schedules and other terms and conditions of employment, as well as for personnel policies BOCES-wide in application. The Board is responsible for appraising the effectiveness of its staff by providing for regular evaluation.

### 8.4 Financial Resources

The Board is responsible for adopting a budget that will provide the financial basis for buildings, staff, materials and equipment which will enable the BOCES to carry out the educational program. The Board is responsible for exercising control over the finances of the BOCES to ensure proper use of and accounting for all BOCES funds.

### 8.5 Buildings and Facilities

The Board is responsible for determining the BOCES needs for buildings or space in buildings for BOCES administrative functions and services, for communicating these needs to the community, for purchasing sites, and for approving building plans that will support and enhance the BOCES' educational programs and services.

### 8.6 Communication with the Public.

The Board is responsible for providing adequate and direct means for keeping the local citizenry informed about the BOCES services and activities to the extent appropriate, and for keeping itself informed about the needs of the public and the needs of the Member Districts.

### 8.7 Judicial.

The Board is responsible for acting as a court of appeal for BOCES staff members, students and the public when issues involve Board policies and their fair implementation.

### 8.8 Limitations

The Board may exercise the above powers and duties only when convened in a legally constituted meeting.

Legal Refs      CRS    22-32-109, 110  
                      CRS    22-5-107, 108



## 9.0 BOCES Board Member Selection

### 9.1 Policy

All Board of Education members of the Meeker RE-1 and Rangely RE-4 school districts shall serve as members of the BOCES.

The term of office of each Board member shall have the same expiration date as the term which he is serving on his local board.

Legal Refs    CRS    22-5-104

## 10.0 Board Member Authority

### 10.1 Policy

Because all powers of the Board lie in its action as a group, individual Board members exercise authority over agency affairs only as votes are taken at a legal meeting of the Board.

No individual member of the Board shall have any authority to act on behalf of the BOCES or the Board except as provided by law or pursuant to specific instructions of the Board.

In other instances, an individual Board member has power only when the Board has lawfully delegated authority to him/her by majority vote of the Board after motion duly made and seconded.

## 11.0 Voting

### 11.1 Policy

All voting shall be by roll call with each member presenting voting “Aye” or “No” alphabetically. However, election of the president and vice president may be by secret ballot.

To pass, any motion must be approved by a majority of the quorum present except as state law or policies of the Board may require a majority of full membership.

### 11.2 Abstention

A member may abstain from voting only if excused by the Board for good cause.

### 11.3 Conflict of Interest

A Board member who has a personal or private interest in any proposed or pending matter which presents a conflict of interest in accordance with Board policy shall disclose such interest and shall not vote unless participation is necessary to obtain a quorum or otherwise enable the Board to act. Under such circumstances the member shall comply with the voluntary disclosure requirements set out in state law.

Legal Refs	CRS	22-32-104(3)
	CRS	CRS 22-32-108(6)
	CRS	CRS 24-18-109(3)
	CRS	CRS 24-18-110

## 12.0 Board Member Compensation, Reimbursement, and Insurance

### 12.1 Compensation Policy

Board members shall receive no compensation for their services.

### 12.2 Reimbursement Policy

Upon submitting vouchers and supporting bills for expenses incurred in carrying out specific services previously authorized by the Board, Board members may be reimbursed from BOCES funds.

Such expenses may include the cost of attendance at professional meetings/visitations when such attendance and expense payment has had prior Board approval.

### 12.3 Insurance Policy

The BOCES shall purchase liability insurance and error-and-omissions insurance to protect its Board members individually and collectively for claims made against them as a result of their membership on the Board.

Legal Refs      CRS    22-5-108(1)(a)  
                      CRS    22-32-110(1)(n), (u)



## 13.0 Board Organizational Meeting

### 13.1 Officer Selection Policy

At the next regularly scheduled BOCES Board meeting following the regular biennial election of the Member Districts and the swearing in of the newly-elected Board member or members for each Member District, the Board shall meet in an organizational session for the purpose of selecting officers.

The incumbent president of the Board shall preside until a successor is elected, whereupon the successor will assume the chair.

Following the swearing in of the newly-elected Member District Board member or members for their positions on the BOCES Board, the following officers, in order, shall be elected or appointed: president, vice president, secretary, and treasurer. Officers will be selected on an alternating basis between the Member Districts for two-year terms, so that the President and Treasurer are from Meeker and the Vice President and Secretary are from Rangely, and then in two years at the time of the November elections it is switched so that the President and Treasurer are from Rangely and the Vice President and Secretary are from Meeker, and so on.

Subject to the foregoing, nominations for president and vice president shall be made from the floor and voting shall be by roll call, or, upon motion duly passed by a majority of a quorum present, by secret ballot. Should no nominee receive a majority vote of Board members, the elections shall be declared null and void, further nominations may be made and the roll call or secret ballot vote shall be retaken.

The president, vice president, secretary, and treasurer who are members of the Board and shall hold their offices until their successors are elected to their positions on the board of their Member District.

Following election and appointment of the officers, the Board shall appoint the staff members who will fill the offices of secretary to the Board and assistant treasurer.

Then such other items of business shall be considered by the Board as are scheduled on the agenda.

### 13.2 Officer Resignation Policy

Should one or more officers of the Board resign, the Board shall select another member or members to fill the vacant office or offices as provided by law, using the procedures described above, and maintaining the alternation of offices between the Member Districts to the extent practicable.

A newly-selected officer shall assume the duties immediately upon selection. Inasmuch as the selection of a new officer on a four-officer, twelve-member board frequently requires a shifting of officers it shall be permissible for a member to be nominated for another office without resigning the current office. Upon acceptance of the nomination and election to the new office, the former office shall be declared vacant and another member selected to fill that position.

Legal Refs    CRS    22-31-104(3)  
                  CRS    22-32-104 (1-4)  
                  CRS    22-32-108(6)

## 14.0 Board Officers

### 14.1 President

The president of the Board, in addition to the duties prescribed by law, shall exercise such powers as properly pertain to his office. In carrying out his responsibilities, the president shall:

- 14.1.1 Preside at all meetings of the Board.
- 14.1.2 Call special meetings of the Board as found necessary.
- 14.1.3 Sign any written contracts to which the agency may be a party.
- 14.1.4 Sign all official reports of the agency except as otherwise provided by law.

### 14.2 Vice President

In the absence of the president, the vice president shall have the power of the president and perform his duties.

### 14.3 Secretary

The secretary of the Board shall perform the following duties:

- 14.3.1 Insure that a record is kept of all business transacted by the Board at either regular or special meetings.
- 14.3.2 Cause written notice to be given to each Board member of all regular and special meetings of the Board.
- 14.3.3 Be custodian of the agency's seal.
- 14.3.4 Attest any written contract to which the agency may be party and affix the agency seal thereto.
- 14.3.5 Cause all notices required by law to be published or posted.
- 14.3.6 Perform such other duties as may be assigned by the Board.

In the absence or inability of the secretary, the president shall designate a member of the Board to perform the duties of the secretary.

### 14.4 Treasurer

The treasurer shall perform or cause to be performed the following duties:

- 14.4.1 Account for all moneys belonging to the agency.
- 14.4.2 Report to the Board as required for all moneys of the agency.
- 14.4.3 Perform such other duties as may be assigned by the Board.

In the absence or inability of the treasurer, the president shall designate a member of the Board to perform the duties of the treasurer.

Legal Refs	CRS	22-5-105
	CRS	22-32-105
	CRS	22-32-106
	CRS	22-32-107

## 15.0 BOCES Board Meetings

### 15.1 Policy

All meetings of a quorum of the Board, at which any public business may be discussed or any formal action taken shall be open to the public at all times except for periods in which the Board is in executive session. All such meetings will be properly noticed and minutes will be taken and recorded.

### 15.2 Quorum

No business may be conducted at a regular or special meeting unless a quorum is present. A quorum shall consist of no less than three directors representing each member district.

### 15.3 Regular meetings

Regular meetings of the Board of Directors shall be held in the Board room of the administration building of the Member Districts and shall alternate between districts.

Meetings of the Board shall be set prior to the beginning of the school year to begin at 7 p.m. unless otherwise set by action of the Board.

### 15.4 Special meetings

Special meetings of the Board may be called by the Board president at any time and shall be called by the president upon the written request of a majority of the members.

The secretary of the Board shall be responsible for giving a written notice of any special meeting to each Board member at least 72 hours in advance of the meeting if mailed and 24 hours in advance if hand delivered personally to the member. The notice must contain time, place and purpose of the meeting and names of the members requesting the meeting.

Any member may waive notice of a special meeting at any time before, during or after such meeting, and attendance at a special meeting shall be deemed to be a waiver.

No business other than that stated in the notice of the meeting shall be transacted unless all members are present and agree to consider and transact other business.

Legal Refs    CRS    22-32-108  
                  CRS    24-6-401  
                  CRS    22-5-104(4)

## 16.0 Executive Sessions/Open Meetings

### 16.1 Policy

All regular and special meetings of the Board shall be open to the public except that at any regular or special meeting the Board may proceed into executive session upon affirmative vote of two-thirds of the quorum present.

### 16.2 Executive Session

The Board shall not make final policy decision nor shall any formal action of any kind be taken during any executive session. The Board is authorized to approve written minutes of an executive session in executive session, if written minutes are taken.

### 16.3 Matters Addressed in Executive Session

The Board may hold an executive session of the sole purpose of considering any of the following matters:

16.3.1 Purchase, acquisition, lease, transfer or sale of any real, personal or other property. However, no executive session shall be held to conceal the fact that a member of the Board has a personal interest in such property transaction.

16.3.2 Conferences with an attorney for the purpose of receiving legal advice on specific legal questions. The mere presence or participation of an attorney at an executive session shall not be sufficient to satisfy this requirement.

16.3.3 Matters required to be kept confidential by federal or state law or regulations. An announcement will be made indicating the specific citation to state or federal law, which is the reason the matter must remain confidential.

16.3.4 Specialized details of security arrangements or investigations.

16.3.5 Determination of positions relative to matters that may be subject to negotiations, development of strategy for negotiations and instruction of negotiators.

16.3.6 Personnel matters except if an employee who is the subject of an executive session requests an open meeting. If the personnel matter involves more than one employee, all of the employees must request an open meeting. Discussion of personnel policies that do not require discussion of matters specific to particular employees are not considered "personnel matters." Discussions concerning a member of the Board, any elected official or the appointment of a Board member are not considered personnel matters.

16.3.7 Consideration of any documents protected under the mandatory nondisclosure provision of the Open Records Act.

16.3.8 Discussion of individual students where public disclosure would adversely affect the person or persons involved.

Prior to convening in executive session, the Board president shall announce the topic of the executive session, which shall be reflected in the minutes, or the topic shall be stated as part of the motion to go into executive session. The Board president or the person making the motion shall include the specific citation to statute authorizing the executive session and shall identify the particular matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized.

Only those persons invited by the Board may be present during any executive session regardless of the topic of the session (including personnel matters).

#### 16.4 Records of Executive Session

The Board shall cause an electronic record to be made of the executive session, which shall be retained by the Board for 90 days following the session. No record shall be made of an executive session held for the purpose of discussion an individual student matter or of a session in which the discussion involves a privileged attorney-client communication. The record must include the specific statutory citation to the executive session law that allows the board to meet in executive session.

#### 16.5 Procedure for Executive Session

Anyone wishing to move for executive session shall follow the appropriate Executive Session Guide contained within the Procedures section of this manual on pages \_\_\_\_\_.

Legal Refs    CRS    22-32-108(5)  
                  CRS    24-6-402

## Executive Session Guide I

“I move that the Board of education go into executive session of the purpose of \*

\_\_\_\_\_.

This matter involves (put in as much specific information as is possible without compromising the purpose of the executive session). \_\_\_\_\_.

Those present at the outset of the executive session shall be members of the Board of education, the superintendent, \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_. The board may subsequently invite into the executive session \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_.”

\* The subject matter and the citation to be inserted should be on or more of the following:

- a) “Discussion regarding the purchase, acquisition, lease, transfer, or sale of any real, personal or other property interest as authorized by CRS 24-6-402(4)(a).”
- b) “Conferences with an attorney for the purposes of receiving legal advice on specific legal questions as authorized by CRS 24-6-402(4)(b).”
- c) “Discussion of matters required to be kept confidential by federal or state law or rules and regulations as authorized by CRS 24-6-402(4)(c).”
- d) “Discussion of specialized details of security arrangements or investigations as authorized by CRS 24-6-402(4)(d).”
- e) “Discussions determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators as authorized by CRS 24-6-402(4)(e).”
- f) “Discussion regarding personnel matters as authorized by CRS 24-6-402(4)(f).” (Note that discussion involving board members, any elected official, or any appointment of a person to fill the office of a board member do not fall under the personnel exception. These discussions must be public.)
- g) “Consideration of any documents protected by the mandatory nondisclosure provisions of the Part II of Article 72 of Title 24, commonly known as the Open Records Act as authorized by CRS 24-6-402(4)(g).”
- h) “Discussion of individual students where a public disclosure would adversely affect that person or persons involved as authorized by CRS 24-6-402(4)(h).”
- i) “Review, approval, and amendment of the minutes of an executive session as authorized by CRS 24-6-402(4).”



## Written Minutes Statement

A standard part of any written minutes of an executive session shall be a statement to be signed by the chair of the executive session stating substantially as follows:

“I hereby attest that the written minutes of the executive session held on \_\_\_\_\_, as approved and finalized substantially reflect the substance of the discussion during the executive session.

\_\_\_\_\_  
(Signature)”

## Executive Session Guide II

### Discussions of Individual Students

Discussions of individual students by the BOCES Board shall not be electronically recorded and shall not be reflected in minutes of the executive session if such discussion would adversely affect the student or others. If there is such a discussion that is not recorded, the minutes or recording of the executive session must contain a statement from the chair of the executive session in essentially the following form:

“I hereby attest that the portion of the executive session held on \_\_\_\_\_, that was not recorded was confined to the topic for which recording is not required pursuant to CRS 24-6-402(2)(d.5)(I)(A).

\_\_\_\_\_  
(Signature)”

## Executive Session Guide III

### Attorney-Client Privilege

Discussions which are subject to the attorney-client privilege need not be recorded in any manner if the attorney is present and if the attorney has opined that the subject matter is subject to the attorney-client privilege. In such even, the electronic recording of the executive session must reflect that no recording was made based on legal counsel’s opinion that the discussion was privileged, or the written minutes of the executive session must contain a signed statement from the attorney in the following form:

“I hereby attest that the portion of the executive session held on \_\_\_\_\_, that was not recorded constituted a privileged attorney-client communication.

\_\_\_\_\_  
(Signature)”

Any written minutes of the executive session should also include a statement from the chair of the executive session essentially the following form:

“I hereby attest that the portion of the executive session held on \_\_\_\_\_, that was not recorded was confined to the topic authorized for discussion in an executive session pursuant to CRS 24-6-402(4)(b).

\_\_\_\_\_  
(Signature)”

## 17.0 Notification of BOCES Board Meetings

### 17.1 Notice to the Public

The Board shall give full and timely notice to the public of any meeting at which the adoption of any proposed policy or formal action shall occur or at which a quorum of the Board is expected to attend.

Dates of regular meetings of the Board shall be provided in annual announcements and made available in printed form to the news media and public. At its first regular meeting of the calendar year, the Board shall designate the public place or places at which notice of all board meetings shall be posed. In the event such action is not taken annually, the designated public places used in the previous year shall continue as the official posting sites.

At a minimum, the Board shall cause notice of regular and special meetings and work sessions to be posted at the designated public place no less than 24 hours prior to the meeting. This notice shall include specific agenda information where possible.

Copies of the agenda shall be available to representatives of the community and staff and others at the Administrative Services Center upon publication and dissemination to the Board.

### 17.2 Notice to the Board of Special Meetings

The Executive Director shall mail a written notice, including the agenda for a special meeting, stating the time, place and purpose of the meeting, to Board members no later than 72 hours before the special meeting.

Legal Rees      CRS    22-32-108(2-3)  
                         CRS    24-6-402(2)(c)

## 18.0 Agenda Preparation and Dissemination

### 18.1 Policy

The agenda for meetings of the Board shall be prepared by the Executive Director in consultation with the members of the Board.

The Executive Director shall, when feasible, mail the agenda, together with meeting materials and the minutes of the last regular meeting, to Board members no later than 72 hours before the next regular meeting. The agenda shall be posted at least 24 hours prior to the meeting, and a copy of the agenda and appropriate related materials shall be available to the public at or prior to the meeting.

### Rules of Order

The Board has adopted the “short form” of Roberts Rules of Order, included in the Procedures section of the Policy Manual at pages \_\_\_\_\_. The Rules of Order as set forth therein will be considered as guidelines and will not be strictly applied unless a motion for strict adherence to the said Rules of Order is duly made, seconded, and passed by a majority of the quorum present.

## 19.0 Public Participation at BOCES Board Meetings

### 19.1 Policy

All regular and special meetings of the Board shall be open to the public. Because the Board desires to hear the viewpoints of all citizens throughout the BOCES and also needs to conduct its business in an orderly and efficient manner, it shall schedule one or more periods during each meeting for brief comments and questions from the public. The Board may at its sole discretion schedule an interim public discussion period on a particular item. The Board shall set a time limit on the length of this period and/or time limit for individual speakers.

### 19.2 Formal Presentations

Members of the public wishing to make formal presentations before the Board should make arrangements in advance with the director so that such presentations may be scheduled on the agenda.

### 19.3 Comments and Questions

Comments and questions at a regular meeting may deal with any topic related to the Board's conduct of the BOCES. Comments and questions at special meetings must be related to the call of the meeting. Speakers may offer such criticism of BOCES operations and programs as concern them, but in public session, the Board will not hear personal complaints against any person connected with the BOCES.

The Board president shall be responsible for recognizing all speakers who shall properly identify themselves, for maintaining proper order and for adherence to any time limits set. The Board has no legal obligation to answer questions from the public during its meetings, and will not allow questions from the public to unduly extend the meeting or divert the Board from the meeting agenda. When questions asked by the public concern information that can be given briefly and without discussion, such questions will be answered immediately by the president or other person present who has the information. Questions requiring further inquiry will be referred to the Executive Director for consideration and later response at the Executive Director's discretion, or shall be considered by the Board at a later meeting if appropriate.

Members of the public will not be recognized by the president during Board meeting except as noted in this policy.

## 20.0 BOCES Board Work Sessions and Retreats

### 20.1 Policy

The Board, as a decision-making body, is confronted with a continuing flow of problems, issues and needs which require action. While the Board is determined to expedite its business, it is also mindful of the importance of planning, brainstorming and thoughtful discussion before action. Therefore, from time to time, the Board may schedule work/study sessions, which shall be open to the public, in order to provide its members and the executive staff with such opportunities. Topics for discussion and study shall be announced publicly.

Legal Refs    CRS    22-32-108(5)  
                  CRS    24-6-401

## 21.0 BOCES Memberships

The BOCES shall hold institutional membership in such other educational associations and groups as approved by the Board.

Legal Refs    CRS    22-5-108(1)(a)  
                  CRS    22-32-110(1)(n)

moved

**Section B**  
**Fiscal Management**



## 1.0 Fiscal Management Goals and Objectives

### 1.1 Policy

The Board recognizes that money and money management comprise the foundational support of the whole BOCES program. To make that support as effective as possible, the Board intends the following:

- 1.1.1 To encourage advance planning through the best possible budget procedures.
- 1.1.2 To explore all practical and legal sources of income.
- 1.1.3 To study and guide the expenditure of funds so as to achieve the greatest educational returns.
- 1.1.4 To require maximum efficiency in accounting and reporting procedures
- 1.1.5 To provide adequate resources to enable all students to meet or exceed state and BOCES standards.

As trustee of community, state and federal funds allocated for use in local education, the Board has the responsibility to protect the funds and use them wisely.

## 2.0 Annual Budget

### 2.1 Policy

The annual operating budget is the financial plan for the operation of the agency. It provides the framework for both expenditures and revenues for the year and translates into financial terms the educational programs and priorities of the agency. Pursuant to such plan, the Executive Director or his/her designee is authorized to make expenditures and commitments according to and in harmony with the budget and the policies of the BOCES.

### 2.2 Budget Preparation

The Executive Director shall cause to be prepared and presented to the Board a proposed budget. The Executive Director shall have the authority to delegate portions of this responsibility.

Insofar as possible, the budget adopted by the Board shall be sufficient to implement all programs and policies that have Board approval.

