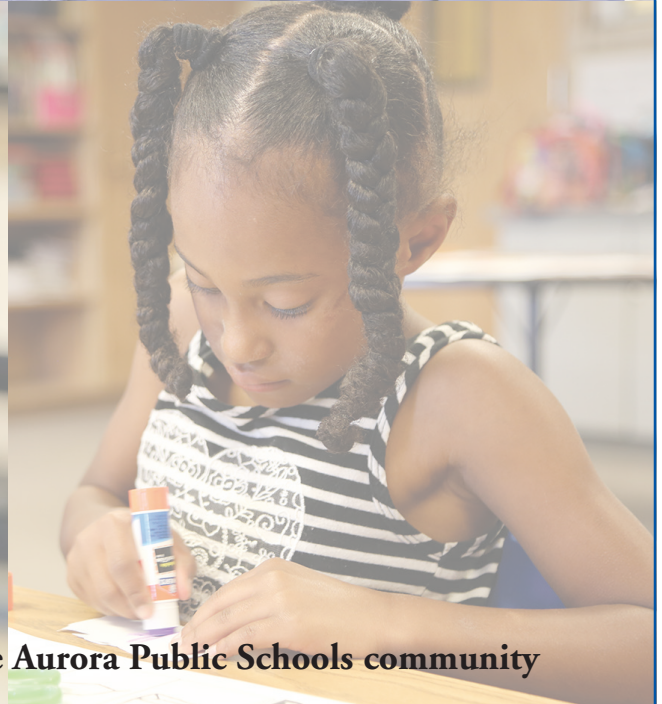




Aurora Public Schools

Safe Schools Policies and Regulations

July 2021



To students and parents of the Aurora Public Schools community

303-344-8060 • aurorak12.org

English

If you do not speak English and need an interpreter to communicate effectively with your school, interpreter services are available to you at no cost. In addition, free translation of some documents is also available. If you have questions about either translation or interpreter services, please contact the Central Language Services Office (CLSO) at 303-365-7805 or email at interpretation@aurorak12.org.

Spanish

Si no habla inglés y necesita un intérprete para poder comunicarse efectivamente con su escuela, contamos con servicios gratuitos de interpretación. Además, contamos con servicios de traducción de ciertos documentos sin costo adicional. Si tiene alguna pregunta sobre los servicios de traducción o interpretación, por favor póngase en contacto con la Oficina Central de Servicios de Idiomas (CLSO, en inglés) al teléfono 303-365-7805, o bien al correo electrónico interpretation@aurorak12.org.

Amharic

አንዳንድ የሚያናገሩ ከሆነ እና ከት/ቤትዎ ጋር በአግባቡ ለመግባባት አስተርጓሚ የሚስጧልግዎት ከሆነ የአስተርጓሚ አገልግሎት በነጻ (የለምንም ወጪ) ይገኛል። በተጨማሪም የአንዳንድ ሰነዶች ነፃ ትርጉምም ይገኛሉ። ስለትርጉም ወይም አስተርጓሚ አገልግሎት ጥያቄ ካለዎት አባከዎ ማዕከላዊ የቋንቋ አገልግሎት ጽ/ቤትን (Central Language Services Office (CLSO)) በ 303-365-7805 ወይም ኢ.ሜል interpretation@aurorak12.org ያነጋግሩ።

Nepali

यदि तपाईं अंग्रेजी भाषा बोल्नुहुन्न र आफ्नो स्कूलसँग प्रभावकारी रूपमा कुराकानी गर्न दोभाषे आवश्यक भएमा, तपाईंका लागि दोभाषे सेवाहरू निःशुल्क उपलब्ध छन्। यसका साथसाथै, केही कागजातको निःशुल्क अनुवादन पनि उपलब्ध छ। यदि तपाईंसँग अनुवादन वा दोभाषे सेवाहरू बारे प्रश्नहरू छन् भने, कृपया केन्द्रिय भाषा सेवा (Central Language Services Office (CLSO)) लाई 303-365-7805 मा सम्पर्क गर्नुहोस् वा interpretation@aurorak12.org मा इमेल गर्नुहोस्।