Legal Refs	CRS	22-5-106
	CRS	22-44-101 through 22-44-112(1)(2)
	CRS	22-44-103 through 22-44-115(1)(3)
	CRS	22-55-116-17

### 3.0 Budget Adoption

#### 3.1 Notice of Proposed Budget

Within 10 days of submission of proposed budget to the Board, a notice shall be published in a newspaper having general circulation within the BOCES that:

3.1.1 The proposed budget is available for inspection by the public at the BOCES administrative office during business hours.

3.1.2 The Board will consider the adoption of the proposed budget at a hearing to be held at the date, time and place specified in the notice.

3.1.3 Any interested taxpayer may inspect the proposed budget and file or register any objections thereto at any time prior to final adoption of the budget by the Board.

#### 3.2 Budget Hearing

At the budget hearing specified in the notice, the Board will present and explain the proposed budget, inviting questions and discussion from the audience. If the budget is to be adopted at a future meeting, the date, time and place of such meeting shall be entered in the minutes of the hearing.

The Board shall officially adopt the budget and an accompanying appropriations resolution prior to the end of the fiscal year.

#### 3.3 Budget Review

After adoption of the budget, the Board may review and change the budget with respect to both revenues and expenditures at any time prior to October 15 of the fiscal year for which adopted. After October 15, the Board shall not review or change the budget except as otherwise authorized by state law including but not limited to declaration of a fiscal emergency.

If money for a specific purpose becomes available to meet a contingency after October 15, the Board may adopt a supplemental budget for expenditures not to exceed that amount.

#### 3.4 Budgeting Deadlines

##### 3.4.1 June 1

Proposed budget must be submitted to Board of Education for tentative approval [CRS 22-44-108(1)]

##### 3.4.2 Within 10 days of above

Notice of proposed budget must be published; budget must be made available for public inspection [CRS 22-44-109(1)]

##### 3.4.3 Before final adoption

Public hearings must be held [CRS 22-44-110(1)]

3.4.4 Before end of fiscal year (June 30)

Board must adopt official budget and appropriations resolution [CRS 22-44-103(1), 22-44-107(1), 22-44-110(4)]

3.4.5 Before October 15

Board may review and change the budget with respect to both revenues and expenditures [CRS 22-44-110(5)]

Legal Refs    CRS    22-7-150  
                  CRS    22-44-103, 107-111, 115, 115.5

## 4.0 Budget Transfers

### 4.1 Policy

When a contingency occurs, the Board by resolution may transfer any unencumbered moneys from the contingency reserve account, which is within the general fund, to any other fund or function.

Unencumbered moneys may be transferred among the instructional supplies and materials, instructional capital outlay and other instructional purposes accounts and by Board resolution between the capital reserve fund and insurance reserve fund or to any other risk management fund as defined in state law.

### 4.2 Definitions

"Contingency" means an act of God or the public enemy, or some event which could not have been reasonably foreseen at the time of the adoption of the budget of a school district.

Legal Refs	CRS	22-32-107
	CRS	22-44-102(3)
	CRS	22-44-112, 113
	CRS	22-45-103 (1)(a)(II)
	CRS	22-54-105
	CRS	24-10-115

## 5.0 Fiscal Emergencies

### 5.1 Policy

If the Board determines during any budget year that the anticipated revenues and the amounts appropriated for expenditure in the budget exceed actual revenues available to the BOCES due to action of the legislature or governor, the Board may declare a fiscal emergency. Such action shall require the affirmative vote of two-thirds of the members of the Board.

If a fiscal emergency is declared by the Board, the Board may implement a reduction in salaries for all employees of the school district on a proportional basis or may alter the work year of employees. Such reduction in salaries may be made notwithstanding any adopted salary schedule or policy.

Prior to taking such action, the Board shall hold at least one public hearing.

Legal refs      CRS    22-44-115.5  
                     CRS    22-45-112(2)(a)  
                     CRS    22-54-110(2)(d)

## 6.0 Promissory Notes

### 6.1 Policy

The Board may authorize the president and the secretary to execute promissory notes on behalf of the BOCES from time to time as borrowing of funds becomes necessary and may further authorize them to execute any and all other documents necessary or incidental to the borrowing of funds. Such authorization shall require the prior approval of the member school districts.

By law, these short-term loans must be liquidated within six months after they are made from moneys subsequently credited to the agency's budget.

Legal Refs    CRS    22-5-106.5

## 7.0 Revenues

### 7.1 BOCES Member Districts

Services performed by the BOCES shall be financed primarily by contributions from the participating member districts.

7.1.1 Each member district shall pay the BOCES for the costs of staff salaries and materials less the amount of state and federal funding for each program which the agency provides to the district.

7.1.2 Administrative costs shall be paid for on a 50/50 basis by the member districts.

7.1.3 Each member district shall be billed monthly for its share of services and administrative costs.

### 7.2 State Sources

The BOCES shall annually receive such state moneys as have been appropriated by the General Assembly and approved by the State Board of Education.

### 7.3 Federal Sources

The Board may apply for such federal grant moneys as have been appropriated by Congress and administered through the Colorado Department of Education.

### 7.4 Depository of Revenue

All revenue received by the BOCES shall be deposited in an official bank or banks as designated by the Board.



## 8.0 Funding Proposals and Applications

### 8.1 Policy

Budget planning shall be based upon the directions and policies adopted by the Board.

The Executive Director or his/her designee shall cause to be prepared compilations of budget requests, shall convert BOCES requirements for staffing and other allocations to actual dollar costs, and shall include an estimate of financial resources available.

### 8.2 State and Federal Aid Eligibility

The Board is to be kept informed by the Executive Director of all possible sources of state, federal and other special funds outside regular agency sources being considered for the support of the agency and/or for the enhancement of educational opportunities offered by the agency.

To insure coordination and avoid confusion in developing proposals and making application for specially funded projects, the Executive Director shall establish standard procedures for the preparation of proposals and their review. The Executive Director shall submit all proposals for federal aid and special grants to the Board for approval.

8.2.1 No grant will be approved without the review of the Executive Director or his/her designee.

8.2.2 The Board shall be informed of all new grants at the next official meeting.

The Board is authorized by state law to use the contributions from the participating districts to match state, federal and other special agency funds when required for the acceptance of such matching funds.

Legal Refs	CRS	22-5-109
	CRS	22-5-106(1)
	CRS	22-5-114, 115

## 9.0 Fiscal Accounting and Reporting

### 9.1 Policy

The Executive Director shall be responsible for receiving and properly accounting for all BOCES funds.

All funds received and/or disbursed by the BOCES shall be accounted for carefully and accurately, shall conform with good accounting practices providing for the appropriate separation of accounts, funds and special moneys, and shall be done in a manner that is easily reviewed and lends itself to auditing.

Legal Refs    CRS    22-5-106

## 10.0 Audits

### 10.1 Policy

In accordance with state statutes, all financial records of the agency shall be audited yearly following the close of the fiscal year.

### 10.2 Audit

The Board shall appoint an independent auditor to conduct this audit, which must show all monies collected, disbursed and retained together with receipts verifying monies collected and vouchers for monies disbursed. The audit must also show a comparison of the disbursements with monies budgeted and must be completed in time to be submitted to the state auditor within six months following the close of the fiscal year.

### 10.3 Duties of Auditor

In addition to the above, the duties of the Board-appointed auditor shall be to:

10.3.1 Examine the balance sheet of the BOCES at the close of its fiscal year and the related statements of transactions in the various funds for the fiscal year then ended.

10.3.2 Conduct this examination in accordance with generally accepted auditing standards and to include such tests of the accounting records and other auditing procedures as are necessary in the circumstances.

10.3.3 Render an opinion on the financial statements prepared as at the close of the fiscal year.

10.3.4 Prepare such financial statements for publication as may be required by law.

10.3.5 Make recommendations to the Board concerning its accounting records, procedures and related activities as may be requested by the Board.

Legal Refs      CRS 22-5-107  
                      CRS 22-32-109(1)(k)

## 11.0 Petty Cash Accounts

### 11.1 Policy

The agency shall maintain in a petty cash account which may be used for miscellaneous expenses including per diem and lodging costs for attendance at meetings.

## 12.0 Inventories

### 12.1 Policy

The BOCES shall maintain a system for an annual inventory of all real and personal property except for equipment permanently fixed in a building such as heaters or lockers.

The equipment inventory shall serve the function of control and conservation.

Responsibility for the system shall lie with the Executive Director to whom teachers/coordinators shall be accountable for the maintenance of proper inventories.

### 12.2 Items to Be Inventoried

The inventory system shall consist of two categories:

12.2.1 BOCES Inventory – Real and personal property costing \$5,000 per item and having a life expectancy of more than three years; personal property of an electronic nature such as video equipment, printers, cameras, etc...

12.2.2 Building Inventory – All other equipment items (desks, chairs etc.)

### 12.3 Inventory Data

BOCES items will be accounted for on an individual basis. BOCES office records will be reconciled annually with each school building's records. Inventory data will include but is not limited to building and room location, cost, date of purchase, and date of deletion or transfer. Proposed deletions will be compiled each year and submitted to the board for review and approval.

Building or instructional setting inventory, if any, will be accounted for at the building level in mass (e.g. 30 stacking chairs, 5 teachers' desks, etc.) Each year this inventory will be reconciled with the previous year's inventory noting damage losses, transfers and new purchases. This reconciliation will be submitted to the Executive Director on an annual basis.

Legal Refs    CRS    29-1-506

## 13.0 BOCES Property Disposal

### 13.1 Authority

The Board has the authority to sell any BOCES property which may not be needed in the foreseeable future upon such terms and conditions as it may approve.

If the property is sold to a state agency or political subdivision of the state, it shall not be necessary to find that the property may not be needed.

Legal Refs    CRS 22-5-108(1)(a)  
                  CRS 22-32-110(1)(e)

## 14.0 Purchasing

### 14.1 Authority

The Executive Director shall serve as purchasing agent for the BOCES and shall establish procedures governing the purchase of material, supplies, equipment and services. The procedures shall be approved by the Board.

All purchasing transactions shall be accomplished through the Executive Director's office and authorized on properly signed purchase orders.

The Board may additionally authorize any officer or agent of the Board to enter into any contract or execute and deliver any instrument in the name of and on the behalf of the Board. This authority may be general or confined to specific instances.

## 15.0 Payment of Expenditures

### 15.1 Expenditures Under \$1,500

All bills and expenditures for any budgeted single item which do not exceed \$1500, except salaries, shall be authorized for payment by the Executive Director or a designee of the BOCES Board.

### 15.2 Expenditures Over \$1,500

All bills and expenditures for any budgeted single item which exceeds \$1500, except salaries, and all bills and expenditures for any single item for any amount of money which has not been budgeted shall be paid only after authorization and approval by the Board.

### 15.3 Salaries and Wages

All budgeted salaries and wages of employees of the BOCES shall be paid by direction of the Executive Director and without further action by the Board. The payment of all non-budgeted salaries and wages shall require prior approval of the Board.

The above provisions shall not apply to capital reserve fund expenditures.

### 15.4 Regulations

The Executive Director shall be authorized to issue written regulations covering the payment of bills. Such regulations shall be reviewed periodically by the Board.



## 16.0 Vendor Relations

### 16.1 Policy

No favoritism shall be extended to any vendor. All employees of the BOCES must exercise sound judgment in avoiding conflicts of interest or the appearance of impropriety in dealing with vendors. Gifts or gratuities of other than nominal value or which might obligate a BOCES employee in any manner shall be politely and firmly refused.

Any vendor or bidder who offers items in excess or in violation of the spirit of this policy may be disqualified indefinitely.

### 16.2 Conflict of Interest

No person officially connected with or employed in the BOCES shall be an agent or be in any way pecuniary or beneficially interested in or receive any compensation or regard of any kind from any vendor for the sale of supplies, materials, equipment or services to the BOCES without the express prior written consent of the BOCES Board.

## 17.0 Payroll/Payday Schedules

17.1 Employees shall be paid on a 12-month basis. [Note: Under IRC Section 409(a), 9-month employees with annualized salaries may be subject to new tax regulations commencing with fiscal year 2008.]

17.2 Checks shall be issued on or about the 20<sup>th</sup> day of each month. When the 20<sup>th</sup> day falls during a holiday or weekend, payday shall be the last working day preceding the holiday or weekend.

## 18.0 Salary Deductions

### 18.1 Policy

Deductions shall be made from the paychecks of all employees for retirement and federal and state income tax per federal and state requirements.

### 18.2 Deductions for Absences

Salary deductions shall be made for absences not covered by leave policies adopted by the Board. Such deductions shall be calculated on the basis of the employee's work year.

### 18.3 Annuity Deductions

All employees are entitled to take advantage of the provisions of Section 403(b) of the Internal Revenue Code of 1954, as amended, whereby a public school employee may have his pay reduced by an amount which is placed to his account with a firm which will establish this sum as an annuity account.

### 18.4 Other Deductions

All other types of deductions shall require Board approval and permission of the employee.

## 19.0 Expense Reimbursement

### 19.1 Policy

The following policy shall apply to all BOCES personnel and officials in regard to reimbursement of expenses.

19.1.1 BOCES personnel and officials who incur expenses in carrying out their authorized duties shall be reimbursed by the BOCES upon submission of a properly filled out and approved voucher and such supporting receipts as required by the Executive Director or his/her designee for business affairs.

19.1.2 Such expenses shall be approved and in accordance with budgetary allocations for the specific type of expenses.

19.1.3 When official travel by personally owned vehicle has been authorized, mileage payment shall be made at the rate currently approved by the Board.

Legal Ref. CRS 24-18-104(3)(d),(e)

## 20.0 Check Writing Services

### 20.1 Authorized Signatures

All checks drawn on the general fund or any special fund shall require the signatures of any two of the four Board officers. Checks drawn on the petty cash fund shall require the signature of the Executive Director or his/her secretary.

Legal Refs	CRS	11-55-101
	CRS	22-5-105
	CRS	22-5-108
	CRS	22-32-107
	CRS	22-32-121

## 21.0 Bonded Employees and Officers

### 21.1 Policy

The secretary and treasurer of the Board and any custodian of monies authorized and appointed by the Board shall be bonded.

All employees who are responsible for monies controlled by the Board or who may have more than \$50 from such funds in their custody also shall be bonded.

The cost of bonding shall be borne by the BOCES.

Section C  
Support Services

## 1.0 Use of BOCES-Owned Materials, Equipment, or Facilities

### 1.1 Policy

BOCES equipment may be loaned to community groups for educational, civic or charitable purposes when:

- 1.1.1 The group borrowing the equipment agrees to accept responsibility for repairing or replacing any equipment damaged or lost while in its possession.
- 1.1.2 The equipment is not unusually expensive and subject to easy damage.
- 1.1.3 The equipment is in good condition.
- 1.1.4 The group will provide a competent operator for any machine loaned.
- 1.1.5 Outside use of the equipment will not interfere with the BOCES program.

Any individual borrowing BOCES equipment must sign an official receipt. A deposit may be required as determined by the business office or the director.

### 1.2 Leasing of Facilities

The BOCES may lease such facilities as are necessary for the operation of its programs. Any such lease shall require the approval of each participating board of education.

### 1.3 Use of BOCES-Owned Vehicles

The BOCES vehicle shall be used only for business purposes with the exception of “de minimus” use.

#### 1.3.1 Seat Belts

The use of seat belts in school-owned vehicles is mandatory for all personnel using vehicles that are equipped with seat belts with the exception of off-road vehicles.

Drivers of all school vehicles except school buses shall be responsible for ensuring that all passengers use safety belts. The driver shall not begin to move the vehicle until the driver and all passengers are belted.

Legal Ref      CRS    42-4-236  
                     CRS    22-5-111(2)  
                     CRS    22-32-127



## 2.0 Insurance

### 2.1 Policy

The Board has the responsibility for maintaining an adequate insurance program covering its buildings and grounds and employees carrying out official duties for the BOCES. The Board also may authorize and participate in insurance programs for employees and students. The Board annually shall review its insurance program and shall designate specific insurance companies to underwrite the various insurance plans approved by the Board.

### 2.2 Duties of Executive Director

The insurance program shall be administered by the Executive Director.

The Executive Director shall make every effort to obtain insurance at the best available rates - consistent with required coverage and service - through obtaining quotations or bids.

Legal Refs	CRS	8-44-110
	CRS	22-32-110(1)(s), (t), (u), (v)
	CRS	22-45-103 (1)(c), (e)
	CRS	22-54-105 (2)
	CRS	24-10-115, 115.5
	CRS	29-13-101

### 3.0 Student Transportation

The member districts will be generally responsible for the transportation needs of their students who are participating in BOCES activities and/or students who require transportation as a special education related service, and the Executive Director or her/his authorized designee will be responsible for coordinating transportation with the member districts. Financial arrangements for transportation will be set forth in a letter agreement between the BOCES and each member district, or, if there is no letter agreement, then the BOCES will pay the district mileage established by the Board from time to time.

#### 3.2 Parental Reimbursement Policy

In general, all transportation of students for BOCES activities and purposes shall be in member district owned vehicles. The Board may pay parents/guardians mileage to transport students from isolated locations to established bus routes. Mileage costs shall be adjusted annually or as often as general economic conditions warrant.

Reimbursement for mileage expenses incurred by parents/guardians shall be made at the rate to be determined by the BOCES . Payments will be made at the end of the each semester according to attendance and mileage records.

3.2.1 Parents/guardians shall fill out and file a copy of a Transportation Contract with the BOCES in order to receive reimbursement for transportation expenses.

#### 3.3 Parental Transportation Limitations

Parents are not considered the BOCES' agents. The BOCES does not presume to control or supervise them; rather, parents are acting on their own, not on the BOCES' behalf to provide transportation for students when they use:

3.3.1 Those vehicles that are used only for the transportation of the members of the party's household.

3.3.2 Those vehicles that are used for persons both within and without the party's household.

??Transportation Contract

\_\_\_\_\_  
Student's Name

\_\_\_\_\_  
School

\_\_\_\_\_  
Grade

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Physical Address

\_\_\_\_\_  
City

\_\_\_\_\_  
Zip

\_\_\_\_\_  
Parent's Social Security Number

I hereby agree to transport my child to or from school per the district approved mileage rate of \$.\_\_\_\_\_ per mile for the 20\_\_\_\_-20\_\_\_\_\_ school term. Payments by the Rio Blanco BOCES will be made at the end of each semester according to the attendance records.

My estimated mileage is \_\_\_\_\_ which is mileage one way to or from school.

I understand that due to insurance and state regulations I may transport only my own child unless I get a school bus driver's license and a school bus slip following other regulations as prescribed by the Colorado Department of Education.

\_\_\_\_\_  
Parent/Guardian Signature

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Executive Officer (SHOULD THIS BE THE TREASURER OR SOME OTHER OFFICER?)

Rio Blanco BOCES hereby approves the transportation of \_\_\_\_\_ by \_\_\_\_\_.

Legal refs    CRS    22-32-110(1)(a)  
                  CRS    22-32-113, 114  
                  CRS    22-51-101

## 4.0 Prevention of Disease/Infection Transmission

### 4.1 Definitions

4.1.1 Body fluids and substances include blood, semen, drainage from scrapes and cuts, feces, urine, vomitus, respiratory secretions (e.g. nasal discharge) and saliva.

### 4.2 Handling Body Fluids

All BOCES facilities shall provide a sanitary environment and shall establish routines for handling body fluids that are recommended by appropriate health professionals. All BOCES personnel shall be advised of routine procedures to follow in handling body fluids.

4.2.1 These procedures shall provide simple and effective precautions against transmission of diseases to persons potentially exposed to the blood or body fluids of another.

4.2.2 These procedures shall be standard health and safety practices.

4.2.3 No distinction shall be made between body fluids from individuals with a known disease and individuals without symptoms or with an undiagnosed disease.

The BOCES shall develop, in consultation with medical personnel, regulations to be distributed to all employees on a regular basis. Training and appropriate supplies shall be available to all personnel including those involved in transportation and custodial services.

In addition to ensuring that these health and safety practices are carried out on a BOCES-wide basis, special emphasis shall be placed in any areas of BOCES operation that potentially present a greater need for these precautions.

### 4.3 Control Practices

The following infection control practices should be followed in all situations involving potential contact with any body fluids and substances.

4.3.1 Wear gloves when it is likely that hands will be in contact with body fluids or substances. Wear gloves while holding bloody noses and dealing with cuts that are bleeding heavily. Gloves should be kept in emergency response kits and be readily accessible at sites where students seek assistance for bloody noses or injuries.

4.3.2 If gloves are not available, the use of towels or some other clean material as a barrier may provide some protection.

4.3.3 Cuts and sores on employee's skin should be routinely covered to avoid infection.

4.3.4 When possible, have students wash off their own cuts and abrasions. After cuts are washed with soap and water, they should be covered with bandages of the appropriate size. Where possible, students should be taught to hold their own bloody noses.

4.3.5 When possible, pocket face masks should be used for mouth-to-mouth resuscitation.

4.3.6 Wash hands often and well, paying particular attention to areas around and under fingernails and between fingers.

4.3.7 Clean up as soon as possible after any skin contact with any body fluid or substance.

- Wash skin with soap and water.
- Wash contaminated surfaces and non-disposable items with standard disinfectant. Use aerosol germicide cleaner.
- Wash contaminated clothing and linen in detergent with hot water.
- Contaminated tissues, paper towels and other disposable items should be placed in plastic bags before being discarded.

4.3.8 Use individual judgment in determining when barriers are needed for unpredictable situations. It is strongly recommended that barriers be used when contact with body fluids or substances is anticipated.

#### 4.4 HIV/AIDS

.Employees should be aware of the following information concerning HIV/AIDS.

4.4.1 Based upon widely disseminated statistical information, exposure of blood or other body fluids to intact skin is a highly unlikely way of being infected with HIV/AIDS.

4.4.2 HIV/AIDS is transmitted by getting blood, semen or vaginal secretions into the bloodstream of a non-infected person.

4.4.3 Other body substances (saliva, tears, urine or feces) tend to host extremely small, if any, levels of the virus.

4.4.4 HIV is easily destroyed by common disinfectants.

Although HIV (human immunodeficiency virus)/AIDS (acquired immune deficiency syndrome) has received a great deal of attention, there are other diseases more communicable than

HIV/AIDS of which staff members also should be aware. The following page includes a table listing communicable diseases and body substance sources of infection.

(ATTACH PAGE WITH TABLE FROM BINDER)

Section D  
Use of Electronic Media

## 1.0 Use of BOCES-Owned Laptop Computers

### 1.1 Policy

Employees, who may remove a BOCES laptop computer from building premises, must read and sign a copy of the policy statement set forth at section 1.2 below, which will be kept on file in the BOCES office. A copy of this policy statement will be provided to each borrower for his or her reference.

### 1.2 Authorized Use of Rio Blanco BOCES-Owned Laptop Computers

Employees who may remove a BOCES laptop computer from building premises must read and sign a copy of this policy statement which will be kept on file in the BOCES office. A copy of this policy statement will be provided to each borrower for his/her reference.

#### Loan Procedure

Teachers will be assigned a laptop computer by the Rio Blanco BOCES. The working condition of the laptop is noted when assigned.

All units provided for employee use are pre-configured with appropriate Rio Blanco BOCES/District licensed software.

The BOCES strongly discourages users from installing any additional software or hardware to the laptop units. Additional software installed must not disable or alter the functionality of the pre-included software or hardware and must be virus-free. Any software or hardware components added to the system are the responsibility of the individual and the supplying vendor. A fee may be charged for any work required to restore the laptop's original software and/or hardware.

Unauthorized copying of software is a violation of the BOCES acceptable computer use policy. It is also a violation of copyright law and an infringement of intellectual property rights.

#### Maintenance and Warranty

The employee is responsible for maintenance of the laptop in his/her possession, and the BOCES will not be responsible for ordinary maintenance and protection of the laptop. In most cases, laptops are covered under the laptop manufacturer's limited warranty. However, neither the BOCES nor the manufacturer would be responsible for the following types of damage to a laptop:

- Accident
- Unreasonable use, abuse, neglect, and alterations
- Improper service, improper installation, and/or improper connection with peripherals
- Other causes not arising out of defects in materials or workmanship.
- Any service or repair provided outside the scope of the limited warranty
- Damage to or loss of any programs, data, or removable storage media, whether it occurs during warranty repair or other repair service.



Any attempts to dismantle or repair the laptop unit oneself will invalidate the manufacturer's warranty and may result in the employee compensating the BOCES for costs incurred.

Employees using the laptop loan service may contact the BOCES office for standard system support or for notification of any problems encountered during their loan period.

Employees are responsible for periodic cleaning of the laptop computer; this includes keyboard, screen and exterior. Cleaning supplies may be obtained from the BOCES office.

### Security

Users are responsible for damage to and/or loss or theft of loaned laptop units. In order to avoid loss or theft, please follow these guidelines:

- Airports: Never leave the laptop unattended. Do not check the laptop as baggage.
- Exercise diligence in watching the laptop as it is passed through any x-ray devices.
- Cars: Keep the car locked and the laptop out of view. Ensure that the laptop is securely stored so that it does not slide while driving. Avoid storage of the laptop in a car during very hot or very cold weather.

If the laptop is lost or stolen, a written notification must be filed within 24 hours to the BOCES office and notice given to the appropriate police authorities and your insurance company, if appropriate. If a laptop is lost, damaged, or stolen, the employee responsible for that laptop must attend an investigative meeting where the circumstances surrounding the loss, damage, or theft will be discussed in depth.

Users are responsible for performing their own data backups. The BOCES is not responsible for any files left on any laptop or for loss of, or damage to, a user's files during the loan period. The BOCES is also not responsible for any computer viruses transferred to, or from, a user's disk while using the laptop.

I have read and understand this Laptop Computer Loan Policy.

Borrower's Signature: \_\_\_\_\_

Borrower's Printed Name: \_\_\_\_\_

Today's Date: \_\_\_\_\_

Computer Serial Number: \_\_\_\_\_

Computer Type (I-Book, Power Book, etc.): \_\_\_\_\_

External Keyboard Y/N Serial Number: \_\_\_\_\_

External Mouse Y/N Serial Number: \_\_\_\_\_

Case Included Y/N

Brand/Description: \_\_\_\_\_

Unless otherwise documented the employee will retain possession of the same computer during their employment with the BOCES.

IT/Administrator: Laptop conditions/notes:

---

---

---

---

## 2.0 Internet and Electronic Communications

### 2.1 Use Policy

Use of the internet and electronic communications demands personal responsibility and an understanding of the acceptable and unacceptable uses of such tools. Employee use of the internet and electronic communications is a privilege, not a right. Failure to follow the use procedures contained in this policy will result in the loss of the privilege to use these tools and may result in disciplinary and/or legal action. The BOCES may deny, revoke or suspend access to district technology or close accounts at any time.

Employees shall be required to sign the district's Acceptable Use Agreement before Internet or electronic communications accounts shall be issued or access shall be allowed.

### 2.2 Privacy

BOCES computers and computer systems are owned by the BOCES and are intended for educational purposes and BOCES business at all times. Staff members shall have no expectation of privacy when using BOCES media to access the internet or electronic communications. The BOCES reserves the right to monitor, inspect, copy, review and store (at any time and without prior notice) all usage of BOCES computers and computer systems. All internet and electronic communications and transmissions sent and/or received through BOCES computers and computer systems are and shall remain the property of the BOCES.

### 2.3 Blocking Information

To protect students from material and information that is obscene, pornographic or otherwise harmful to minors, as defined by the Board, hardware that blocks or filters such material and information has been installed on all BOCES computers having internet or electronic communications access.

Blocking or filtering hardware may be disabled by a supervising teacher or school administrator, as necessary, for purposes of bona fide research or other educational projects being conducted by staff members of the BOCES and member school districts over the age of 18.

### 2.4 Unauthorized and Unacceptable Uses

Staff members shall use BOCES computers and computer systems in a responsible, efficient, ethical and legal manner. The Board has discretion to determine which uses are unacceptable including but not limited to the following:

2.4.1 No staff member shall access, create, transmit, retransmit or forward material or information:

- That promotes violence or advocates destruction of property including, but not limited to, access to information concerning the manufacturing or purchasing of destructive devices or weapons
- That is not related to BOCES education objectives

- That contains pornographic, obscene or other sexually oriented materials
- That harasses, threatens, demeans, or promotes violence or hatred against another person or group of persons with regard to race, color, sex, religion, national origin, age, marital status, disability or handicap
- For personal profit, financial gain, advertising, or commercial transaction
- That plagiarizes the work of another
- That uses inappropriate or profane language likely to be offensive to others in the school community
- That is knowingly false or could be construed as intending to purposely damage another person's reputation
- In violation of any federal or state law, 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
- That impersonates another or transmits through an anonymous remailer

## 2.5 Security

Security on BOCES computer systems is a high priority. Staff members who identify a security problem while using the internet or electronic communications shall immediately notify a system administrator.

Staff members shall not

- Use another person's password or any other identifier;
- Gain or attempt to gain unauthorized access to BOCES computers or computers systems;
- Read, alter, delete or copy, or attempt to do so, electronic communications of other system users; or
- Log on the internet or electronic communications as a system administrator.

Any staff member identified as a security risk may be denied access to the internet and electronic communications.

## 2.6 Confidentiality

Staff members shall not access, receive, transmit or retransmit material regarding students, parents/guardians or BOCES employees that is protected by FERPA, HIPAA, and other confidentiality laws.

If material is not legally protected but is of a confidential or sensitive nature, great care shall be taken to ensure that only those with a “need to know” are allowed access to the material. Staff members shall handle all employee, student and BOCES records in accordance with BOCES policies.

## 2.7 Vandalism

Vandalism directed at the computer communications system will result in cancellation of privileges and may result in disciplinary action and/or legal action.

2.7.1 Vandalism is defined as any malicious or intentional attempt to harm, destroy, modify, abuse or disrupt operation of any network within the BOCES, or its member districts, 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 BOCES/district-owned software or hardware. This includes, but is not limited to, the uploading or creation of computer viruses.

## 2.8 Unauthorized Software

Staff members 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 applicable fees owed to the software owner.

## 2.9 Warranties

The BOCES makes no warranties of any kind, whether expressed or implied, related to the use of BOCES computers and computer systems, including access to the internet and electronic communications services. Providing access to these services does not imply endorsement by the BOCES of the content, nor does the district make any guarantee as to the accuracy or quality of information received. The BOCES shall not be responsible for any damages, losses or costs an employee suffers in using the internet and electronic communications, including loss of data and service interruptions. Use of any information obtained via the internet and electronic communications is at the staff member’s own risk

Legal refs      47 USC 254(h)  
                     47 USC 231

## 3.0

### Annual Acceptable Use Agreement

I have read, understand and will abide by the RIO Blanco BOCES policy on staff use of the internet and electronic communications. Should I commit any violation or in any way misuse

my access to the BOCES computers or computer system, including use of the internet and electronic communications, I understand and agree that my access privileges may be revoked and disciplinary and/or legal action may be taken.

I hereby indemnify and hold harmless the BOCES from all costs, claims, damages or losses resulting from my use of BOCES computers and computer systems, including use of the internet and electronic communications, including but not limited to any user fees or charges incurred through the purchase of goods or services.

My signature on the Acceptable Use Agreement is binding and indicates I have read the Rio Blanco BOCES' policy on staff use of the internet and electronic communications and understand its significance.

---

Staff Member's Name (Printed)

---

Staff Member's Signature

---

Date

## 4.0 Open Records Act (Electronic Mail)

### 4.1 Policy

Electronic mail sent or received by the Board, the BOCES or BOCES employees may be considered a public record subject to public disclosure or inspection under the Colorado Open Records Act. All Board and BOCES electronic mail communications shall be monitored in accordance with the attached regulation to ensure that all public electronic mail records are retained, archived and destroyed in compliance with state law.

#### 4.1.1 Electronic mail

Electronic mail is an electronic message that is transmitted between two or more computers or electronic terminals, whether or not the message is converted to hard copy format after receipt and whether or not the message is viewed upon transmission or stored for later retrieval.

4.1.2 Electronic mail includes all electronic messages that are transmitted through a local, regional, or global computer network.

The custodian of records for the BOCES shall assist the public in locating any specific public electronic mail record requested and shall ensure public access to public electronic mail records without unreasonable delay or cost.

### 4.2 Electronic Records Regulation

#### 4.2.1 Segregation

Upon Sending or receiving electronic mail, all users shall segregate or store public electronic mail records.

- Public electronic mail records are those that evidence the BOCES functions, policies, decisions, procedures, operations or other activities of the BOCES or that contain valuable BOCES data.

#### 4.2.2 Storage

Segregation/storage may be accomplished by creating a separate storage location of public electronic mail on the hard drive of the recipient's computer or terminal, by saving public electronic mail to a disk or similar storage apparatus or by printing the electronic mail on paper and deleting it from the electronic mail system.

- If the electronic mail is printed on paper, that document will be located with other documents having similar retention characteristics and will be treated like any other public record of the BOCES.
- If a separate storage location or disk is used, it must be clearly identified as "public electronic mail."

#### 4.2.3 Retention of Electronic Mail

All BOCES public electronic mail records that have been received or sent by a BOCES employee and have not previously been printed on paper shall be retained by the sender/recipient for a period of 180 days. Prior to expiration of the 180-day period and deletion of the electronic mail record, the sender/recipient shall notify the custodian of records for the BOCES.

#### 4.2.4 Custodian of Records

The Executive Director or his/her designee shall be the custodian of records for purposes of this policy. The custodian shall review the electronic mail records and determine whether in his/her judgment the records are public electronic mail records.

- All electronic mail determined to be public shall be archived by the BOCES in a manner that does not require proprietary software to retrieve the electronic mail and shall be treated like any other public record of the BOCES.
- Electronic mail records determined not to be public records shall be destroyed.



Section E  
Personnel

## 1.0 Personnel Goals

### 1.1 Policy

The Board recognizes that a dynamic and efficient staff dedicated to education is necessary to maintain a constantly improving educational program. In order to promote and maintain the best possible educational environment with the best possible staff, the Board had developed the following goals:

1.1.1 To recruit, select and employ the best-qualified personnel to staff the BOCES.

1.1.2 To provide staff compensation and benefits programs sufficient to attract and retain qualified employees.

1.1.3 To provide an in-service training program for all employees to improve their performance and the overall rate of retention and promotion of staff.

1.1.4 To conduct an employee appraisal program that will contribute to the continuous improvement of staff performance.

1.1.5 To deploy personnel so as to insure they are utilized as effectively as possible.

1.1.6

1.1.7 To develop the quality of human relationships necessary to obtain maximum staff performance and satisfaction.

## 2.0 Professional Staff Hiring

### 2.1 Recruitment

The Executive Director shall develop and maintain a recruitment program designed to attract and hold the best possible personnel who meet, to the extent applicable, the “highly qualified” standard as defined by the federal No Child Left Behind Act of 2001(NCLB).

It is the responsibility of the Executive Director, with the assistance of the Board, to determine the personnel needs of the BOCES and to locate suitable candidates to recommend to the Board for employment.

Recruitment procedures shall not overlook the talents and potential of individuals already employed in the BOCES. Any present employee of the BOCES may apply for a position for which he/she is licensed, highly qualified, and meets other stated requirements.

### 2.2 Background Checks

Prior to hiring any person, in accordance with state law, the BOCES shall conduct background checks with the Colorado Department of Education and previous employers regarding the applicant’s fitness for employment.

Hiring  
There shall be no discrimination in the hiring process on the basis of race, color, sex, religion, national background, age, marital status, or disability. All candidates shall be considered on the basis of their merits, qualifications and the needs of the BOCES. Recruitment procedures shall give preference to candidates who meet the NCLB definition of highly qualified.

All interviewing and selection procedures shall ensure that the supervisor directly responsible for the work of a staff member has an opportunity to aid in his/her selection. However, the final selection for nomination shall be made only by the Executive Director.

### 2.3 Appointment of candidates

Nominations shall be made at regular monthly meetings of the Board. Nominations of candidates who are not highly qualified, as defined by the NCLB, will be accompanied with an explanation as to why a highly qualified candidate was not selected for the position. The vote of a majority of the Board shall be necessary to approve the appointment of employee of the BOCES. If there is a negative vote by the Board, the Executive Director shall submit a new recommendation to the Board for approval.

Upon the hiring of any employee, information required by federal and state child support laws will be timely forwarded by the district to the appropriate state agency.

### 2.4 Teacher Shortage

### 2.5 Applications

Applications of all regular certified personnel to be employed by the BOCES will be processed according to this procedure. Short-term, temporary or interim appointments may be made directly by the Executive Director, subject to the approval of the Board, without following the advertising procedure.

### 2.5.1 Vacancies

All regular vacancies will be advertised.

### 2.5.2 Applications

All applications will be submitted to the Executive Director.

All applicants will complete an application form. Current employees may apply for supplemental pay positions, if any, by submitting a letter outlining their qualifications for the position they are seeking

## 2.6 Initial screening and interview

The Executive Director will screen applications and conduct the initial interview with all applicants. The objectives of the screening and initial interview process are to:

2.6.1 Determine the suitability of the applicant for the specific position

2.6.2 Determine those applicants who are most qualified for the position

2.6.3 Discuss with the applicants any BOCES policies and procedures pertinent to the job and to the employment process.

## 2.7 Background checks

Prior to hiring any applicant, the BOCES shall:

2.7.1 Check with the Colorado Department of Education (CDE) to determine if there is any information on record indicating the applicant has been convicted of a felony or misdemeanor crime involving unlawful sexual behavior or unlawful behavior involving children.

- CDE's records will indicate if the applicant has been convicted of, pled *nolo contendere* to, received a deferred sentence or deferred prosecution, and/or had his/her certificate annulled, suspended or revoked for such crimes.
- CDE will also provide any available information to indicate whether the applicant has been dismissed by or resigned from a BOCES as a result of an allegation of unlawful behavior involving a child, including unlawful sexual behavior which was supported by a preponderance of evidence according to information provided to CDE by a BOCES and confirmed by CDE in accordance with state law. Information of this type, learned from a different source, shall be reported by the BOCES to CDE.

2.7.2 Contact previous employers of the applicant to obtain information or recommendations relevant to the applicant's fitness for employment.

## 2.8 2.9 Selection

2.9.1 The Executive Director shall interview the qualified applicants for vacant positions and make a decision regarding which applicant(s) to recommend for hire.

2.9.3 If the Executive Director is not available during a vacation period and/or at a time when an employment selection must be made, the selection will be made by individuals designated by the Board or the Executive Director.

## 2.10 New or Supplemental Contracts

Only the Executive Director or his/her authorized designee is authorized to recommend new or supplemental pay contracts and/or jobs to current employees or applicants. All such recommendations are not final until approved by the Board.

## 2.11 Child Support Information

In accordance with federal and state law, the BOCES will report the name, address and social security number of every new employee to Child Support Enforcement, 1375 Sherman Street, Denver, Colorado 80203.

This report, due within 20 days of the date of the hire or on the first payroll after 20 days have expired, shall be submitted even if the employee quits or is terminated before the report is due. Upon termination, the employee's last known address and the fact of the termination shall be reported to the applicable court or agency.

Upon receiving a Notice of Wage assignment, the BOCES shall remit the designated payment within 7 days of withholding the income according to instructions contained in the Notice. Child support withholding takes priority over other legal actions against the same wages.

### 3.0 Professional Staff

#### 3.1 Job Descriptions

All instructional, administrative and supervisory positions in the BOCES shall be established initially by the Board. All changes in the titles and/or responsibilities of administrative and supervisory positions shall be approved by the Board.

In each case, the Board shall approve the broad purpose and function of the position in harmony with state laws and regulations and approve a statement of job requirements as recommended by the Executive Director.

The Executive Director shall write job descriptions which must include any essential functions required for specific positions. Job descriptions for all personnel are filed in the BOCES job description manual, available in the personnel office.

#### 3.3 Professional Staff Probation and Tenure

Any teacher transferred from employment in a member district to employment by the BOCES shall retain the employment status he/she had attained prior to transfer to the BOCES, including credit for years of service as a probationary teacher, in the school district from which he/she transferred.

Legal refs	CRS	22-9-103(1.5)
	CRS	22-32-109(1)(f), 109.7, 110.3
	CRS	22-63-103, 203(2)(a)(II)
	CRS	22-32-110(1)(h)
	CRS	22-5-117

## 4.0 Pay

### 4.1 Salary Schedules

The salary schedules shall be adopted annually by the member district boards. The schedule adopted by each member district shall determine the BOCES salary paid to BOCES licensed personnel assigned to the particular district. Each teacher or other service provider hired by the BOCES shall be placed on the salary schedule equivalent to that adopted by the district of service, and using that district's criteria for selection of the specific cell. Any additional salary shall depend upon an extension of the staff member's contract dates. The schedule adopted by the member district shall remain in effect until changed or modified by the member district.

### 4.2 Performance Pay

If the member district to which the BOCES employee is assigned has a performance pay plan, the BOCES employee will participate in such plan to the extent applicable.

## 5.0 Professional Staff Benefits

### 5.1 Policy

Benefits in addition to basic salary are recognized by the Board as an integral part of the total compensation plan for staff members. The benefits extended to licensed and professional staff shall be designed to promote their present and future economic security and provide incentive for professional development that will be of benefit to the member districts.