Somali

Hadii aadan ku hadlin af Ingiriis oo aad u baahantahay turjubaan aad kual xiriirtid si wax ku ool ah dugsiigaaga, adeegyada turjubaanka waxaa laguugu heli karaa lacag la'aan. Intaas waxaa dheer, fasiraad bilaash ah ee dukumintiyada qaar sidoo kale waa la heli karaa. Haddii aad qabtid su'aalo ku saabsan midkood fasiraada adeegyada turjubaanka, fadlan la xiriiir Xafiiska Xarunta Adeegyada Luuqada (Central Language Services Office ama CLSO) ee 303-365-7805 ama i-meelka ee interpretation@aurorak12.org.

Burmese

အကယ်၍ သင်သည် အင်္ဂလိပ်စကား မပြောသူတစ်ဦးဖြစ်ပြီး သင့်ကျောင်းနှင့် ထိရောက်စွာ ဆက်သွယ်ဆောင်ရွက်မှုပြုနိုင်ရန်အတွက် စကားပြန်တစ်ဦးအား လိုအပ်ခဲ့လျှင် သင့်အနေနှင့် စကားပြန် ဝန်ဆောင်မှုများအား မည်သည့် ငွေကုန်ကြေးကျမျှမရှိဘဲ အခမဲ့ ရရှိနိုင်မည်ဖြစ်သည်။ ထို့ပြင် အချို့သော စာရွက်စာတမ်းများအတွက် အခမဲ့ ဘာသာပြန်ဆိုပေးမှုများအားလည်း ရရှိနိုင်မည် ဖြစ်သည်။ ဘာသာပြန်ဆိုမှုအတွက်ဖြစ်စေ သို့မဟုတ် စကားပြန် ဝန်ဆောင်မှုများအတွက်ဖြစ်စေ ၎င်းဝန်ဆောင်မှုများနှင့်ပတ်သက်၍ သင့်တွင် မေးခွန်းများ ရှိပါက ကျေးဇူးပြုပြီး ဗဟို ဘာသာစကား ဝန်ဆောင်မှုများ ရုံးခန်း (Central Language Services Office, CLSO) တံ 303-365-7805 သို့ ဆက်သွယ်ပါ။ သို့မဟုတ် interpretation@aurorak12.org သို့ အီးမေးလ် ပေးပို့ပါ။

Vietnamese

Nếu quý vị không nói được Tiếng Anh và cần một thông dịch viên để giao tiếp hiệu quả với trường học của mình, các dịch vụ thông dịch viên sẽ được cung cấp miễn phí cho quý vị. Ngoài ra, bản dịch miễn phí của một số tài liệu cũng được cung cấp. Nếu quý vị có thắc mắc về các dịch vụ dịch thuật hoặc thông dịch, vui lòng liên hệ với Văn Phòng Dịch Vụ Ngôn Ngữ Trung Tâm (Central Language Services Office, CLSO) theo số 303-365-7805 hoặc gửi email tới địa chỉ interpretation@aurorak12.org.

Arabic

إذا كنت لا تتحدث الإنجليزية وتحتاج إلى مترجم فوري للتواصل مع المدرسة بفعالية، فإن خدمات الترجمة الفورية متوفرة لك مجاناً. وبالإضافة إلى ما سبق، تتوفر أيضاً ترجمة تحريرية مجانية لبعض المستندات. إذا كانت لديك أسئلة بخصوص خدمات الترجمة التحريرية أو الفورية، يرجى الاتصال بمكتب Central Language Services Office (CLSO) على 303-365-7805 أو عبر البريد الإلكتروني interpretation@aurorak12.org.

Karen

နမူတကတိအဲကလဲးကျိးမိးမုာ်လိာ်ဘၣ်ပုၤကျိးထံတၢ်လၢ ကတဲသကိးတၢ်လိာ်တၢ်လိာ်ဆဲးဒီးနကိာ်န့ၣ်. တၢ်ဆိၣ်ဒီးတၢ်ဟ့ၣ်ပုၤကျိးထံတၢ်တၢ်မၤစၢၤလၢတလိာ်ဟ့ၣ်အပူၤဘၣ်န့ၣ်လီၤ. အါန့ၣ် အန့ၣ်, တၢ်ကျိးထံကလိာ်န့ၣ်မုာ်ကိး လိာ်တိာ်မိတနီၤန့ၣ်လီၤ. နမူဆိၣ်ဒီးတၢ်သံကွၢ်ဘၣ်ယးတၢ်ကျိးထံလိာ်မုာ်ဂုၤ မ့တမ့ၢ် ပုၤကျိးထံတၢ်မုာ်ဂုၤ အတၢ်မၤစၢၤတမံၤန့ၣ်, ဝံသးစူဆဲးကျိး Central Language Services Office (CLSO) ၵ 303-365-7805 မ့တမ့ၢ် အိမ့(လ)ၵ interpretation@aurorak12.org တက့ၢ်.

French

Si vous ne parlez pas Anglais et avez besoin d'un interprète pour communiquer de manière effective avec votre école, des services d'interprétariat sont disponibles gratuitement pour vous. De plus, les traductions gratuites de certains documents sont également disponibles. Si vous avez des questions sur les services de traduction ou d'interprétation, veuillez contacter le Bureau Central des Services linguistiques (Central Language Services Office ou CLSO) au 303-365-7805 ou envoyer un email à interpretation@aurorak12.org.

Oromo

Yoo Afaan inglizii dubbachuu hin dandenyeef fi mana-barnoota keessan waliin karaa bu'a qabeessa ta'een walqunnammuuf turjumaanaa yoo barbaadan, tajaajili turjumaanaa kanfaltiidhaan ala, ni argama. Dabalataanis, hiikkaan galmeelee muraasa kanfaltiidhaan ala, ni argama. Gaaffiiwwan waa'ee tajaajilota hiikkaa ykn turjumaanaa yoo qabatan, Central Language Services Office (CLSO, WaajiraTajaajilota Afaanii Gidduu gala) biibilaan 303-365-7805 irrati ykn imeelin interpretation@aurorak12.org tiin qunnamaa.



Division of the Superintendent
15701 E. First Ave., Suite 206
Aurora, CO 80011

Phone – 303-365-7800
Fax – 303-326-1280
Web – aurorak12.org

Dear Parents, Guardians and Students:

One of the core beliefs in Aurora Public Schools is that student and staff safety is essential to our vision and mission. I want to assure you that we are committed to providing safe and healthy learning environments every day. We use a comprehensive approach to show that APS truly CARES about every student, family and staff member.

Communication: We encourage students to report any safety concerns to a trusted adult or anonymously through Safe-2-Tell at 1-877-542-7233. As a district, we also use multiple channels to communicate with our community including emails, phone calls, text messages, social media, local media and our website: aurorak12.org. Please make sure to update your contact information through the Student Online Check-In system or at your child's school.

Awareness: It is important that students and staff members are aware of our safety and security protocols. Schools regularly hold safety drills and our district has an Incident Response Team that practices emergency response with local law enforcement regularly.

Relationships: APS has strong relationships with the Aurora Police Department and Fire Department. We also work closely with the Aurora Office of Emergency Management and many mental health, crisis and social service organizations.

Engagement: APS teachers and staff engage students in meaningful conversations every day. Counselors, psychologists and social workers engage with students to build trusting relationships as well.

Security: Thanks to the 2016 voter-approved bond measure, we have upgraded our security cameras and building security vestibules. Our team of highly trained staff members are also key to keeping our schools safe. Another key security strategy is our threat assessment process. Every APS school has a group of experts who work together whenever a potential threat is identified. We also have many security measures in place at all our schools and sites.

This Safe Schools Handbook further details policies that will help ensure our learning environments are safe for all students. If you have any questions about these policies or about school discipline, I encourage you to contact your school principal. Working together, we can all keep our schools safe.

Sincerely,

D. Rico Munn
Superintendent

Earned Privilege for Off-Campus

APS has developed an earned privilege for off-campus program that encourages students to be in class everyday. With this program, freshmen will remain on campus during lunchtime for the entire school year. Sophomores, juniors and seniors may earn a Principal's Pass to leave campus for lunch. This change is designed to motivate students to achieve in school.