Benefits shall be the equivalent of those provided by the district to which the staff member is assigned.

### 5.2 Workmen's Compensation

All employees are covered under the Workmen's Compensation Insurance Plan and will be entitled to all the prescribed benefits.

Legal Refs	CRS	22-5-108(1)(a)
	CRS	22-32-110(1)(j)
	CRS	24-51-205(2)
	CRS	8-40 through 52



## 6.0 Professional Staff Leave

### 6.1 Policy

Leaves and absences designed to help members of the certificated staff maintain their physical health, take care of family and other personal emergencies, improve professionally, and discharge important and necessary obligations shall be granted in accordance with the leave policies of the staff member's district of service.

### 6.2 Professional Staff Vacations and Holidays

All fulltime, licensed and professional personnel (those working at least 231 days per contract year) shall be entitled to annual vacation leave of 20 working days per year.

Vacation days accumulated during a contract year must be used before August 31 of that year except that, with the specific approval of the director, vacation days may be held over to the following year, up to a maximum of two years' vacation leave.

Legal Ref      CRS    22-1-112

## 7.0 Substitute Staff

### 7.1 Application

Persons wishing to serve as substitute teachers for BOCES staff assigned to one or both of the member districts shall be required to file an application in the Executive Director's office. A copy of this application shall be forwarded to the building levels in each district. Substitute teachers shall also register their licenses at the time the application is submitted.

### 7.2 Substitute List

The Executive Director shall maintain an authorized list of personnel to be used for substitute or part-time employment. Prior to adding a person's name to the list, a background check shall be carried out in accordance with state law.

The Board authorizes the Executive Director to notify and direct persons on the list to perform such service for the BOCES as may be required on a temporary basis. The Board shall approve such action at the next regular meeting.

### 7.3 Shortage of Substitute Teachers

The Board annually shall determine the BOCES needs for substitute teachers and the availability of substitute teachers who meet the licensure requirements of state law. If it is determined that shortage of qualified substitute teachers exists, the Board shall attest that an emergency exists due to a demonstrated shortage of licensed or authorized substitute teachers in the BOCES. If these conditions exist, qualified applicants shall be encouraged to apply for emergency substitute authorization in accordance with state regulations.

All persons hired as emergency substitute teachers shall be fingerprinted in accordance with the requirements of state law.

### 7.4 Substitute Pay

Substitutes will be paid in accordance with the substitute pay policies and procedures of the member district to which the substitute is assigned. The Executive Director or designee will be responsible to obtain and review the applicable policies and procedures for purposes of setting the appropriate substitute pay rate.

## 8.0 Professional Development

### 8.1 Policy

The Board believes that student achievement must drive all professional staff development efforts and that professional development is an indispensable part of overall school improvement. To support these beliefs, the Board is committed to allocating adequate resources, including people, time and facilities, to professional development that is effective.

The professional development program shall be designed to support achievement of the BOCES educational objectives, including that all students meet or exceed state and BOCES content standards.

The Board shall provide professional growth opportunities through such means as the following:

8.1.1 Two annual planned in-service programs and other workshops offered within the BOCES from time to time. Staff members shall be given the opportunity to help plan such programs.

8.1.2. Released time for visits to other classrooms and schools and for attendance at conferences, workshops and other professional meetings.

8.2.3 Salary credit for additional educational training in accordance with the participating districts' salary schedule.

### 8.2 Duties of the Executive Director

The Executive Director shall have authority to approve released time for conferences and visitations and reimbursements for expenses, provided such activities are within budget allocations for the purpose.

The Executive Director shall evaluate the effectiveness of the professional development program on an on-going basis and modify the program accordingly.

### 8.3 Participation

Participation in the professional development program is required of teachers and administrators.

The Board may require individual staff development plans for its employees.

Legal Refs      CRS    22-7-407(2)(e)  
                      CRS    22-32-109(1)(n),(z)  
                      CRS    22-5-108(1)(a)  
                      CRS    22-32-110(1)(k)  
                                  1 CCR 301-8, Rules 2220-R-2.03

## 9.0 Assignments and Transfers

### 9.1 Policy

The assignment of instructional staff members and their transfer to positions in the various schools and members of the BOCES shall be recommended by the Executive Director and approved by the Board. The following criteria shall serve as guidelines:

9.1.1 Contribution which staff member could make to student achievement in a new position.

9.1.2 Qualifications of staff member, including level of endorsement, compared to those of outside candidates, both for the position to be vacated and for position to be filled.

9.1.3 Recommendation and/or approval of the principal(s) involved.

9.1.4 Opportunity for the staff member's professional growth.

9.1.5 Wishes of staff member regarding assignment or transfer.

### 9.3 Transfers

Transfers from one building to another or one grade level to another may be made in order to fit personnel into their proper level. This may be done upon the advice of the building principal and with the agreement of the principal to whom the transfer will be made or upon the recommendation of the Executive Director.

The assignment of a BOCES teacher or other employee to a specific district or building will not imply permanent assignment to that district or building.

Legal Refs    CRS    22-32-126(3)  
                  CRS    22-63-206

## 10.0 Evaluation of Professional Staff

### 10.1 Policy

Evaluation should be a continuous, constructive and cooperative experience between the evaluatee and evaluator. One of the goals of the BOCES is to develop ways to assist staff members in improving their professional performance throughout their careers and to compliment and encourage areas that are excellent.

The evaluation process is tailored to the individual and eliminates comparison of one person's performances with that of another. The individual evaluated has the opportunity to use initiative and leadership in defining his goals and selecting the means for their achievement. While it is hoped that staff members will improve in all phases of their work, attention is focused upon specific long and short-term goals.

Participation shall be mandatory for all certifies personnel, K-12.

### 10.2 Evaluation Requirements

The Executive Director of the BOCES shall be responsible for the over all evaluation process. Building principals in the member districts shall be an important part of the evaluation and shall be asked for their input prior to completion of each evaluation.

All evaluations shall be in writing and retained in the local personnel file for each employee for a period of not less than three years from the date of each evaluation.

Each recipient of an evaluation must acknowledge receipt of such evaluation by his signature. Each person evaluated shall have two weeks to respond to the evaluation in writing to the Executive Director.

Evaluations shall be available only to the evaluated employee, the Board, the administrative staff, the board and administrative staff of any in district school to which the employee applies for employment, and other persons specified by the employee in writing to the Board.

### 10.3 Evaluation of Special Education Personnel

The BOCES staff involved in teacher evaluation will convene early in the school year to discuss evaluation procedures. This will include and explanation of the purpose and of the evaluator's function.

#### 10.3.1 Frequency of Observations

- For the purpose of evaluation, first, second and third year teachers shall be evaluated at least twice during the school year.
- After the third year of employment, every employee shall be observed at least once each year.

#### 10.3.2 Evaluation Process

- Prior to each evaluation, a minimum of two observation periods (one short-term and one long-term) will be conducted.
- A short written report will provide feedback following each observation.
- An opportunity for self-evaluation will be afforded each evaluatee. During the observation, the BOCES evaluation form will be used to evaluate the staff member's performance.
- An evaluation conference will be held at least once each year in which an evaluation is due. The building principal in the district to which the teacher is assigned, will be included in this conference if his/her presence is deemed necessary by either the evaluator or the evaluatee.
- The written evaluation will be signed by the evaluator and evaluatee and then filed in the personnel file with a copy given to the staff member.
- Time schedules for evaluations shall meet the current requirements indicated by state law and Colorado Department of Education regulations.

A staff member's signature on the evaluation form will indicate that the contents of the evaluation have been shared but will not signify agreement with the observations or conclusions. Staff members will have an opportunity to respond to the evaluation in writing.

- Nothing in this section shall be deemed or construed to be a prerequisite to or a limitation on the discretion of the Executive Director or the Board in exercising their authority to take personnel actions, including but not limited to termination, transfer, contract non-renewal, etc.
- No evaluation shall be invalidated because of informality of the process, non-material deviations from policy or similar matters.

## 11.0 Retirement of Professional Staff Members

### 11.1 Policy

Employment decisions of the Board are based on assessment of an individual employee's ability to perform competently in the position assigned. Therefore, no employee shall be forced to retire solely because he has reached a particular age.

Employees are encouraged to make their own retirement decisions and to give written notice to the Board once a retirement date has been established.

Legal Refs    29 USC 621  
                  CRS    24-51-501 through 505  
                  CRS    24-34-402

## 12.0 Suspension and Dismissal of Professional Staff Members

12.1 Every staff employee shall be an at-will employee unless such employee has entered into a written contract with the BOCES specifying a particular contractual term of employment.

12.2 A staff employee may be suspended by the Executive Director or by another Administrator having supervision over or responsibility for the support staff employee when such Administrator deems it to be in the best interest of the BOCES or the employee to impose such a suspension.

12.3 An at-will employee may be suspended with or without pay at the discretion of the BOCES Executive Director. However, if reinstated, the employee shall be entitled to receive any pay which has been withheld unless otherwise ordered by the Board.



12.4 An at-will employee may be terminated by the Executive Director upon twenty-four (24) hours written notice. Such termination may be for cause or without cause as the Executive Director deems appropriate. The employee shall not be entitled to pay for such twenty-four hour period if the employee has been suspended without pay pursuant to subsection 12.3. Any such termination may be subject to review and further action by the Board at its discretion. The Executive Director or the Board may, but are not required to, provide the employee with an informal audience regarding such termination.

12.5 In the event an employee has entered into a written contract with the BOCES, specifying a particular contractual term of employment, the BOCES may terminate such contract at any time for good cause and subject to basic due process. This subsection 12.5 is not applicable to any renewal or election not to renew a contract following the expiration of its term.

12.6 Nothing in this policy nor any employment contract shall be deemed or construed to ensure or suggest continued or renewed employment absent affirmative action of the Board to such effect.

12.7 In the event an employee has entered into a written contract with the BOCES specifying a particular contractual term of employment, the BOCES may cancel such contract at any time there is a need for reduction in force, subject to the procedures set out in subsections 12.8 through 12.12.

12.8 Subsections 12.8 through 12.12 shall apply only to the cancellation of an employment contract for a specified term where such contract must be canceled prior to its expiration. This subsection does not apply to termination of at-will employees, nonrenewal of employment, dismissal for cause, or any other personnel action.

12.9 Cancellation of an employment contract hereunder may be accomplished when necessitated by a "fiscal exigency" or a "program change."

12.10 No employment contract shall be canceled hereunder without a prior hearing before either the Executive Director or the Board, or the designee of either. Final authority to cancel a contract shall rest with the Board.

12.11 A "fiscal exigency" means any significant decline in the ability of the BOCES to fund the operations of the BOCES as a result of decline in enrollment in the member districts, restrictions on revenues, increased costs or any other action, event or condition that may cause the BOCES current or projected general fund budgets to be insufficient to adequately to meet all projected needs of the BOCES.

12.12 A "program change" means any elimination, curtailment or reorganization of curriculum, programs, schools, classes or assignments in the member districts, or either of them, or the BOCES itself. A program change may or may not be related to a fiscal exigency.

## 13.0 Support Staff

### 13.1 Recruiting/Hiring

The Board shall establish and budget for classified positions in the BOCES on the basis of need and the financial resources of the BOCES.

The recruitment and selection of candidates for these positions shall be the responsibility of the Executive Director or his/her designee who shall confer with principals and other supervisory personnel in making a selection.

All vacancies shall be made known to the present staff. Anyone qualified for a position may submit an application.

### 13.2 Creation and Abolition of Positions

All classified staff positions shall be established initially by the Board. In each case, the Board shall approve a statement of job requirements as presented by the Executive Director. This shall be in the form of a job description setting forth the qualifications for the job, a detailed list of performance responsibilities and any required physical capabilities.

Only the Board may abolish a position that it has created.

### 13.3 Contracts and Compensation Plans

Salaries or wages of support staff members shall be established annually by the Board.

### 13.4 Leaves and Absences

Leaves and absences shall be granted in accordance with the leave policies of the staff member's district of service. If the staff person is not assigned to a particular district, the leave policy shall be equivalent to that of the Rangely School District.

### 13.5 Professional Development

Classified employees shall be encouraged to take additional classes relevant to their job descriptions. Changes in pay resulting from such classes shall be determined by policy and procedure established by the district to which the employee is assigned.

### 13.6 Termination of Employment

Support staff employees, unless otherwise designated by contract, shall be considered "at will" employees who serve at the pleasure of the BOCES and shall have only those employment rights expressly established by BOCES policy. Support staff members shall be employed for such time as the BOCES is in need or desirous of the services of such employees.

### 13.6.1 Dismissal

The Board delegates to the Executive Director the authority to dismiss classified personnel. All dismissals of classified employees shall be reported to the Board at its next regular meeting.

### 13.6.3 Resignation

Support staff employees are encouraged to give two weeks written notice to the BOCES prior to resigned employment.

### 13.7 Notice to the Colorado Department of Education

If an employee resigns, is terminated for employment, or is non-renewed as a result of an allegation of unlawful behavior involving a child, including unlawful sexual behavior, which is supported by a preponderance of evidence, the Executive Director shall immediately notify the CDE and provide any information requested by the CDE concerning the circumstances of the resignation/termination. The BOCES also shall notify the employee that information concerning the resignation/termination is being forwarded to the CDE unless such notice would conflict with the confidentiality requirements of the Child Protection Act.

If the BOCES learns that a current employee has been convicted of, pled *nolo contendere* to, or received a deferred sentence or prosecution for any felony or misdemeanor crime involving unlawful sexual behavior or unlawful behavior involving children, the Executive Director shall immediately report this information to CDE.

### 13.8 Discipline and Suspension

The Executive Director may suspend employees from their assignments as a disciplinary measure with or without pay.

Legal Refs    CRS    22-5-107, 108(1)(a)  
                  CRS    22-32-109(1)(f), 109.7, 109.8, 110(1)(h), (ee)  
                  CRS    24-51-501  
                  CRS    24-34-402  
                  CRS    22-2-119  
                  42 USC 653(a)  
                  29 USC 621

### 14.0 Background Checks of All Employees

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

All applicants recommended for a position in the BOCES shall submit a set of fingerprints and a notarized form with information about felony or misdemeanor convictions as required by law. (This requirement shall not apply to any student

currently enrolled in the district applying for a job.) Applicants may be conditionally employed prior to receiving the fingerprint results.

The Board shall officially approve all employees upon the Executive Director's recommendation; however, temporary appointments may be made pending Board action.

If, subsequent to beginning employment with the BOCES, the BOCES learns or has good cause to believe that any staff member has been convicted of any felony or misdemeanor other than a misdemeanor traffic offense or infraction, the BOCES shall make inquiries of the Department of Education for purpose of screening the employee.

In addition, the BOCES shall require the employee to submit a complete set of fingerprints taken by a qualified law enforcement agency. Fingerprints must be submitted within 20 days of receipt of written notification. The fingerprints shall be forwarded to the Colorado Bureau of Investigation and the Federal Bureau of Investigation. Disciplinary action, which could include dismissal from employment, may be taken against personnel if the results of fingerprint processing provide relevant information.

Employees shall not be charged fees for processing fingerprints under these circumstances

#### 14.1 Child Support Information

Upon the hiring of any employee, child support information required by federal and state law will be forwarded by the BOCES to the appropriate state agency.

Legal Refs    CRS    14-14-111.5  
                  CRS    22-2-119  
                  CRS    22-32-109(1)(f), 109.7, 109.8  
                  42 USC 653(a)

## 15.0 Staff Conduct

### 15.1 Policy

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

- 15.1.1 Disclose or use confidential information acquired in the course of employment to substantially further personal financial interests.
- 15.1.2 Use school facilities and equipment to communicate or correspond with constituents, family members or business associates on an occasional or regular basis.
- 15.1.3 Accept or receive a benefit as an indirect consequence of transacting school district business.

### 15.2 Financial Duties

In order to avoid any impropriety or appearance of impropriety, no staff member shall:

- 15.2.1. Accept a gift of substantial value or substantial economic benefit tantamount to a gift of substantial value which would tend to improperly influence a reasonable person in the position, or which the staff member knows or should know is primarily for the purpose of a reward for action taken in which the staff member exercised discretionary authority.
  - “Economic benefit tantamount to a gift of substantial value” includes a loan at a rate of interest substantially lower than the prevailing commercial rate and/or compensation received for private services rendered at a rate substantially exceeding the fair market value
- 15.2.2 Engage in a substantial financial transaction for private business purposes with a person who the staff member supervises.
- 15.2.3 Perform any action in which the staff member has discretionary authority which directly and substantially confers an economic benefit on a business or other undertaking in which the staff member has a substantial financial interest or is engaged as a counsel, consultant, representative or agent.

#### 15.2.4 Other Conflicts of Interest

The following ethical principles for BOCES employees are intended to guide the conduct of employees and are not violations as such of the public trust of office or employment.

- Employees shall not “acquire or hold an interest in any business or undertaking which there is reason to believe may be directly and substantially affected to its economic benefit by official action to be taken by an agency over which the employee has substantive authority.”
- Employees shall not “obtain employment in which the employee will take direct advantage, unavailable to others, of matters with which there was direct involvement during the term of employment” for at least six months after termination of employment. These matters include “rules, other than rules of general application, which the employee actively helped to formulate and applications, claims or contested cases in the consideration of which there was active participant.”
- If an employee has a substantial financial interest in a competing firm or undertaking, the employee shall not perform an official act directly and substantially affecting a business or other undertaking to the BOCES’ or any member district’s economic detriment.

### 15.3 Permissible Conduct

It is permissible for an employee to receive:

- 15.3.1 an occasional non-pecuniary gift which is insignificant in value
- 15.3.2 A non-pecuniary award publicly presented by a nonprofit organization in recognition of public service.
- 15.3.3 Payment or reimbursement for actual and necessary expenditures for travel and subsistence for attendance at a convention or other meeting at which he/she is scheduled to participate.
- 15.3.4 Reimbursement for, or acceptance of, an opportunity to participate in a social function or meeting which is not extraordinary when viewed in light of the position.
- 15.3.5 Items of perishable or nonpermanent value including but not limited to meals, lodging, travel expenses or tickets to sporting, recreational, educational or cultural events.
- 15.3.6 Payment for speeches, appearances or publication reported as honorariums.

### 15.4 General Responsibilities

In order to insure the success of ongoing school operations and the instructional program, all employees shall demonstrate the following:

- 15.4.1 Faithfulness and promptness in attendance at work.

15.4.2 Support and enforcement of policies of the BOCES and regulations of the school administration in regard to students.

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

15.4.4 Care and protection of school property.

15.4.5 Concern and attention toward their own and the school system's legal responsibility for the safety and welfare of students including the need to insure that students are supervised at all times.

15.5 A staff member may request an advisory opinion from the Secretary of State concerning issues relating to conduct that is proscribed by state law.

#### 15.6 Child Abuse

All BOCES employees assigned to work in member districts are deemed to be public school employees for purposes of the Colorado Child Abuse Reporting Act. Any such employees who have reasonable cause to know or suspect that any child is subjected to abuse or to conditions that might result in abuse or neglect must immediately upon receiving such information report such fact in accordance with the **CRS §§ 19-1-103; 19-3-304, 307.** Employees are expected to know and understand the child abuse reporting obligations.

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

#### 15.7 Possession of Deadly Weapons

The provisions of the member school district's policy regarding public possession of deadly weapons on school property or in school buildings also shall apply to employees of the BOCES working in that district. BOCES employees not assigned to a member district shall comply with the Rangely School District's policies concerning weapons..

#### 15.8 Unlawful Behavior Involving Children – Current Employees

The Board may make an inquiry with the Department of Education concerning whether any current employee of the BOCES has been convicted of, pled *nolo contendere* to, or received a deferred sentence or prosecution for a felony or misdemeanor crime involving unlawful sexual behavior or unlawful behavior involving children. Disciplinary action, including termination, may be taken if the inquiry discloses information relevant to the employee's fitness for employment.

15.9 Psychotropic Drugs BOCES personnel shall not recommend or require the use of psychotropic drugs for students.

BOCES personnel are encouraged to discuss concerns about a student's behavior with the parent/guardian and such discussions may include a suggestion that the parent/guardian speak with an appropriate health care professional regarding any behavior concerns school personnel may have.