Freshman and students who have not earned a Principal's Pass may bring their lunches or may purchase lunches from the school lunch program. Parking lots will be considered off limits and students may not go to their vehicles during the day without permission from the office.

The benefits of the open campus privilege program include increased academic achievement, fewer absences and tardies, fewer complaints from citizens in the community, a reduction in inappropriate behavior off school grounds and fewer complaints of non-students loitering on or near another school campus.

High school 10th-, 11th- and 12th-graders may be able to earn a "Principal's Pass," which would grant the student the privilege of leaving campus during lunch, if so desired. The criteria for a Principal's Pass in all district high schools include:

- 93% average daily attendance rate or higher (school-related activity absences do not count against attendance rates)
- 2.75 or higher grade-point average (GPA)
- no discipline issues

Students (10th, 11th and 12th grades) will have the opportunity to earn a Principal's Pass quarterly. **Fourth quarter from the prior school year will determine eligibility for a Principal's Pass for first quarter the following school year.** Once students earn a Principal's Pass, they will receive a color-coded pass with their photograph, which must be worn at all times when off campus. The color-coding will change quarterly. Students who earn a Principal's Pass may also use their vehicles when leaving campus, if applicable.

Local law enforcement will be aware of the off-campus guidelines and will also be aware of the quarterly color-coded Principal's Pass indicate which students have permission to be off campus. Parents/guardians may choose to deny their student the privilege of a Principal's Pass by submitting their written request to the principal.

Ninth grade students will not be eligible for a Principal's Pass. The fourth-quarter data for ninth-graders, however, will determine their eligibility for first quarter of their 10th grade year.

The Principal's Pass privilege may be revoked at any time at the discretion of the principal. Actions that may result in a pass being revoked include, but are not limited to, a student not wearing the valid pass, demonstrating increased absences and tardies, a decline in academic achievement and GPA, and demonstrating inappropriate behavior resulting in discipline referrals.

Students who do not earn Principal's Passes and leave campus for lunch will face disciplinary action. Upon a second violation, the student will receive progressive discipline. Continuous violations of earned privilege for off-campus, will result in suspension.

The goal of our new earned privilege for off-campus program is to keep students focused on academic achievement, good attendance and positive behavior. We appreciate your support of this concept and encourage you to discuss this important change with your student(s). If you have questions, please feel free to contact a school administrator.

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SAFE SCHOOLS

The Board of Education recognizes that effective learning and teaching takes place in a safe, secure and welcoming environment and that safe schools contribute to improved attendance, increased student achievement and community support. To that end, the Board directs the superintendent to develop and maintain a safe schools plan that includes:

1. Procedures that address the supervision and security of school buildings and grounds.
2. Procedures that address the safety and supervision of students during school hours and schoolsponsored activities.
3. Procedures that address persons visiting school buildings and attending school-sponsored activities.
4. Training programs for staff in crisis prevention and management.
5. Training programs for staff in emergency response procedures that include practice drills.
6. Training programs for staff and students in how to recognize and respond to behavior or other information that may indicate impending violence or other safety problems.
7. Procedures for safe, confidential reporting of security and safety concerns at each school.
8. Procedures for regular assessments by school security/safety professionals and law enforcement officers to evaluate the security needs of each school building and to provide recommendations for improvements if necessary.
9. Procedures to provide for regular communications between district officials, law enforcement officers, fire department officials, city and county officials and local medical personnel to discuss crisis prevention and management strategies, including involvement by these parties in the development and revision of crisis prevention and management plans.
10. Training programs for staff in safety precautions and procedures related to fire prevention, natural disaster response, accident prevention, public health, traffic, bicycle and pedestrian safety, environmental hazards, civil defense, classroom and occupational safety, and special hazards associated with athletics and other extracurricular activities.
11. Procedures for the reporting of criminal activity to law enforcement.
Each building principal shall be responsible for the supervision and implementation of the safe school program at his or her school. The principal shall submit annually, in the manner and by the date specified by the State Board of Education, a written report to the Board of Education concerning the learning environment in the school during that school year. The report shall contain, at a minimum, the information required by law.
The annual safety reports from every school in the district shall be compiled and submitted submit the compilation to the state department of education in a format specified by the State Board of Education. The report shall be made available to the public.
12. Procedures for notifying parents of an employee's criminal charges when such notification is required by state law.