Legal Refs    CRS    18-12-105.5, 214(3)(b)  
                  CRS    19-3-308(5.7)  
                  CRS    22-32-109(1)(ee)  
                  CRS    22-32-109.7, 109.8(6). (10), 109.9, 110(1)(k)  
                  CRS    24-18-104  
                  CRS    24-18-109

moved



## 16.0 Gifts to and Solicitations by Staff

### 16.1 Gifts

- 16.1.1 Teachers and other employees of the BOCES shall not accept gifts from students except as such gifts represent tokens. Even token gift-giving shall be discouraged. The BOCES considers as more welcome and more appropriate the writing of letters by students to staff members to express gratitude and appreciation.
- 16.1.2 Individual employees shall refrain from giving gifts to staff members who exercise any administrative or supervisory jurisdiction over them, either directly or indirectly. Generally, the collection of money for group gifts shall be discouraged except in special circumstances such as bereavement, serious illness or mementos at retirement.
- 16.1.3 All employees of the BOCES are prohibited from accepting gifts of other than nominal value from companies or organizations doing business with the BOCES or member districts. Exceptions to this policy are the acceptance of minor items which are generally distributed by the company or organization through its public relations program.

### 16.2 Solicitations

No organization may solicit funds of staff members within the schools nor may anyone distribute flyers or other materials related to fund drives through the schools without the approval of the Executive Director. Nor shall staff members be made responsible or assume responsibility for the collection of money or distribution of any fund drive literature within the schools without such activity having the Executive Director's approval. Such activities shall be kept to a minimum.

The Executive Director shall seek direction from the Board in instances where prior action has set no guidance as to a particular fund drive.

Legal Ref      CRS 24-18-104

## 17.0 Staff Physical and Mental Health Examination Requirements

### 17.1 Policy

Through its overall safety program and various policies pertaining to BOCES personnel, the Board shall seek to ensure the safety of its employees during working hours and assist them in the maintenance of good health.

In accordance with this policy, the Board, under certain circumstances, may require physical examinations of its employees. The BOCES shall pay for all such physical examinations. Results of such physical examinations shall be maintained in separate medical files and not in the employee's personnel file and may be released only in limited circumstances.

### 17.2 Routine physical examinations

Subsequent to a conditional offer of employment and prior to commencement of work, the BOCES may require an applicant to have a medical examination and to meet any other health requirements that may be imposed by the state. The BOCES may condition an offer of employment on the results of such examination if all entering employees in the applicable job category are subject to such examination. A 30-day grace period may be allowed if approved by personnel services.

All bus drivers, including full-time, regular part-time or temporary part-time drivers shall be required to have a physical examination once every two years to obtain or renew an operator's permit.

### 17.3 Special examinations

The Board recognizes that an individual's medical diagnosis is privileged information between the patient and medical professionals. However, whenever a staff member's medical condition is such that it interferes with the ability to perform required duties or there is an unacceptable risk to the health and safety of others, the BOCES has a responsibility to take necessary steps to evaluate the employee's condition and make appropriate employment decisions.

The Board may request physical examinations and/or mental health examinations of any employee at any time to determine if the employee has a physical and/or mental condition, disease or illness which may interfere with the ability to perform required duties or which may pose an unacceptable risk to the health, safety or welfare of the employee or others. The BOCES shall select the medical professional to conduct such examination.

When the employee cannot perform the essential functions of the job with reasonable accommodation or medical evidence establishes that the employee's condition poses a significant risk to the health, safety or welfare of the employee or others, the BOCES may take action to suspend and/or terminate the employee in accordance with applicable policies and regulations.

#### 17.4 Communicable Diseases

It is improper for any employee who has knowledge or reasonable grounds to suspect infection of a communicable disease to willfully expose or infect another with such a disease or to knowingly perform an act or engage in conduct which exposes or infects another person with such a disease.

An employee with an acute, common communicable disease shall not report to work during the period of time when contagious/infectious. The BOCES reserves the right to require a physician's statement prior to the employee's return to work.

An employee afflicted with a serious, readily-transmissible disease or condition shall be encouraged to report the existence of the condition or illness in case there are precautions that must be taken to protect the health of others.

In addition to the foregoing, BOCES employees assigned to a member district shall comply with the policies and procedures of that district concerning identification and control of communicable diseases. BOCES employees not assigned to a member district shall comply with the policies and procedures of the Rangely School District concerning identification and control of communicable diseases.

#### 17.5

#### 17.6 Leave for Employee Unfit for Duty

When an employee is determined to be unfit for continued duty because he/she is incapable of performing the essential functions of the position or poses a direct threat to the health or safety of him/herself or others, the employee will be entitled to use any accumulated sick leave in accordance with Board policies.

When an employee has exhausted all sick leave options and is deemed unfit to resume duties, employment will be terminated through the employee's resignation, retirement or dismissal in accordance with applicable Board policies.

The BOCES Executive Director will review the case periodically with the infected person and the medical advisors described above.

#### 17.7 Confidentiality

In all instances, BOCES personnel shall respect the individual's right to privacy and treat any medical diagnosis as confidential information. The Executive Director shall initiate procedures to ensure that all medical information will be held in strict confidence. Any BOCES staff member who violates confidentiality shall be subject to appropriate disciplinary measures.

No information will be divulged directly or indirectly to any other individuals or groups. All medical information and written documentation of discussions, telephone conversations, proceedings and meeting will be kept by the school officer in a locked file.

Access to this file will be granted only to those persons who have the written consent of the infected staff member.

To further protect confidentiality, names will not be used in documents except when this is essential. Any document containing the name of any other information that would reveal the identity of the infected person will not be shared with any person, not even for the purposes of work processing or reproduction.

Legal Refs    29 USC 794  
                  42 USC 12101  
                  CRS 22-32-110(1)(k)  
                  CRS 22-63-301  
                  CRS 24-34-401  
                  CRS 25-4-108

## 18.0 Crisis Management

18.1 In order to support the BOCES efforts to prevent and manage crisis, the Board recognizes the importance of staff training. The Executive Director shall provide for a program that, at a minimum, trains staff to:

- 18.1.1 Recognize and effectively address behavior and other indicators from a criteria-based checklist that signal possible violence.
- 18.1.2 Distinguish disruptive acts from criminal ones, and to consistently report the latter to authorities.
- 18.1.3 Determine which law enforcement authority is appropriate and how to contact that authority.
- 18.1.4 Function with awareness of applicable policies and guidelines about student/parking lot searches and use of metal detectors.
- 18.1.5 Involve the help of psychological experts when needed to address behavior.
- 18.1.6 Practice physical security methods for self and others.
- 18.1.7 Help design and then implement crisis preparedness plans.
- 18.1.8 Teach and model nonviolent conflict resolution techniques.
- 18.1.9 Share safety information with parents in order to spread the responsibility for safety and engage parents as partners.
- 18.1.10 Involve psychological specialists as appropriate to manage debriefing and grieving of staff and students after traumatic loss.
- 18.1.11 Foster moral reasoning and self-control in students' behavior and in discipline practices.
- 18.1.12 Create awareness and understanding of different cultures.

Legal Refs    CRS    22-32-110(1)(k)



## 21.0 Sick Leave

BOCES employees shall receive paid sick leave in accordance with the procedures and policies of the member district to which the employee is assigned. BOCES employees not assigned to a member district shall have paid sick leave in accordance with the Rangely School District's policies and procedures.

## 22.0 Federally-Mandated Family Leave

### 22.1 Application

This policy shall apply to all family and medical leaves of absence except to the extent that paid leaves are covered under other Board policies for any part of the 12 weeks of leave to which the employee is entitled. If an employee is entitled to paid leave under another policy, the employee shall take the paid leave first.

### 22.2 Eligibility

To be eligible for leave under this policy, an employee shall have been employed for at least 12 months and shall have worked at least 1250 hours during the 12 month period preceding the commencement of the leave. A full-time classroom teacher shall be deemed to be eligible for family leave. An eligible employee shall be entitled to a combined total of 12 weeks leave per year under particular circumstances that are critical to the life of a family.

### 22.3 When Leave May Be Taken

Leave may be taken upon the birth and for the first-year care of the employee's child; upon the placement of a child with the employee for adoption or foster care; when the employee is needed to care for a child, spouse or parent who has a serious health condition.

Spouses who are both employed by the BOCES shall be entitled to a total of 12 weeks of leave (rather than 12 weeks each) for the birth or adoption of a child or family illness.

Entitlement for child care leave shall end after the child reaches age one or 12 months after adoption or foster placement. Leave to care for a child shall include leave for a step-parent or person in loco parentis..

The BOCES shall maintain coverage under any group health insurance plan for any employee who is granted an approved leave of absence under this policy for the duration of the leave (up to 12 weeks). Such coverage shall be maintained at the same level and under the same conditions as coverage would have been provided if the employee were not on leave. The reserves the right to seek reimbursement for this benefit in the event than an employee elects not to return to work, as allowed by law.

## Federally-Mandated Family Leave – GREEN SHEETS

### 22.4 Notification and Reporting

When the need for leave for the birth or adoption of a child or for planned medical treatment is foreseeable, the employee must provide at least 30 days prior notice unless circumstances dictate otherwise. With respect to foreseeable treatments of an employee's family members, the employee must make a reasonable effort to schedule treatment so as not to disrupt BOCES operations.



In cases of illness, the employee is required to report periodically on their leave status and intention to return to work.

#### 22.5 Intermittent or reduced leave

If medically necessary for a serious health condition of the employee or the employee's spouse, child or parent, leave may be taken on an intermittent or reduced leave schedule subject to certain conditions which pertain to instructional employees.

The BOCES may require the employee to transfer temporarily to an alternative position which better accommodates recurring periods of absence of a part-time schedule provided that the position has equivalent pay and benefits.

When instructional employees seek intermittent leave in connection with a family or personal illness and when such leave would constitute at least 20 percent of the total number of working days in the period during which the leave would extend, the BOCES may require the employee to take leave in a block (not intermittently) for the entire period or to transfer to an available alternative position with the school system, that is equivalent in pay, for which the employee is qualified and which better accommodates the intermittent situation.

#### 22.6 Medical Certification

The BOCES will require medical certification to support a claim for leave for an employee's own serious health condition or to care for a seriously ill child, spouse or parent. The basic certification will be sufficient if it contains the date on which the condition commenced, the duration of the condition and any appropriate medical information.

For an employee's own medical leave, the certification also must include a statement that the employee is unable to perform the functions of the position. For leave to care for a seriously ill child, spouse or parent, the certification must include an estimate of the amount of time the employee is needed to provide care.

In its discretion, the BOCES may require a second medical opinion and periodic recertification at its own expense. If the first and second opinions differ, the BOCES at its own expense may require the binding opinion of a third health care provider approved jointly by the BOCES and employee.

Certification for intermittent leave must indicate the dates on which treatment is expected to be given and the duration of the treatment. For leave to care for a seriously ill child, spouse or parent, the certification must include a statement that the employee's intermittent leave is necessary to care for the family member and the expected duration and schedule of treatment.

For the employee's own intermittent leave, the certification must contain a statement indicating the medical necessity of the intermittent treatment and its expected duration.

A "Request for Family and Medical Leave of Absence Form" must be originated in duplicate by the employee. This form should be completed in detail, signed by the employee, submitted to the immediate supervisor for proper approval, and forwarded to the personnel department. If possible, the form should be submitted 30 days in advance of the effective date of the leave. All medical information provided to the BOCES through this process shall be treated as confidential.

#### 22.7 Reinstatement

Because the end of the semester is a critical time for both teachers and students, the following conditions will apply to requests from teachers or other service providers seeking to return from leave within the last three weeks of the semester:

- 22.7.1 If the employee begins any category of family and medical leave five or more weeks prior to the end of the semester and the leave is for more than three weeks, the BOCES may require the employee seeking to return within the last three weeks to wait until the next semester.
- 22.7.2 If the employee begins any category of family and medical leave except personal sick leave less than five weeks before the end of the semester and the period of leave is greater than two weeks, the BOCES may require the employee seeking to return within the last two weeks to wait until the next semester.
- 22.7.3 If the employee begins any category of family and medical leave except personal sick leave three or fewer weeks before the end of the semester and the period of leave is greater than five working days, the BOCES may require the employee to wait until the next semester.

Employees who have taken leave due to a personal health condition will be required to provide certification by their physician that the employee is able to resume work. In addition, the BOCES reserves the right to consult with a public health official if there is any question about possible transmission of a disease in the school setting.

#### 22.8 Repayment of Benefits

In the event that an employee elects not to return to work upon completion of an approved unpaid leave of absence, the BOCES may recover from the employee the cost of any payments made to maintain the employee's group health insurance coverage unless the failure to return to work was due to a continuation, recurrence or onset of a serious health condition as certified by a physician that entitles the employee to leave or for other reasons beyond the employee's control.

Benefit entitlements based upon length of service will be calculated as of the last paid work day prior to the start of the unpaid leave of absence.

## 22.9 Notice to Employees

The BOCES will post a notice explaining the Family and Medical Leave Act's provisions in locations where they can be readily seen by employees and applicants for employment.

The FMLA Fact Sheet published by the US Department of Labor, wage and hours division, will be incorporated into all employee handbooks or provided directly to employees.

INSERT YELLOW SHEETS GBGF-E

## 23.0 Staff Military Leave

### 23.1 Annual Active Duty

An employee who as a member of a reserve or national guard unit or any other branch of the military organized under state or federal law who is required to take annual active duty during the school year shall be granted military leave with a right of reinstatement in accordance with state and federal law.

The employee shall receive full salary and benefits during such leave up to a maximum of 15 calendar days annually. All remaining leave to fulfill the annual military obligation shall be unpaid leave.

An employee taking leave under this policy shall forward a copy of their military orders to the Executive Director or designee.

### 23.2 Other Military Leave

Military leave of absence without pay shall be granted to any regular, full-time employee who enlists for military duty with any branch of the United States Armed Forces or who is called into active military service in time of war or other emergency declared by the proper authority of the state or United States. The employee shall be considered on a leave of absence during military service.

### 23.3 Reinstatement

Upon completion of military service, the employee shall be reinstated in the same or a similar position of like seniority, status and pay if such is available at the same salary and benefits which he would have received if he had not taken leave, subject to the following conditions:

23.3.1 The position has not been abolished.

23.3.2 The employee is not physically or mentally disabled from performing the duties of the position.

23.3.3 The employee submits an honorable discharge or other form of release indicating that military service was satisfactory.

23.3.4 The employee notifies the BOCES of intent to return to work within the time period set out in law.

23.3.5 Reinstatement would not create an undue hardship for the BOCES

Upon reinstatement, the employee shall have the same rights with respect to vacation, sick leave and other benefits as if he or she actually had been employed during the time of such leave.

## 24.0 Other Leave

## 25.0 Personnel Records and Files

### 25.1 Policy

The Executive Director shall develop and implement a comprehensive and efficient system of personnel records under the following guidelines:

- 25.1.1 A personnel folder for each employee, certificated and classified, shall be accurately maintained in the BOCES administrative office. Personnel records shall include home addresses and telephone numbers, financial information, and other information maintained because of the employer-employee relationship.
- 25.1.2 All personnel records of individual employees shall be considered confidential except for the information listed below. They shall not be open for public inspection. The Executive Director and designees shall take the necessary steps to safeguard against unauthorized use of all confidential material.
- 25.1.3 Employees shall have the right, upon request, to review the contents of their own personnel files, with the exception of references and recommendations provided to the BOCES on a confidential basis by universities, colleges or persons not connected with the BOCES.
- 25.1.4 The following information in personnel records and files shall be available for public inspection:
  - Applications of past or current employees
  - Employment agreements
  - Any amount paid or benefit provided incident tot termination of employment
  - Performance rating except for teacher evaluations as noted below
  - Any compensation including expense allowances and benefits
- 25.1.5 The evaluation report of licensed personnel, with the exception of the Executive Director's evaluation, shall be confidential and available only to the evaluatee, to the administrators who supervise his/her work, and to a hearing officer conducting a dismissal hearing or a court reviewing a dismissal decision. All public records used in preparing evaluation reports will remain open to public inspection.
- 25.1.6 A written evaluation or any other personnel record shall not reflect any good faith actions of any employee which were in compliance with the discipline code of the member district to which the employee is assigned.

25.1.7 Lists of BOCES employee's names and address shall not be released for general public use.

25.1.8 Personnel records shall be available upon request to members of the BOCES Board.

## 25.2 Disclosure of Information to Prospective Employers

### 25.2.1 Teachers

Pursuant to state law, the BOCES shall, upon request, disclose to another BOCES or school district, the reasons for the teacher's separation from employment with the BOCES, any pertinent performance or disciplinary record of the teacher that specifically related to any negligent action of the teacher that was found to endanger the safety and security of a student, and any disciplinary records that relate to behavior by the teacher that was found to have contributed to a student's violation of the member school district's conduct and discipline code.

This information shall only be disclosed to personnel authorized to review the personnel file in the requesting district and the person applying for a position as a teacher.

### 25.2.2 Other employees

With regard to all other former or current BOCES employees, the BOCES shall disclose to a prospective employer information relative to the employee's suitability for reemployment, including his or her work-related skills, abilities and habits. In the case of a former employee, the BOCES shall also disclose the reason for the employee's separation.

### 25.2.3 Immunity provisions

The BOCES, and its employees, agents and representatives authorized by the BOCES to make such disclosures, shall be immune from civil liability for disclosing such information unless the knew or should have reasonably known that the information was false.

### 25.2.4 Copy to Employee

When the BOCES provides written information about a current or former employee to a prospective employer, it shall send a copy of that information to the employee upon request. The BOCES shall also make such written information available to the current or former employee upon request during normal business hours. A fair and reasonable price shall be charged by the BOCES for any copies of the written information requested by the employee, up to the amount authorized for copies in the Colorado Open Records Act.

Legal Refs    CRS    8-2-114(2), (3) and (5)

## 26.0 Employee Complaints/Grievances

### 26.1 Policy

It is the desire of the Board that procedures for settling differences provide for prompt and equitable resolution at the lowest possible administrative level and that each employee be assured an opportunity for orderly presentation and review of complaints without fear of reprisal.

### 26.2 Definition

A “grievance” is defined as an alleged violation of Board policies or administrative regulations of the member district to which the employee is assigned that apply to employees of that district, or an alleged violation of BOCES Board policies or administrative regulations that apply to employees.

### 26.3 Employee grievance procedure

Individual or group grievances of BOCES employees against member district actions shall be resolved in accordance with the grievance policies and procedures of the applicable member district. Grievances against the BOCES shall be resolved as follows:

26.3.1 Step 1. The grievance shall first be presented in writing on forms provided by the BOCES office to the persons having direct administrative or supervisory responsibility over the work of the employee involved in the grievance.

The administrator/supervisor shall render a written decision within 10 working days..

26.3.2 If the grievance is not resolved at Step 1, the employee then may present the grievance to the BOCES Executive Director, who shall conduct a hearing within 10 working days of receipt of the report from step 1 and shall render a decision within 10 working days of the hearing.

26.3.3 If the grievance is not resolved at Step 2, the employee then may request a hearing before the BOCES Board of Directors, which shall be held within 15 working days of receipt of the report of Step 2, or at the next regularly scheduled Board meeting, whichever is later. The decision of the Board shall be final and shall be made in writing within 15 working days of the hearing.

26.3.4 The employee may be assisted by a person of his/her own choosing at any step of the grievance procedure

26.4 Notwithstanding the steps of the grievance procedure described above, an employee may discuss any problem at any time with any supervisor or administrator in the BOCES or in the school district to which the employee is assigned.

#### 26.5 Renewal

Nothing in this policy shall be deemed or construed to imply in any manner the renewal of contracts of employees, the right of employees to receive or retain a particular assignment or position, or the establishment of any personal rights not explicitly established by statute or Board policy.

The matters described in the preceding paragraph shall remain within the sole and continuing discretion of the administration and/or the Board, as appropriate, subject only to the conditions and limitations prescribed by Colorado law.



## 27.0 District Programs

BOCES employees shall be responsible to the principal of the building in which they are working for all matters pertaining to school programs and issues.

All communications regarding decisions which may affect special education students or students believed to be in need of special education shall be directed to the building principal and to the Executive Director of the BOCES.

Section F  
Non-Discrimination

## 1.0 Equal Employment Opportunity

### 1.1 Policy

Respect for the dignity and worth of each individual shall be paramount in the establishment and administration of all BOCES policies. Therefore, it shall be the policy of the BOCES to promote and provide for equal opportunity in recruitment, selection, promotion and dismissal of all personnel.

The BOCES does not discriminate on the basis of race, religion, national origin, marital status, gender, age or disability in any area of employment, including job advertising, pre-employment requirements, recruitment, compensation, fringe benefits, job classification, promotions and termination.

### 1.2 Objectives

In order to promote this policy, the following shall be the objectives of the BOCES:

- 1.2.1. To promote the rights and responsibilities of all individuals as set forth in the state and federal constitutions, pertinent legislation and applicable judicial interpretations;
- 1.2.2. To encourage positive experiences in human values for children and adults who have differing personal and family characteristics or who come from various socio-economic, racial and ethnic groups;
- 1.2.3. To consider carefully, in all decisions made which affect the schools, the potential benefits or adverse consequences that those decisions might have on the human relations aspects of all segments of society;
- 1.2.4. To utilize educational experiences to build each individual's pride in the community in which he lives; and.
- 1.2.5. To initiate a process of reviewing all policies and practices of this BOCES in order to achieve to the greatest extent possible the objectives of this policy.

Legal Refs	20 USC § 1681
	29 USC § 621, 201
	29 USC § 701
	42 USC § 2000d
	42 USC § 2000e
	CRS 24-34-301 through 24-34-308
	CRS 24-34-402
	CRS 22-32-110(1)(k)

## 2.0 Sexual Harassment

### 2.1 Policy

A learning and working environment which is free from sexual harassment shall be maintained. It shall be a violation of policy for any member of the BOCES staff to harass another staff member or member of a member district's staff, or students through conduct or communications of a sexual nature, or to retaliate against anyone who reports sexual harassment or who participates in a harassment investigation. Such person shall be subject to disciplinary action.

### 2.2 Definitions:

2.2.1 Sexual harassment is recognized as a form of sex discrimination and thus a violation of the laws which prohibit sex discrimination. Legitimate non-sexual touching or other non-sexual conduct is not sexual harassment.

2.2.2 Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature may constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or educational development;
- Submission to or rejection of such conduct by an individual is used as the basis for employment or education decisions affecting such individual; and/or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive working or educational environment.

2.2.3 Sexual Harassment as defined above may include but is not limited to:

- Sex-oriented verbal "kidding", abuse or harassment;
- Pressure for sexual activity;
- Repeated remarks to a person with sexual or demeaning implications;
- Unwelcome touching, such as patting, pinching or constant brushing against another's body; and/or
- Suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's grades, employment status or similar personal concerns.

### 2.3 Grievances:

BOCES staff shall utilize the grievance procedure of the school district to which they are assigned to address any claims or issues of sexually harassing conduct by a member of the staff of such school district.

2.3.1 Staff members may file a formal grievance of sexual harassment against a fellow BOCES staff member using the accompanying grievance procedure.

2.3.1. The grievance would be filed with the Executive Director.

2.3.2 All matters involving sexual harassment complaints shall remain confidential to the extent possible.

2.3.3 Filing of a grievance or otherwise reporting sexual harassment shall not reflect upon the individual's status or affect future employment or work assignments.

2.3.4 The BOCES shall investigate any informal or formal report of sexual harassment by employees of the BOCES. Whether or not a formal grievance is filed, the BOCES shall take steps reasonably necessary to end the sexual harassment, prevent sexual harassment from occurring again and to prevent retaliation against anyone who reports sexual harassment or participates in a harassment investigation.

### 2.4 Notice

Notice of this policy shall be circulated to all BOCES employees and to each school district within the BOCES

### 2.5 Sexual Harassment Grievance Procedure

Employees who believe that they have been subject to sexual harassment by a *school district employee* will report the incident to the building administrator or department head, who will follow local district grievance procedures. Employees who believe that they have been subject to sexual harassment by a *BOCES employee* will report the incident to the Executive Director, who will be referred to as the Grievance Officer.

2.6.1 The Grievance Officer will attempt to resolve the problem, if warranted, in an informal manner through the following process:

- The Grievance Officer will speak with the charging party in order to obtain a clear understanding of the basis of the complaint.
- The Grievance Officer will then attempt to meet with the charged party in order to obtain a response to the complaint.

- The Grievance Officer may hold as many meetings with the parties as is necessary to gather facts and obtain statements from witnesses if available.

2.6.2 On the basis of the Grievance Officer's perception of the situation, the Grievance Officer may:

- Attempt to resolve the matter informally through conciliation.
- Notify all parties by certified mail that a formal investigation will take place.

2.6.3 After reviewing the record, the Executive Director may attempt to gather any additional evidence necessary to decide the case and thereafter impose any sanctions deemed appropriate including a recommendation to the Board for disciplinary or other action.

Legal Refs    42 USC 2000e  
                  20 USC 1681  
                  CRS 24-34-401

### 3.0 Nondiscrimination on the Basis of Gender

#### 3.1 Designation of Compliance Officer

The Executive Director of the BOCES shall be designated as the responsible employee to coordinate BOCES compliance with Title IX and its administrative regulations. For purposes of this section, the Executive Director shall be referred to as the Title IX Compliance Officer.

#### 3.2 Duties of Compliance Officer

The Title IX Compliance Officer shall formulate procedures for carrying out the policies in this statement and shall be responsible to continue to oversee educational programs and activities with regard to compliance with Title IX and its administrative regulations.

The Title IX Officer shall, upon adoption of this policy and once each academic year thereafter, notify all students and employees of the BOCES of the name, office, address and telephone number of the designated Compliance Officer. Notification shall be by posting and/or other means sufficient to reasonably advise all employees.

Student grievances against BOCES employees shall follow the procedures of the school district to which the employee is assigned.

#### 3.3 BOCES Grievance Policy Procedure

Any employee shall have a ready means of resolving any claim of discrimination on the basis of gender in the educational programs or activities of the BOCES.

In the event a BOCES employee believes that there has been a violation of Title IX or its administrative regulations, he/she shall mail or deliver to the Compliance Officer a written statement setting out the alleged violations in specific terms, describing the incident or activity involved, the individuals involved and the dates, times and locations involved.

3.3.1 The Compliance Officer shall provide the individual filing the written statement an opportunity to discuss the matter personally, if requested.

3.3.2 The Compliance Officer shall make such additional investigation as is necessary to determine the complete facts involved and shall report to Board at its next regular meeting for its review and action if it deems further action necessary.

3.3.3 If the employee submitting the written statement of an alleged violation is not satisfied with the handling of the matter by the Executive Director, he/she may appear before the Board and present the matter directly to the Board.

#### 3.4 Dissemination of Policy

The Executive Director shall notify employees and applicants for employment that the BOCES does not discriminate on the basis of gender in the educational programs or activities which it operates and that it is required by Title IX and its administrative regulations not to discriminate in such a manner. The notification shall be made in the form and manner required by law or regulation.

3.6 The Title IX compliance officer is:

Donna M. Day  
Executive Director  
Rio Blanco BOCES  
402 Main, Room 109  
Rangely, CO 81648

Phone: 970-675-2064

*DO WE WANT TO INCLUDE THIS INFORMATION HERE? MIGHT BE BETTER TO INDICATE WHO TO CONTACT TO FIND OUT WHO THE COMPLIANCE OFFICER IS – DON'T HAVE TO CHANGE THIS OUT EACH TIME THE OFFICE CHANGES*

Legal References      20 USC § 1681-1682



## 4.0 Non-Discrimination of the Basis of Disability

### 4.1 Grievance Policy

Any student or employee shall have a ready means of resolving any claim of discrimination on the basis of disability in the educational programs or activities in which the BOCES provides service. Claims of students will be handled through the disability grievance policies and procedures of the member district in which the student is enrolled. Claims of BOCES employees relating to alleged disability discrimination by employees of the member districts, will be handled through the disability grievance policies and procedures of the member district to which such employee is assigned. Disability discrimination claims of BOCES employees against the BOCES itself will be handled in accordance with this section.

### 4.2 Designation of Compliance Officer

4.2.1 The Executive Director shall serve as the individual responsible to coordinate BOCES compliance with Section 504 of the Rehabilitation Act and its administrative regulations and with the Americans with Disabilities Act. For purposes of this section, the Executive Director shall be referred to as the Section 504 Compliance Officer.

### 4.3 Duties of Compliance Officer

The Section 504 Compliance Officer shall formulate procedures for carrying out the policies in this statement and shall be responsible for overseeing BOCES educational programs and activities with regard to compliance with Section 504 and its administrative regulations.

The Section 504 Compliance Officer shall, upon adoption of this policy and once each academic year thereafter, notify all employees of the BOCES of the name, office, address and telephone number of the Section 504 Compliance Officer. Notification shall be by posting and/or other means sufficient to reasonably advise all employees.

### 4.4 Grievance Procedure

In the event a BOCES employee believes that there has been a violation of Section 504 or its administrative regulations by the BOCES, he/she shall mail or deliver to the Section 504 Compliance Officer a written statement setting out the alleged violations in specific terms, describing the incident or activity involved, the individuals involved and the dates, times and locations involved.

4.4.1 The Compliance Officer shall provide the individual filing the written statement an opportunity to discuss the matter personally, if requested.

4.4.2 The Compliance Officer shall make such additional investigation as is necessary to determine the complete facts involved and shall report his/her

finding and recommendations regarding resolution of the matter to  
the Board at its next regular meeting for its review and action if it  
deems further action necessary.

4.4.4 If the employee submitting the written statement of an alleged violation is not satisfied with the handling of the matter by the Executive Director, he/she may appear before the Board and present the matter directly to the Board.

#### 4.5 Dissemination of Policy

The Executive Director shall notify employees and applicants for employment that it does not discriminate on the basis of disability in the educational programs or activities which it operates, and that it is required by Section 504, and its administrative regulations and the ADA, not to discriminate in such a manner. The notification shall be made in the form and manner required by law or regulation.

4.6 The Section 504 compliance officer for the BOCES is the following:

Donna M. Day  
402 W. Main, Room 109  
Rangely, CO 81648  
(970) 675-2064

*DO WE NEED THIS HERE? AGAIN, MAY BE MORE EFFICIENT TO INDICATE WHERE INDIVIDUALS CAN FIND OUT WHO THE OFFICER IS. IF WE DO KEEP THIS HERE, WHO IS THE COMPLAINT OFFICER FOR THE BOCES? THAT SHOULD PROBABLY BE INDICATED AS WELL.*

Legal References      29 USC § 701  
                                 42 USC § 1201  
                                 34 CFR 104

Section G  
Drug and Tobacco Free BOCES

## 1.0 Drug-Free Workplace

### 1.1 Policy

The unlawful manufacture, distribution, dispensing, possession or use of alcohol or a controlled substance is prohibited in BOCES offices and in the member districts. Observance of this policy is a condition of employment.

### 1.2 Violations

A violation this policy shall subject the employee to appropriate disciplinary action which may include employee participation in an approved drug or alcohol abuse assistance or rehabilitation program or termination and referral for prosecution.

1.2.1 An employee knowingly in the possession or under the influence of alcohol or any controlled substance shall be immediately suspended by the director if such use or possession is:

- On school grounds or premises, whether or not school is in session and en route to school
- At any school-sponsored or sanctioned activity on or off school property or en route thereto
- On the grounds of the BOCES offices or en route thereto.

## Section H Instruction

## 1.0 Preschool

The BOCES shall provide preschool services for all eligible children with identified disabilities in the member school districts.

### 1.1 Eligibility

To be eligible for preschool a child must have an identified disability as described by Individuals with Disabilities in Education Act and must turn 3 years of age during the current school year. Program placement will be determined by the Individual Education Program (IEP) team and stated in the child's IEP.

Children who meet the criteria for Colorado Preschool Project (CPP) and are 4 years old on or before August 15 of the year of enrollment in Meeker or 4 years old on or before July 1 of the year of enrollment in Rangely may also be enrolled in preschool if there is space available. If there is no space available, the child will be placed on a waiting list and will be admitted on a first come, first service basis.

Community children who reside within the Rangely RE-4 school district service area and do not meet the CPP criteria and do not qualify for special education but are 4 years of age by July 1 and are not eligible for kindergarten will be admitted to the RE-4 preschool program at no cost to the parent. Community children who reside within the Meeker RE-1 school district service area and do not meet the CPP criteria or qualify for special education but are 4 years of age by August 15 and are not eligible for kindergarten will be admitted if there is space available and will be charged a tuition fee of \$6.00 per day.

Except in the case of a student who qualifies for special education, a child must be 4 years old by the cut off date of the district of residence to be eligible for enrollment into preschool. If a child turns 5 years old before the cut off date established by the local boards of education, they will not be eligible for preschool but may enroll in the kindergarten program in their district of residence.

### 1.2 Early or Delayed Admission

The preceding age requirements may be waived under certain circumstances. The following conditions must be met for consideration for early or delayed entry into preschool:

- 1.2.1 Parents/guardians requesting early/delayed entry into preschool should contact the building principal. After such contact is made, the BOCES policy and criteria will be reviewed.
- 1.2.2 The child will then referred to the Executive Director of the BOCES for formal evaluation by examiners qualified in the areas to be assessed. Parents will be provided with a Permission to Assess Form that must be signed and returned to the BOCES office. Time and date(s) for the assessments will then be scheduled.

- 1.2.3 Cost of the evaluations shall be paid by the parents/guardians in the amount of \$150.00. Payment shall be made before assessments are conducted. Any parent who feels that, due to financial constraints, they would be unable to meet the cost of assessments may meet with the Superintendent of the member district where admission is sought or the Executive Director who will determine if they qualify for a waiver of fees.
- 1.2.4 All assessments will be returned to the Executive Director. The Director will remove the child's name from the copies of the reports and assign a number to him/her as an identifier. The originals, with the child's name and number, will be on file in the BOCES office.
- 1.2.5 The copies of the assessment reports and other independent evaluations supplied by the parents/guardians will then be distributed to a review team comprised of the teacher, principal, psychologist, other examiners and parents. The committee will review the reports to determine if the child meets the criteria for early/delayed entry. The committee will recommend whether the child may enter preschool outside of the cut-off date (early or delayed).
- 1.2.6 The committee will review the assessments and recommendations with the parents/guardians. Parents/guardians will be provided with copies of all assessment reports.
- 1.2.7 The recommendation will be presented to the Executive Director for action.
- 1.2.8 If the parents/guardians disagree with the decision of the Executive Director, they may appeal his/her decision to the BOCES Board at its next regularly scheduled meeting. The parent(s) may appear at the meeting with or without counsel.
- 1.2.9 The desire for early or delayed admission must be made known in sufficient time, approximately 30 days prior to the last day of the school year preceding the one for which admission is sought, to allow for the assessments and process to be completed by the end of the school year which precedes the school year being for which early or delayed entry is sought.
- 1.2.10 If at any time during this process it is determined that the child meets the criteria for special education, an IEP meeting will be convened with a recommendation to be made for enrollment in the age appropriate setting as determined by the team and the \$150.00 testing fee will be refunded.

Legal Refs    CRS    22-1-115  
                  CRS    22-32-119

INSERT THE GREEN FORMS HERE IBBA-E AND –E2

## 2.0 Programs for Students with Disabilities

### 2.1 Policy

The BOCES is the administrative unit responsible for special education services in accordance with state regulations, and shall provide and oversee special instructional and/or related services for all handicapped students, from birth to age 21, residing within its member districts. These services shall fall within the guidelines of local, state and federal regulations.

The Executive Director of the BOCES is the director of special education of the administrative unit, and shall have the final determination on placement of students in these programs, in accordance with state regulations.

### 2.2 Remedial Instruction

The agency shall provide remedial reading programs, financed by Chapter I and Chapter II grants, for all qualified students in Rangely School District RE-4. (*JUST RANGELY – IF THIS IS CORRECT, SHOULD THIS BE IN THE BOCES MANUAL OR A DISTRICT MANUAL??*)

### 2.3 Pupil Personnel Services

BOCES staff members using appropriate evaluation techniques shall, upon request, screen children whose parents apply for their early admission to kindergarten or first grade in member district schools. The cost of testing shall be paid for by the parents. The final decision regarding admission shall be made by the board of the district involved.

### 2.4 Child-Find

The BOCES shall locate at least annually all persons ages three through 21 within its service area who may be in need of special educational services. Child-find activities may be conducted solely by the BOCES or in cooperation with other public or private agencies.

### 2.5 Evaluation of BOCES Programs and Services

Special education programs and services of the BOCES shall be evaluated every five years by the special education services unit of the Colorado Department of Education. This shall be kept on file in the BOCES administrative office.

The BOCES shall have a system of evaluation which shall lead to review of its special education programs and the institution of any needed modifications or additions designed to promote program effectiveness.

Legal Refs    20 U.S.C. § 1400 et seq.  
                  CRS    22-20-101  
                  CRS    22-32-110(1)(bb)

Note: For details, see “Rio Blanco BOCES Local Comprehensive Plan for Special Education Services, \_\_\_\_\_” on file in the BOCES administrative office.  
*DOES THE BOCES HAVE AN UPDATED COMP PLAN?*



### 3.0 Evaluation and Placement of Students with Disabilities

#### 3.1 Policy

The BOCES shall provide an appropriate multi-disciplinary evaluation to all persons suspected of having a disability and under the jurisdiction of its member districts. All procedures for assessments shall be in compliance with federal and state regulations and guidelines.

#### 3.2 Identification of Child's Needs

The identification of a child's education needs, the determination that the child has a disability and the identification of characteristics of services required to appropriately meet the child's needs shall be made by the staffing team. Composition of the staffing team shall be in accordance with state regulations. The decision of the staffing team shall be by consensus among the prescribed members.

Prior to the implementation of services, parent/guardian shall be informed of:

- 3.2.1 The determination that the child is handicapped
- 3.2.2 The educational needs as identified by the staffing committee
- 3.2.3 The recommended services and placement and appropriate alternatives
- 3.2.4 Their right to access to all school records that pertain to their child
- 3.2.5 The procedures for regular review
- 3.2.6 Appeal procedures

Prior to the implementation of services, written permission to provide special education services shall be obtained from the parent/guardian.

#### 3.3 Placement

The assignment of specific staff responsibilities to provide the services identified by the staffing team to meet the child's needs shall be the responsibility of the BOCES Executive Director who also serves as the director of special education. He/she shall endeavor to place the child in the least restrictive environment consistent with the child's needs as recommended by the staffing team.

Legal Refs    20 U.S.C. § 1400 et seq.  
                  CRS    22-20-108

4.0 Individual Educational Plans shall be provided for all eligible students in accordance with state and federal law and the BOCES Comprehensive Plan.

*IS IT NECESSARY TO INCLUDE ALL THIS SPECIAL ED STUFF IN BOCES POLICIES? WOULD IT ALSO BE IN A SPECIAL ED MANUAL OR COMP PLAN?*

#### 4.1 Definition

The individual education plan (IEP) is a written document developed in a meeting with a representative of the local school, the teacher, the parents/guardians and when appropriate the student.

The IEP shall contain:

- 4.1.1 A statement of the student's present level of educational performance.
- 4.1.2 A statement of annual goals including short-term instructional objectives.
- 4.1.3 A statement of the specific special education and related services to be provided to the student and the extent to which the student will be able to participate in regular educational programs.
- 4.1.4 The projected dates for initiation of services and the anticipated duration of the services.
- 4.1.5 Appropriate objective criteria and evaluation procedures and schedules for determining, on at least an annual basis, whether the short-term instructional objectives are being achieved.

Since every IEP is based upon the individual needs of each student, no two IEP's will be the same. The goal of the school curriculum is maximum independence, and each student's IEP shall reflect this goal.

#### 4.2 Termination of IEP

No IEP shall be terminated for any student without the following acceptable reasons:

- 4.2.1 The written IEP indicates the need for new and/or different services.
- 4.2.2 A staffing team determines that the educational goals and objectives set for the student have been achieved and the student no longer requires special services.
- 4.2.3 A written request for termination of special services is received from the parent/guardian or a student 18 years of age or over.
- 4.2.4 The legal residence of the student changes to another community outside the legal jurisdiction of the education agency.

Legal Refs 20 U.S.C. § 1400 et seq.  
CRS 22-20-108(4)

## 5.0 Requests for Assistance

### 5.1 Policy

Every request for assistance received by the BOCES shall be processed. Referrals shall be accepted from any public or private source including but are not limited to the following:

- 5.1.1 Student (self-initiated referral)
- 5.1.2 Parents
- 5.1.3 Physicians
- 5.1.4 Teachers
- 5.1.5 Guidance counselors
- 5.1.6 Building principals
- 5.1.7 Psychologists
- 5.1.8 Other school personnel
- 5.1.9 Public health centers
- 5.1.10 Juvenile courts
- 5.1.11 Departments of social services
- 5.1.12 Nursery schools/day care centers
- 5.1.13 Private and parochial schools
- 5.1.14 Clergy
- 5.1.15 Departments of mental health

### 5.2 Documentation of Requests

When a request for an evaluation of a school-age child comes from within the BOCES or its member schools, documentation of all efforts to meet the child's needs within the context of services which are part of the regular education program must be provided. All efforts to modify the regular education program if appropriate to the child must be made. These efforts shall not limit or condition the right to refer a child for evaluation.