*LEGAL REFS.: C.R.S. 9-1-101 through 9-1-106 (construction requirements, fire escapes, etc.)
C.R.S. 22-1-130 (6) (safe school plan must include parent notification of employee criminal charges)
C.R.S. 22-3-101 through 22-3-104 (eye protective devices)
C.R.S. 22-32-109.1 (1)(b.5) (definition of "community partners" that board may wish to consult with in developing and implementing its safe school plan)
C.R.S. 22-32-109.1 (2) (safe schools plan)
C.R.S. 22-32-109.1 (2)(b) (detailing information required in annual principal reports on the learning environment)
C.R.S. 22-32-109.1 (2.5) (districts are "encouraged" to adopt a child sexual abuse and assault prevention plan as part of the safe schools plan)
C.R.S. 22-32-110 (1)(k) (board authority to adopt policies related to employee safety and official conduct)
C.R.S. 22-32-124 (2), (3) (building inspections)
C.R.S. 24-10-106.5 (duty of care)*

*CROSS REFS.: ECA/ECAB, Security/Access to Buildings
GBGAA*, Staff Training in Crisis Prevention and Management
KDE, Crisis Management (Safety, Readiness and Incident Management Planning)
KI, Visitors to School*

THREAT AND SUICIDE ASSESSMENT

The provision of authority to conduct a threat assessment for potentially dangerous behaviors occurring at school or in the community if connected to school, is supported by Colorado Statute (CRS 22-1-123), the Family Educational Rights and Privacy Act (FERPA) Law and SB15- 213. Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, as indicated in the resources above, schools are permitted to disclose records to appropriate officials without consent in cases of health and safety emergencies which includes suicide and threat assessments.

The safety of the student, school and community is a District priority. Any student whose behavior/actions and/or communication regarding a student's behavior/actions that may pose a threat either to that student or to others in the school and or community, shall be evaluated in accordance with District suicide assessment and/or threat assessment procedures. The purpose of the assessment is: to gain understanding of the elements of the threat/risk so that imminent and/or serious dangers can be identified, to disable risk factors for violence, to respond, manage, and support the student of concern and/or others involved. If at any time information suggests the need for law enforcement assistance, assistance will be requested immediately.

All teachers and direct service providers will receive yearly training in the identification and reporting of the warning signs of suicide and threat behavior. Annually, school staff and students at the middle and high school level must participate in suicide prevention training as outlined by the District. Time frames for participation in suicide prevention training will be outlined by the Director of Social Emotional and Behavioral Health. District employees that conduct threat assessments in their school building must participate in mandatory threat assessment training annually. In addition, all building principals and assistant principals shall receive annual threat assessment training.

Building Threat Assessment Team

Every building is required to have a threat assessment team which will include a minimum of three team members: administrator, behavioral health care provider, and school nurse. District Safety and Security Officers and Law Enforcement are part of the team at the high school and middle school level. For the purposes of the Building Threat Assessment Team, Deans shall be considered administrators at the high school level only. At the elementary school level, when the incident involves serious bodily injury and/or weapons; law enforcement and District Safety and Security Officers need to be a part of the team.

District Threat Assessment Team

The District Level Threat Assessment Team is made up of the Director of Safety and Security, District Risk Assessment Coordinator, Director of Behavioral Health, Director of Health Services, Director of Student Support Systems, Director of Student Services, and the Director of Community in Schools.

DISTRICT PHILOSOPHY STATEMENT ON STUDENT DISCIPLINE

The Aurora Public Schools Board of Education believes that facilitating learning is the primary function of the district and its schools. It also believes that students must not only master academic content, but must also acquire behavioral skills which are necessary for their ultimate success. All social institutions, including schools and places of work, have rules which establish the behavioral expectations of its participants. In a public school district these rules must reflect the need to promote an environment which is safe and conducive to learning. Such rules must also reflect the need for mutual respect and cooperation among all persons in the school community.

Where students fail to follow established rules, discipline may be necessary. Discipline should be consistent, persistent and fair. It should be instructive and corrective; its focus should be on helping the student to change or control inappropriate behavior, rather than on punishment. The ultimate goal should be the students' acquisition of self-discipline so that little external intervention and enforcement is required.