When a request for an evaluation of a school-age child comes from outside the BOCES and the child is not currently placed in a BOCES special education program, then intervention strategies employed prior to referral shall be noted. These efforts shall not limit or condition the right to refer a child for evaluation.

## 6.0 Reimbursement for an Independent Educational Evaluation

### 6.1 Policy

The staff of the BOCES periodically conduct educational evaluations of students with suspected or identified needs for special educational services. The BOCES recognizes that parents of special needs students may wish to have an evaluation conducted by persons not employed by the BOCES, which shall be referred to as an Independent Educational Evaluation.

### 6.2 Definition

As used in this policy, the term “parent” shall include a child’s legal parents, legal guardian, or surrogate parent.

### 6.3 Independent Educational Evaluation at Parent’s Expense

Parents of a special needs student may at any time have an Independent Educational Evaluation of the student conducted at the parent’s expense.

If requested by the parents, the BOCES shall consider information and conclusions contained in an Independent Educational Evaluation paid for by the parents, but only if the parents provide to the BOCES the complete Independent Educational Evaluation, or, if the parents wish the BOCES to consider only a portion of the Independent Educational Evaluation, all parts of the Independent Educational Evaluation that the BOCES reasonably determines to be necessary to understand and evaluate those portions of the Independent Educational Evaluation the parents wish the BOCES to consider.

### 6.4 Independent Educational Evaluation at the BOCES’s Expense

The BOCES shall reimburse parents for the cost of an Independent Educational Evaluation in certain circumstances as required by law and subject to the terms and conditions of this policy.

Nothing in this policy is intended to create a right to reimbursement for Independent Educational Evaluation costs if such right does not exist under existing law. This policy shall not be construed to deny reimbursement if reimbursement is otherwise required by state or federal law.

### 6.5 Reimbursement

The BOCES will reimburse Independent Educational Evaluation costs subject to parental compliance with the following:

- 6.5.1 The Independent Educational Evaluation must be requested in response to a BOCES evaluation with which the parent disagrees. The BOCES shall not pay for an independent Educational Evaluation under this policy unless the parent requests the Independent Educational Evaluation based upon disagreement with a BOCES evaluation.

6.5.2. The BOCES shall assume that a parent agrees with the BOCES evaluation if the parent does not contact the BOCES within six (6) months of the date of the BOCES evaluation to express his/her dissatisfaction with the evaluation and/or to request an independent Educational Evaluation, unless the parent demonstrates to the BOCES's satisfaction that unique circumstances prevented the parent from notifying the BOCES within the six (6) month time frame. *I DOUBT IF THIS FLIES. I THINK THE PARENT CAN REQUEST AN IEE FOR ANY EVALUATION THAT IS CURRENT – LESS THAN ONE YEAR OLD.*

6.5.3 The child's parent must contact the BOCES before proceeding with an Independent Educational Evaluation, and obtain the BOCES criteria for such evaluation. The evaluation in each separate functioning area is considered a separate evaluation, and the parent must identify the specific BOCES evaluation with which the parent disagrees.

6.5.4 The parent must select a qualified evaluator located in Colorado and within a 130 mile, one-way road trip from the BOCES's office in Rangely, Colorado, which shall include the cities of Grand Junction and Glenwood Springs. If requested by the parents, the BOCES shall provide to the parents a list of approved evaluators located within these geographic boundaries. The BOCES shall not reimburse the costs of an Independent Educational Evaluation conducted by an evaluator located outside of these boundaries unless the child could not be appropriately evaluated by a qualified evaluator within the designated boundaries.

6.5.5 The parent must select an evaluator to conduct the evaluation of which reimbursement is sought who holds the qualifications and meets all applicable requirements of federal and state law and of the BOCES. The evaluator shall have a reasonable understanding of and competency in evaluating the special education needs of students, and shall complete the evaluation within a reasonable time period. The BOCES shall not reimburse the costs of an Independent Educational Evaluation conducted by an evaluator who fails or refuses to provide assurances of compliance with the BOCES' evaluation criteria. *IF WE'RE GOING TO INCLUDE ALL THIS IN THE POLICIES, THEN WE PROBABLY SHOULD INCLUDE A LIST OF SPECIFIC CRITERIA.*

6.5.6 The parent shall receive reimbursement for Independent Educational Evaluation costs and necessary expense (e.g. travel) up to the "maximum allowable cost" identified for the specific evaluation. The maximum allowable cost shall equal 125% of the average costs for conducting the evaluation by a representative group of at least three (3) qualified evaluators identified by the BOCES and doing business within the geographical area described in section [redacted] of this policy. Any costs and

expenses exceeding the maximum allowable cost shall be the sole responsibility of the parent, unless the parent demonstrates to the BOCES's satisfaction that unique circumstances required the additional expense.

6.5.7 Following completion of the Individual Educational Evaluation, the parent should submit as soon as is reasonably possible written documentation of Independent Educational Evaluation expenses and a request for reimbursement of Independent Educational Evaluation costs and expenses to the BOCES.

6.5.8 A complete copy of the Independent Educational Evaluation, unedited by the parents or at the parents' request, must be submitted to the BOCES for review. The BOCES must be granted full access to the notes, test results, and other documents, and materials utilized in preparing the Independent Educational Evaluation.

The BOCES reserves the right to refuse reimbursement for the costs of an Independent Educational Evaluation to the extent permitted by this policy or by law.

6.6 INSERT IBBDD-R here

Legal Refs    20 USC 1415  
                  34 CFR 300.502

## 7.0 Graduation

### 7.1 Policy

The BOCES, in recognition of each district's awareness that all students identified as disabled are entitled to the opportunity to graduate from high school with a regular diploma, shall insure that such opportunity is not denied. In addition, the BOCES shall insure that participation in graduation exercises and related activities will be on a nondiscriminatory basis.

### 7.2 Graduation Requirements

In the BOCES, all incoming freshman who have been identified as in need of special education services shall work with the district guidance counselor, resource room teachers and district administrators to design an education program that will outline the steps leading to graduation. The outline shall include any appropriate pre-vocational and vocational training and experiences designed to meet the student's needs. This plan shall be reviewed as part of the IEP and revised as necessary.

Frequently no changes to the district's graduation requirements will need to be made for a student receiving special education services. If alternate graduation requirements are necessary, they should be reflected in the student's IEP and be consistent with the district's graduation policies.

Students enrolled in a special education program shall receive the same recognition and diploma upon graduation as their non-disabled peers.

Special education students who attend school on a regular basis but do not meet the requirements for a diploma through normal graduation requirements or the completion of their IEP shall be granted a certificate of attendance.

Legal Refs    CRS    22-5-108(1)(e)

## 8.0 Exemptions from Specific Curricula

*THIS KIND OF LANGUAGE MIGHT BE ENOUGH, RATHER THAN THE MORE DETAILED MATERIAL ABOVE*

## 9.0 Special Education Programs

### 9.1 Policy

In keeping with the intention of the State of Colorado to offer educational opportunities to all students which will enable them to lead fulfilling and productive lives, the BOCES shall provide appropriate educational opportunities to all resident students in accordance with the requirements of state and federal law.

All children and youth with a disabling condition between the ages of three and 21 who have not received a high school diploma, received a GED or otherwise completed high school have the right to a free, appropriate education.

All children and youth with disabling conditions between the ages of three and 21 shall be provided individualized educational programs appropriate to meet their educational, instructional, transitional and related services needs. To enable a parent to make informed decisions, all of the educational options available to the child through the BOCES at the time of the individualized education program (IEP) shall be explained to the parent.

A child shall become eligible for services on his/her third birthday. A youth reaching the age of 21 after the beginning on an academic year shall have the right to complete that year or attend until graduation, whichever comes first.

Any IEP developed for a student with disabilities shall specify whether the student shall achieve the district's adopted content standards or whether the student shall achieve individualized standards which would indicate the student has met the requirements of his/her IEP.

The BOCES also shall take steps to make the general public aware that all children and youth from birth through age 21 suspected of having a disabling condition have a right to a formal determination as to whether they have such a condition.

The Board shall have the final determination on placement of students these programs.

Legal Refs    20 USC 1401  
                  29 USC 701  
                  CRS 22-20-101 through 114  
                  CRS 22-32-110 (1)(bb)

GREEN SHEET



10.0 Parent Involvement in Education  
(Title 1) *IS THIS APPLICABLE TO THE BOCES?*

10.1 Purpose

In an attempt to ensure that parents/guardians of Title 1 students more fully participate in their child's educational program, the following parental involvement strategies will be promoted in the Title 1 program:

- 10.1.1 The BOCES will provide timely information concerning the Title 1 program including program plans and evaluations.
- 10.1.2 The BOCES will notify each student's parents/guardians in a timely fashion that the student has been selected and why the student has been selected to participate in Title 1.
- 10.1.3 The BOCES will conduct conferences between individual parent/guardian and the Title 1 teacher
- 10.1.4 The parents/guardians of each student selected for Title 1 services will be informed of the specific instructional objectives of their child.
- 10.1.5 The BOCES will report to the parents/guardians of each student enrolled in the Title 1 program on the progress of their child.
- 10.1.6 Education personnel in the Title 1 program will be readily accessible to parents/guardians.
- 10.1.7 The BOCES will provide opportunities for training parents/guardians whose children are enrolled in the Title 1 program for the purpose of promoting the education of these students at home as well as at school.
- 10.1.8 The BOCES will solicit parents/guardians' suggestions in the planning, development and operation of the program.
- 10.1.9 The BOCES will consult with parents/guardians about how the school can work with them to achieve the program's objective.
- 10.1.10 The BOCES will provide timely responses to parents/guardians' suggestions.
- 10.1.11 The BOCES will sponsor an annual meeting of parents/guardians of Title students and Title 1 staff.

## 11.0 Supplementary Services *IS THIS APPLICABLE TO THE BOCES?*

### 11.1 Failing to Made Adequate Yearly Progress (AYP)

In order to supplement the learning opportunities for low-income students in district Title I schools and to comply with federal law (NCLB), if a Title I school does not make AYP for three consecutive academic years, its low-income students shall be eligible to receive approved supplemental educational services at district expense. If the school continues to fail to make AYP, these students shall continue to be eligible for supplemental services. The district shall not provide supplemental services to students if their original school is no longer identified for school improvement, corrective action, or restructuring.

### 11.2 Definitions

Supplemental educational services are defined as tutoring and other supplemental academic enrichment services that are in addition to the instruction provided during the regular school day.

### 11.3 Provision of Services

The services shall be of high quality designed to increase student achievement on state assessments. If funds are insufficient to pay for services for all eligible students, the district shall give priority to the lowest achieving students. Similarly, if the number of spaces at approved supplemental service providers is too few, given the number of eligible students, the district shall institute fair and equitable procedures for serving students. The district shall take steps to assure that the needs of disabled students and IEP students are met in the provision of supplemental services.

The school district shall select supplemental service providers from a list of state approved providers.

### 11.4 Notice

Families of eligible student shall be notified annually that supplemental services are available. The notification shall include the identity and qualifications of providers and describe the services each provides and inform families that staff is available to help them select an appropriate service provider for their child. Parents may select the provider for their children from the approved list.

The identity of student receiving supplemental services is to be held in confidence and not disclosed without parental consent.

## 13.0 Flag Displays

### 13.1 Policy

BOCES employees shall comply with the classroom flag display policies of the district to which they are assigned.

Legal Refs    CRS    22-32-109(1)(s)  
                              27-2-108(2)(c), (3) and (4)  
                              27-2-108.5  
                              4 USC 7

## 14.0 Extended School Year

### 14.1 Policy

Pursuant to state and federal regulations, students identified as being disabled shall be eligible to receive educational services in excess of the number of days of educational services available to non-disabled students if necessary in order to receive a free, appropriate, public education. The purpose of extended school year services shall be to prevent serious regression of previously learned skills, not to learn or to enhance new skills.

All students with disabilities shall be considered for extended school year services. However, the determination of which students shall receive such services shall be made by the local IEP team.

Section I  
Students

## 1.0 Entrance Age

### 1.1 Eligibility

The BOCES shall provide preschool services for all eligible children with identified disabilities in the Rangely RE-4 and Meeker RE-1 school districts.

To be eligible for preschool a child must have an identified disability as described by IDEA and must turn three years of age during the current school year. Program placement will be determined by the IEP team and stated in the child's IEP.

Children who meet the criteria for Colorado Preschool Project (CPP) and are 4 years old on or before August 15 of the year of enrollment in Meeker or 4 years old on or before July 1 of the year of enrollment in Rangely may also be enrolled in preschool if there is space available. If there is no space available, the child will be placed on a waiting list and will be admitted on a first come, first service basis.

Community children who reside within the Rangely RE-4 school district service area and do not meet the CPP criteria and do not qualify for special education but are 4 years of age by July 1 and are not eligible for kindergarten will be admitted to the RE-4 school district service area and do not meet the CPP criteria and do not qualify for special education but are 4 years of age by July 1 and are not eligible for kindergarten will be admitted to the RE-4 preschool program at no cost to the parent. Community children who reside within the Meeker RE-1 school district service area and do not meet the CPP criteria or qualify for special education but are 4 years of age by August 15 and are not eligible for kindergarten will be admitted if there is space available and will be charged a tuition fee of \$6.00 per day.

### 1.2 Early or Delay Entry

Except in the case of a student who qualifies for special education, a child must be 4 years old by the cut off date of the district of residence to be eligible for enrollment into preschool. If a child turns 5 years old before the cut off date established by the local boards of education, they will not be eligible for preschool but may enroll in the kindergarten program in their district of residence. The age requirements may be waived under certain circumstances. The following procedures and conditions must be met for consideration for early or delayed entry into preschool:

- 1.2.1 Parents/guardians requesting early/delayed entry into preschool should contact the building principal. The BOCES policy and criteria will be reviewed.
- 1.2.2 The child will then be referred to the Executive Director of the BOCES for formal evaluation by examiners qualified in the areas to be assessed. Parents/guardians will be provided with a Permission to Assess Form that must be signed and returned to the BOCES office. Time and date(s) for the assessments will then be scheduled.

- 1.2.3 Cost of the evaluations shall be paid by the parents/guardians in the amount of \$150.00. Payment shall be made before assessments are conducted. Any parent/guardian who feels that, due to financial constraints, they would be unable to meet the cost of assessments may meet with the Executive Director who will determine if they qualify for a waiver of fees.
- 1.2.4 All assessments will be returned to the Executive Director. He/she will remove the child's name from the copies of the reports and assign a number to assessments as an identifier. The originals, with the child's name and number, will be on file in the BOCES office.
- 1.2.5 The copies of the assessment reports and other independent evaluations that may be supplied by the parents/guardians will then be distributed to a review team comprised of the teacher, principal, psychologist, other examiners and parents/guardians. The committee will review reports to determine if the child meets the criteria for early/delayed entry. The committee will recommend whether the child may enter preschool outside of the cut-off date (early or delayed).
- 1.2.6 The committee will review the assessments and recommendation with the parents/guardians. Parents/guardians will be provided with copies of all assessments reports.
- 1.2.7 The recommendation will be presented to the Executive Director for action.
- 1.2.8 If the parents/guardians disagree with the decision of the Executive Director, they may appeal his/her decision to the BOCES Board at its next regularly scheduled meeting. The parents/guardians may appear at the meeting with or without counsel.
- 1.2.9 Parents/guardians' intentions must be made known in sufficient time (approximately 30 days prior to the last day of school) to allow for the assessments and process to be completed by the end of the school year which precedes the school year being requested for early or delayed entry.
- 1.2.10 If at any time during this process it is determined that the child meets the criteria for special education, an IEP meeting will be convened with a recommendation to be made for enrollment in the age appropriate setting as determined by the team, and the \$150 testing fee will be refunded.

Legal Refs    CRS    22-1-115  
                  CRS    22-32-119

INSERT GREEN SHEETS HERE

The State Board of Education has adopted a procedure to resolve complains concerning violations of federal law governing the educational rights of disabled students. Any individual, organization or public agency may file a written complaint with the special education services unit of the Colorado Department of Education.

Disagreements between school districts and parents/guardians involving the identification, evaluation, educational placement or provision of a free appropriate public education should be resolved by the procedures described in the Student Due Process Rights policy.

#### 3.4 Student Suspension/Expulsion

Disabled students 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.

If an administrator of a member district contemplates suspension or expulsion of an "identified special education student," he must notify the Executive Director of the BOCES. Any such suspension must be in keeping with federal and state regulations.

INSERT GREEN SHEET

#### 3.5 Psychological Testing of Students

Psychological tests shall be administered to students only by appropriately certified agency personnel employed for this purpose or by interns under their supervision. Adherence to this policy will insure quality psychological services and will protect the educational rights, dignity and privacy of students and parents.

Psychological evaluations, including examination, testing and treatment, shall be made only after informed and written consent of the student's parents or guardian is obtained, unless the student is of legal age to give his informed and written consent. Psychological data will be only one of several criteria for determining any change in a student's educational program. Psychological data older than three years shall not be used as the basis for prescriptive teaching or placement.

All questions and/or complaints concerning psychological examinations and/or testing shall first be discussed with the building principal. All unresolved matters shall be decided by the superintendent in consultation with the Executive Director.

Legal Refs 20 USC 1232h



## 4.0 Reporting Child Abuse

### 4.1 Policy

It is the policy of the Board that employees of this agency comply with the Child Abuse Reporting Act. To that end, any BOCES official or employee who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect, as defined by statute, shall immediately report or cause a report to be made to the appropriate county department of social services or local law enforcement agency.

- 4.1.1 School employees and other persons who report or facilitate investigation of instances of child abuse shall be immunity from any liability that might otherwise be incurred, except for making maliciously false statements.

### 4.2 Training

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

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

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

Legal Refs    CRS    19-1-103(1)  
                  CRS    19-3-102, 103, 304, 307, 309  
                  CRS    22-32-109(1)(z)

INSERT/INCORPORATE YELLOW SHEETS

## 9.0 Use of Physical Intervention

### 9.1 Health and Safety

Any person employed by the BOCES and who has received proper training in the use of physical intervention may, within the scope of his/her employment, use reasonable and appropriate physical intervention or force, for periods not to exceed five minutes, as necessary for the following purposes:

- 9.1.1 To quell a disturbance threatening physical injury to others
- 9.1.2 To obtain possession of weapons or other dangerous objects upon a student or within the control of a student.
- 9.1.3 For the protection of persons

Any such acts are not in conflict with the legal definition of child abuse or the Protection of Persons from Restraint Act and shall not be construed to constitute corporal punishment within the meaning and intention of this policy.

### 9.2 Method of Restraint

Any method or device used to involuntarily limit a student's freedom of movement, including physical force, mechanical restraint, physical restraint, chemical restraint or seclusion, shall be in compliance with state law on protecting persons from restraint. The Executive Director shall develop procedures and a training program related to the use of restraint consistent with this policy and state law.

### 9.3 Corporal Punishment

Corporal punishment shall not be administered to students by BOCES employees.

Legal Refs    CRS    18-1-703  
                  CRS    18-6-401(1)  
                  CRS    19-1-103(1)  
                  CRS    22-32-109.1(2)(a)  
                  CRS    22-32-109.1(9)  
                  CRS    26-20-102

INSERT GREEN SHEETS

## 10.0 Discipline of Students with Disabilities

### 10.1 Policy

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. Student with disabilities who engage in disruptive activities and/or actions dangerous to themselves or others will be disciplined in accordance with their IEP, any behavior intervention plan and this policy.

Nothing in this policy shall prohibit an IEP team from establishing consequences for disruptive or unacceptable behavior as part of the student's IEP. The plan shall be subject to all procedural safeguards established by the IEP process.

### 10.2 Suspension

Students with disabilities may be suspended for up to 10 days in any given school year for violations of the student code of conduct. These 10 days need not be consecutive. During any such suspension, the student shall not receive services.

*AGAIN, IS THIS PART OF BOCES POLICY, OR IS IT PART OF THE COMP PLAN OR SPECIAL ED MANUAL?*

### 10.3 Behavior as a Manifestation of a Disability

When a disciplinary change in placement is being considered related to a disabled student's behavior, the IEP team and other qualified BOCES personnel shall review the relationship between the student's disability and the behavior. Such a review must take place immediately, if possible, but no later than 10 school days from the date of the decision to take disciplinary action.

The team will determine whether the student's behavior was caused by the disability or bore a direct and substantial relationship to the disability, in accordance with IDEA and its implementing regulations.

#### 10.3.1 Behavior that is Not a Manifestation

Once the team determines that the behavior was not a manifestation of the disability, disciplinary procedures shall be applied to the student in the same manner as applied to non-disabled students.