Governing Principles

These principles and the district philosophy statement on student discipline shall guide the application of the district's student discipline policies and regulations and shall assist in interpretation where the policies and regulations do not provide specific guidance about how to deal with an individual situation.

- Discipline should only be employed for one of two purposes: 1) as a tool for learning; or 2) as a means to maintain an atmosphere that is safe and conducive to learning.
- Greater attention should be given to the prevention of inappropriate behavior than to consequences for misbehavior.
- Good classroom management and thorough engagement of students in learning are among the most effective ways to reduce inappropriate behaviors.
- Removal of a student from the learning environment may sometimes be necessary either for the safety of others or to ensure an appropriate learning environment.
- The consequences for any offense should be just and age appropriate. The existence of a fair and effective discipline program is the shared responsibility for all stakeholders, including students, staff, parents and the larger community.
- Out-of-school suspension is only one among many possible disciplinary consequences, and may not be the most effective way to change behavior. A student should be given the opportunity to continue her/his education while receiving disciplinary consequences whenever school administration believes this can be accomplished without endangering the safety of others or the quality of the learning environment.
- Adults have a responsibility to be sensitive to students' individual needs and circumstances and to make sincere efforts to deal with students in light of these factors.
- Adults should model the behavioral expectations they have for students.
- Every child should have an adult advocate at school. This means schools should strive to build relationships between the student who exhibits behavior problems and some adult within the school who can talk with the student about problems and to whom the student feels a personal connection.
- Discipline should not be viewed as a means of condemnation or retribution.
- Staff development and student education in areas such as anger management, conflict resolution, and behavioral support will assist in attaining a fair and effective student discipline program.

*CROSS REFS.: JK.1, Student Discipline
JKD/JKE, Suspension/Expulsion of Students*

DISTRICT STATEMENT ON SHARED RESPONSIBILITIES IN PROMOTING SAFE SCHOOLS

The Aurora Public Schools Board of Education believes that the existence of a fair and effective discipline program is the shared responsibility of all stakeholders, including students, staff, parents and the larger community.

Students

Have a responsibility to:

- Attend school regularly, arrive on time, bring necessary materials, be prepared to participate in class, and do homework.
- Strive for academic growth.
- Respect the rights, feelings and property of others; this includes fellow students, parents/guardians, school personnel, visitors, guests and school neighbors.
- Respect the staff by obeying all reasonable requests with self control and by avoiding the use of profanity or obscene gestures.
- Use appropriate and respectful language.
- Promote the physical safety and personal security of others by exercising self-discipline and refraining from engaging in violent behavior, including fighting with students, staff or other persons.
- Disagree in a respectful manner.
- Conduct themselves during the school day in such a way as not to interfere with the right of other students to learn.
- Follow discipline guidelines adopted by the school and district.
- Familiarize themselves with the school rules and ask questions if they are uncertain about their meaning.
- Report violations of school rules.

Have a right to:

- Discuss educational and social concerns with teachers and other school staff.
- Be educated in schools which are safe and in an environment that fosters learning.
- Receive an explanation of behavioral rules to which they will be subject.
- Receive discipline which is fair, non-discriminatory and which is consistent with adopted policy.
- Report any incidents of verbal or physical threats, menacing or abuse.
- Review their own records within appropriate guidelines. Receive discipline information in a language they can understand, whenever possible.

Parents/Guardians

Have a responsibility to:

- Review, understand and discuss school rules with students.
- Encourage students to comply with school rules.
- Use appropriate and respectful language when dealing with staff members about discipline issues.
- Assist the student in attending school regularly, arriving on time, and obtaining necessary materials.
- Assist school staff by sharing ideas specific to their child for improving student learning and preventing or resolving student discipline problems.
- Provide supervision for the student's health, physical and emotional well-being and for prompt and regular school attendance.
- Provide appropriate supervision of students before and after school.
- Attend parent/teacher conferences.
- Provide the school with written explanations for student absence or tardiness.
- Bring to the attention of the school any situation which adversely affects their child or another child in the school community.
- Ensure the student attends school regularly and on time and communicates with the school in a timely manner regarding absences/tardies. In the case of excessive excused absences/tardies, the parent/guardian may be required to submit additional documentation, which may include doctor's notes.