During any period of suspension or change of placement beyond 10 days in any given school year, services shall be provided to the extent necessary to enable the student to continue to appropriately progress in the general curriculum and appropriately advance toward the goals of the IEP.

#### 10.3.2 Behavior that is a Manifestation

A student with disabilities whose behavior is determined to be a manifestation of his or her disability may not be expelled but will be disciplined in accordance with his or her IEP, any behavioral intervention plan and this policy.

*IF WE WANT ALL THIS SPECIAL ED STUFF IN HERE, IT HAS TO BE MODERNIZED.*

#### 10.4 Alternative Setting

Disabled students carrying weapons to school or possessing, selling, or soliciting drugs may be removed to an alternative setting for the same amount of time as would be applied to a non-disabled student, but not more than 45 school days in any given school year, beyond any 10 day suspension already given in that year.

A hearing officer may order removal to an alternative setting for 45 days, beyond any 10 day suspension already given in that year, when the BOCES demonstrates by substantial evidence that maintaining the student's current placement is substantially likely to result in injury to the student or others.

Either before or within 10 days after any change in placement or suspension (beyond any 10 day suspension already given in that year) related to a disciplinary problem, the IEP team must meet to determine an appropriate alternative setting, to develop a behavioral assessment plan or to review and modify an existing intervention plan, and review and modify the IEP where necessary.

During any period of suspension or change of placement beyond 10 days in any given school year, services shall be provided to the extent necessary to enable the student to continue to appropriately progress in the general curriculum and appropriately advance toward the goals of the IEP.

#### 10.5 Expedited Hearings

An expedited hearing is available when:

- 10.5.1 the parent/guardian disagrees with the IEP team's determination regarding manifestation or with any decision regarding placement;
- 10.5.2 the parent/guardian disagrees with the proposed new placement following an interim alternative placement; and/or
- 10.5.3 the BOCES believes it is dangerous for the student to be returned to the previous placement.

During any challenge to placement, the student will stay in the alternative placement.

#### 10.6 Students Not Identified as Disabled

Students who have not been identified as disabled may be subjected to the same disciplinary measures applied to children without disabilities if the district/BOCES did not have “knowledge” of the disability.

10.6.1 The district/BOCES has knowledge of the disability when:

- the parent/guardian has expressed concern in writing that the student needs special education
- the student’s behavior or performance has demonstrated such a need
- the parent/guardian has requested an evaluation
- the student’s teacher or other district/BOCES personnel have expressed concern about the student’s behavior or performance to the director of special education or other district personnel

If a request for evaluation is made during the period the student is subjected to disciplinary measures, the evaluation will be expedited.

Legal Refs    CRS    22-33-106(1)(c)  
                  CRS    22-20-101  
                  20 USC 1401

## 11.0 13.0 Medicaid Reimbursement

### 13.1 Students Enrolled in Medicaid

In all cases in which a student is enrolled in the Colorado Medicaid program, the BOCES shall seek reimbursement for health-related services rendered by qualified BOCES staff. BOCES staff shall make a reasonable effort to coordinate care with the student's health care provider to avoid duplication of services.

As a Medicaid provider, the BOCES shall access Medicaid eligibility information for students from Health Care Policy and Financing ("HCPF"). HCPF is the designated Medicaid agency for the state of Colorado.

### 13.2 Consent

The BOCES shall obtain written consent annually from a parent/guardian before release of any non-directory information required for billing. To accomplish this, the BOCES shall:

13.2.1 Provide the districts with a consent form for the "start of school" information each fall.

13.2.2 Include a consent form with IEP packet materials

13.2.3 Provide the districts with a consent provision on the Medicaid Emergency form.

All ongoing health and related services shall be rendered by qualified BOCES staff pursuant to an individual health services plan signed by a professional qualified to provide the types of services described in the plan. The plan may be an Individual Education Plan (IEP), Individual Family Service Plan (IFSP), Section 504 Accommodation Plan or any individual health services plan.

A dated record of all transactions shall be kept on file at the BOCES office,

INSERT GREEN SHEET

## 15.0 Student Records

### 15.1 Content and custody of records

Student education records may contain, but will not be limited to, the following information: identifying date; academic work completed; level of achievement (grades, standardized achievement test scores); attendance data; scores on standardized intelligence, aptitude and psychological tests; teacher or counselor rating and observations, and reports of serious or recurrent behavior patterns.

Education records do not include records maintained by a law enforcement unit of the school or school district that are created by the unit for the purpose of law enforcement.

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 to appropriate individuals such as counselors, parents/guardians or administrators.

All requests for inspection and review of student education records and requests for copies of such records, as well as disclosure of personally identifiable information except as provided by law, shall be maintained as part of each student's record.

### 15.2 Records Custodian

The Executive Director is the official custodian of BOCES student records.

### 15.3 Access to Records

A parent/guardian and/or any student 18 years old or older, has the right to inspect and review the student's education files. If a student is 18 years old or older ("eligible student"), the parent/guardian may not inspect or review the student records without permission from the student. However, if an eligible student is a dependent for federal income tax purposes, parents/guardians are entitled along with the student to access to student educational records.

The Executive Director will provide personnel necessary to give explanations and interpretations of the student records to parents/guardians and eligible students during inspection and review of student records and when requested by the parent/guardian and/or eligible student.

### 15.4 Written Request

In all cases where access to student records is requested, except as provided in this policy, a written request to see the files must be made by the parent/guardian or eligible student. The Executive Director, upon receipt of the written request, shall provide access to inspect and review the records and set a date and time for such inspection and review. In no case will the date be more than three working days after the request has been made, except as provided by the Colorado Open Records Act or the Family Education Rights and Privacy Act.

### 15.5 Inspection of Records

The parent/guardian or eligible student shall examine the student's records in the presence of the Executive Director and/or other person(s) designated by the Executive Director.

For records of students receiving special education services, only certificated personnel with the knowledge required to interpret special education records may be so designated.

The record itself shall not be taken from the BOCES office. However, upon request, one copy of the record shall be provided within a reasonable time to the parent or eligible student at a cost of no more than \$.25 per page.

*IT'S REDUCED TO 25 CENTS PER PAGE EFFECTIVE 8/8/07*

### 15.6 Requesting Records from Other Districts/Schools

When a student transfers into a school district served by the BOCES from another district, the principal of the receiving school or the Executive Director shall ask the parent/guardian or eligible student to sign a form requesting the other school district to transfer the student's records. This form will be completed by the principal or Executive Director and forwarded to the school of previous attendance.

### 15.7 Information and Records from State Agencies

Within the bounds of state law, BOCES personnel shall seek to obtain such information regarding students as is required to perform their legal duties and responsibilities and shall otherwise maintain the confidentiality of all information obtained.

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

### 15.8 Request to Amend Education Records

A parent/guardian or eligible student may ask the BOCES to amend a record they believe is inaccurate, misleading or otherwise violates the privacy rights of the student by writing to the Executive Director clearly identifying the part of the record they want changed and specifying why it is inaccurate, misleading or otherwise violates the privacy rights of the student. The request to amend must be made in writing within 10 school days of the date of the records were first examined.

If the Executive Director, after consulting with any other person having relevant information, decides not to amend the record as requested by the parent/guardian or eligible student, the Executive Director shall notify the parent/guardian or eligible student of the decision and advise them of their right to a hearing regarding the request for



amendment. Additional information regarding the hearing procedures shall be provided to the parent/guardian or eligible student when notified of the right to a hearing.

#### 15.9 Request for a Hearing

A request for formal hearing must be made in writing and addressed to the Executive Director of the BOCES. The response to the request shall be mailed within 10 school days. The hearing shall be held in accordance with the following.

- 15.9.1 The hearing will be held within 15 school days after receipt of the request. Notice of the date, place and time of the hearing will be forwarded to the parent/guardian or eligible student by certified mail.
- 15.9.2 The hearing will be conducted by the Executive Director.
- 15.9.3 Parents/guardians or eligible students 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.
- 15.9.4 The Executive Director shall make a decision in writing within 10 school days following the conclusion of the hearing and shall notify the parent/guardian or eligible student of that decision by certified mail.
- 15.9.5 The decision of the Executive Director shall be based upon the evidence presented at the hearing and shall include a summary of the evidence and reason for the decision.
- 15.9.6 The decision shall include a statement informing the parent/guardian or eligible student of their right to place in the student records 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 BOCES. If the student record is disclosed by the BOCES to any other party, the explanation shall also be disclosed to that party.

#### 15.10 Disclosure with Written Consent

Whenever the BOCES is required by law or policy to seek written consent prior to disclosing personally identifiable information regarding a student, the notice provided to the parent/guardian or eligible student shall contain the following:

- 15.10.1 The specific records to be released
- 15.10.2 The specific reasons for such release

- 15.10.3 The specific identity of any person, agency or organization requesting such information and the intended uses of the information
- 15.10.4 The method or manner by which the records will be released
- 15.10.5 The right to review or receive a copy of the records to be released.

Parental 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.

All signed consent forms shall be retained by the BOCES.

#### 15.11 Disclosure without written consent

The BOCES will disclose personally identifiable information from student records without written consent of the parent or eligible student only to those persons or entities allowed under federal or state law to receive such information.

The BOCES may disclose group scholastic achievement data from which the individual cannot be identified without written consent of the parent or eligible student.

#### 15.12 Disclosure of Disciplinary Information

In accordance with state law, the Executive Director is required to communicate disciplinary information concerning 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. The purpose of this requirement is to keep school personnel apprised of situations that could pose a risk to the safety and welfare of others.

- 15.12.1 "Disciplinary information" means confidential records maintained by or in possession of the Executive Director on an individual student which indicate the student has committed on overt and willful act which constitutes a violation of the district's code of student conduct and/or there is reasonable cause to believe, through information provided to the director from another credible source, that the student could pose a threat to the health and safety of other students and school personnel based on prior misbehavior.
- 15.12.2 "Disciplinary information" is intended to include only that information of a serious nature that is not otherwise available to teachers and counselors as part of the education records maintained on students or the reports of disciplinary actions. It is appropriate for instructional staff members to request disciplinary information from the Executive Director on students in their classroom if there is concern that the student poses a threat to the safety of other students or school officials.

15.12.3 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. The Executive Director is required to inform the student and the student's parent/guardian when disciplinary information is communicated and to provide a copy of the disciplinary information. The student and/or the student's parent/guardian may challenge the accuracy of disciplinary information through the administrative regulations which accompany this policy.

#### 15.13 Disclosure to Military Recruiting Officers

Names, addresses and home telephone numbers of secondary school students will be released to military recruiting officers within 90 days of the request unless a student submits a written request that such information not be released. Reasonable and customary actual expenses directly incurred by the BOCES in furnishing this information will be paid by the requesting service.

#### 15.14 Disclosure to Medicaid

In all cases in which a student is enrolled in the Colorado Medicaid program, the school districts 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 BOCES shall obtain written consent annually from a parent/guardian before the release of any non-directory information required for Medicaid billing. To accomplish this, the district shall include a consent form with IEP packet materials.

#### 15.15 Disclosure to Criminal Justice Agencies

The Executive Director is authorized by law to share disciplinary and attendance information with a criminal justice agency investigating a criminal matter concerning a student enrolled or who will enroll in the school district when necessary to effectively serve the student prior to trial. 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.

#### 15.16 Disclosure to Other Parties

Except as noted in this policy, student records will not be released to other individuals and parties without a written request and authorization of the parent/guardian or eligible student.

Personal information will only be released to a third party with the assurance it will be kept confidential.

#### 15.17 Disclosure of Directory Information

The BOCES may disclose directory information without written consent of the parent/guardian or eligible student. The parent or eligible student has the right to refuse to permit the designation of any or all the categories of directory information if such

refusal is received in writing in the office of the principal of the school where the student is in attendance no later than September 7 or the following Monday if September 7 is a Saturday or Sunday.

Directory information which may be released may include the student's name, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous education agency or institution attended by the student, and other similar information. Student telephone number and addresses will not be disclosed pursuant to Colorado law.

#### 15.18 Annual Notification

The BOCES will notify parents/guardians and eligible students of their rights pursuant to this policy at the beginning of each academic year. For notice to parent/guardians or eligible students 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.

A copy of the Family Educational rights and Privacy Act and this policy on student records shall be on file in the BOCES office and of each individual who carries out procedures relative to the act or policy.

#### 15.19 Waivers

A parent/guardian or eligible student may waive any or all rights protected by this policy. The waiver shall not be valid unless in writing and signed by the parent/guardian or eligible student. The BOCES does not require a waiver but may request a waiver. Any waiver under this provision may be revoked at any time in writing.

#### INSERT GREEN SHEETS

#### 15.20 Sharing of Student Records

It is the BOCES intention to utilize all avenues under state law to facilitate the sharing of relevant student records and information when necessary to protect the safety and welfare of school district staff, BOCES staff, visitors, students and the public and to protect property.

The Executive Director shall develop procedures and a training program for staff consistent with this policy. The procedures shall direct BOCES personnel to provide and obtain student records and information to/from state agencies, including law enforcement and judicial department agencies, to the extent required or allowed by state and federal law.

#### 15.21 Disciplinary and Attendance Information

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 district when necessary to effectively serve the student prior to adjudication.

Such information shall only be shared upon written certification by the criminal justice agency that the information will not be disclosed to any other party, except as specifically authorized or required by law, without the prior written consent of the student's parent/guardian. 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.

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

#### 15.22 Information Obtained from State Agencies.

Within the bounds of state law, BOCES personnel shall seek to obtain such information regarding students as is required to perform their legal duties and responsibilities, including to protect 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.

BOCES 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. BOCES personnel who knowingly violate this provision are subject to disciplinary action pursuant to district policy and to civil penalty of up to \$1000.

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").

#### 15.23 Record of Unlawful Sexual Behavior

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

Legal Refs 20 USC 1232

34 CFR 99.1  
CRS 19-1-303, 304  
CRS 22-1-122

CRS 22-32-109.1(6)  
CRS 22-32-109.3(2)  
CRS 22-33-107.5  
CRS 24-72-204

Section J  
School-Community Relations

## 1.0 Public Information Program

### 1.1 Communication with the Public

Through the use of the media available in its service are, public education meetings, newsletters, newspaper articles and other public forums, the BOCES shall engage in activities to make the public aware of its programs and to seek unserved students who might qualify for special educational services.



## 2.0 Parent Involvement in Education

### 2.1 Policy

The Board believes that productive interactions between home and school are essential to achieve the educational objectives of the BOCES. To that end, the BOCES is committed to fostering positive relationships with parents/guardians by:

- 2.1.1 Consulting with and encouraging parent/guardians to share in school planning and in the setting of objectives through participating in the building level accountability committee.
- 2.1.2 Helping parents/guardians understand the educational process and their role in promoting it.
- 2.1.3 Informing parents/guardians of school choices within the BOCES, including but not limited to, information on open enrollment, choice programs and charter school options.
- 2.1.4 Providing opportunities for parent/guardians to be informed about their child's progress toward attaining proficiency on state and district content standards. Such information shall be provided through written materials and public meetings. Information shall explain how the student's progress in achieving standards will be measured and how parent/guardians will be informed of such progress. This information shall also be provided to the building level and BOCES accountability committees.
- 2.1.5 Providing appropriate avenues for parents/guardians to find support in their role.
- 2.1.6 Encouraging formal organizations for parents/guardians at each school building as well as at the BOCES level. The organizations shall receive information concerning BOCES and school activities and shall have opportunities for input into BOCES decisions as appropriate.

Legal Refs    CRS    22-7-407(5)

### 3.0 BOCES School District Title I Parent Involvement Policy

*TWO SEPARATE POLICIES HERE – ONE FOR RANGELY ONE FOR MEEKER*

*MIGHT BE BETTER TO HAVE A GENERAL POLICY DIRECTING MEMBER DISTRICTS TO DEVELOP TITLE I POLICIES TOGETHER WITH THEIR PARENTS*

#### 3.1 Policy

Pursuant to federal law, the member districts and parents of students participating in Title I programs shall jointly develop parent involvement policies. These policies shall be implemented by the member school boards according to the timeline set forth in the policies.

#### 3.2 Involvement with Title I Planning

Member districts shall hold an annual meeting for parents of students in Title I programs, as well as school Title I staff, principals of schools receiving Title I funds and other interested persons to discuss how the Title I funds allotted for parent involvement activities shall be used, and invite suggestions for improvement.

#### 3.3 BOCES Support for Parent Involvement

The BOCES shall provide coordination, technical assistance and other support necessary to assist participating districts in building the capacity for strong parent involvement to improve student academic achievement and school performance.

#### 3.4 Coordination of Parent Involvement Activities with Other District Programs

The BOCES shall, to the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with public and private preschool programs, public and private day care providers, infant and toddler programs, after school programs and district preschool and other programs and activities, such that encourage and support parents in more fully participating in the education of their students.

The title I coordinator will work with BOCES and district staff in coordinating all parent programs.

#### 3.5 Student Learning

The BOCES shall coordinate and integrate Title I parental involvement strategies with those of other educational programs in the district and BOCES. The purpose of this coordination shall be to improve the academic quality of the school served, including identifying barriers to greater participation by parents in activities authorized by law, particularly by parents who:

- Are economically disadvantaged
- Have disabilities
- Have limited English proficiency
- Have limited literacy
- Are of any racial or ethnic minority background

### Are parents of migratory children

Identification of barriers to greater parental participation will be determined through analysis of the student enrollment forms in each Title I school, recommendations by Title I and Special Education staff and interviews with parents. This identification process will be on-going throughout the school year.

The BOCES shall provide to parents, as appropriate, information to help them understand the state's academic content and achievement standards, state and local academic assessments, the requirements of Title I, how to monitor students' academic progress and how to work with school staff to improve the achievement of students. The BOCES shall develop written materials and training for staff to help parents work with students to improve student achievement.

### 3.6 School-based Parent Involvement Activities

The BOCES shall encourage parents to become involved in the activities of the school through the application of research-based strategies as developed by the member districts.

### 3.7 Method of Communicating with Parents

All information related to school and parent programs, meetings and other activities shall be sent to parents in a format and, to the extent practicable, in a language the parents can understand.

### 3.8 Annual Evaluation

The member districts shall conduct, with the involvement of parents and the Parent Advisory Council, an annual evaluation of the content and effectiveness of this policy. Effectiveness shall be measured in part by improvements in student academic achievement and in school performance. The evaluation shall specifically address barriers to greater participation by parents in activities authorized by law, particularly by parents who

- 3.8.1 Are economically disadvantaged
- 3.8.2 Have disabilities
- 3.8.3 Have limited English proficiency
- 3.8.4 Have limited literacy
- 3.8.5 Are of any racial or ethnic minority background
- 3.8.6 Are parents of migratory children

The districts shall use the findings of the evaluation to design strategies for more effective parental involvement and to revise, if necessary, this policy.

The districts shall provide such other reasonable support for parental involvement activities as parents may request.

### 3.9 Development of School-level Title I Parent Involvement Policy

Each school receiving Title I funds shall jointly develop with and distribute to parents of students participating in the Title I program (hereafter referred to as “parents”) a written School-level Title I Parent Involvement Policy agreed upon by the parents in accordance with the requirements of federal law.

Students will share the responsibility of improved student academic achievement and the means by which the school and parents will build and develop a partnership to help students. At a minimum, the compact shall include the provisions contained in the Exhibit KB-E-1.,

Legal Refs      CRS    22-7-107  
                      CRS    22-7-407(5)  
                      CRS    22-11-201(4)(b)(I)  
                      CRS    22-30.5-109  
                      1CCR301-1, Rules 2202-R.2.01(4)(j)  
                      20 USC 6301  
                          Title I, Part A, 1118, 1114(b)(1)(F), 1115(c)(1)(g), 1116(a)(1)(D)  
                          Title I, Part F, 1606(a)(7)  
                          Title II, Part A, 9a)(3)(B)(VI)  
                          Title I, Part A, 1112(g)  
                          Title I, Part C, 1304(b)(3)  
                          Title I, Part A, 11174(b)(2)

INSERT SCHOOL/PARENT COMPACT HERE

## 5.0 Relations With Human Service Agencies

### 5.1 Policy

The BOCES shall work closely with appropriate human service agencies to effectively coordinate delivery of special education and related services for each disabled child. All agreements with other public or private agencies shall reflect the requirements and conditions of the state interagency agreements.

## 6.0 Relations with Other Service Agencies, School Districts or Schools

### 6.1 Policy

The Board shall cooperate whenever possible with other boards of cooperative education services, other school districts and local, state, and regional agencies and organizations in matters of common concern.

This cooperation may extend to such areas as joint educational services, research, exchange of data and information, and cooperative use of facilities.

In addition, the director is authorized to purchase services from other boards of cooperative educational services and agencies as needed.