Have a right to:

- Obtain a copy of school rules relating to student behavior and discipline.
- Obtain clarification from the school on any matter referred to in school rules.
- Be contacted promptly when their child has been involved in an incident resulting in a suspension or expulsion.
- Meet with teachers and/or principal about disciplinary matters and receive explanations concerning incidents of alleged misbehavior.
- Receive regular official reports of the student's academic progress and attendance.
- Read all school records pertaining to their students, at times mutually convenient to the parent and school.
- Whenever possible, receive discipline information in a language they can understand.
- Assert all due process rights contained in school or district rules, including the right to appeal disciplinary decisions.

Staff Members

All staff members, as appropriate to their positions and as delineated by the school discipline plan, have a responsibility to:

- Be fair, consistent, persistent and fair.
- Model expected behavior for students.
- Instruct students about appropriate behavior, conflict management, classroom rules and disciplinary consequences.
- Instruct in a way that engages students in the lesson being taught.
- Consider a variety of strategies and age-appropriate consequences to foster improved student behavior.
- Be in regular attendance and on time.
- Treat students and parents respectfully.
- Follow proper channels to resolve problems.
- Communicate regularly with parents and students about the child's progress, both academically and behaviorally.
- Follow district policies and school rules relating to behavior.

Have a right to:

- Be treated respectfully by all persons in the school community, including students, parents, administrators and patrons.
- Conduct their teaching duties in schools which are safe and in an environment that fosters learning.
- Receive training in classroom management and conflict management where necessary.
- Receive support from school administrators in the administration of discipline, consistent with school policies.

*CROSS REFS: JK.1, Student Discipline
JKD/JKE, Suspension/Expulsion of Students*

AURORA PUBLIC SCHOOLS
Adopted November 2001
Revised April 2005
Revised June 2007
Reviewed February 2016
Reviewed April 2017
Revised December 2018

APS Code: JICDE

PREVENTION OF BULLYING

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

Bullying is the use of coercion or intimidation to obtain control over another person or to cause physical, mental or emotional harm to another person. Bullying can occur through written, verbal or electronically transmitted expression or by means of a physical act or gesture. Bullying is prohibited against any student for any reason, including but not limited to any such behavior that is directed toward a student on the basis of his or her academic performance or any basis protected by federal and state law, including disability, race, creed, color, sex, sexual orientation (which includes transgender), national origin, religion, ancestry or the need for special education services, whether such characteristic(s) is actual or perceived.

LEGAL REF: C.R.S. 22-32-109(2)(a)(I)(K) (policy required as part of safe schools plan)

Bullying is prohibited on district property, at district or school-sanctioned activities and events, when students are being transported in any vehicle dispatched by the district or one of its schools, or off school property when such conduct has a nexus to school or any district curricular or non-curricular activity or event.

A student who engages in any act of bullying and/or a student who takes any retaliatory action against a student who reports in good faith an incident of bullying, is subject to appropriate disciplinary action including but not limited to suspension, expulsion and/or referral to law enforcement authorities. The severity and pattern, if any, of the bullying behavior shall be taken into consideration when disciplinary decisions are made. Bullying behavior that constitutes unlawful discrimination or harassment shall be subject to investigation and discipline under related Board policies and procedures. Students targeted by bullying when such bullying behavior may constitute unlawful discrimination or harassment also have additional rights and protections under Board policies and procedures regarding unlawful discrimination and harassment.

LEGAL REFS: C.R.S. 22-32-109.1(2)(a)(I)(K) (policy required as part of safe schools plan)

*CROSS REFS: AC, Nondiscrimination/Equal Opportunity
ADH, District Philosophy Statement on Student Discipline
JBB, Sexual Harassment
JICC, JICC-R, Student Conduct on Buses
JICF, JICF-R, Secret Societies/Gang Activity
JICI, Weapons in School JK.1, JK.1-R, Student Discipline
JKD.1 and JKD.1-R, Disciplinary Classroom Removal by Teacher*

AURORA PUBLIC SCHOOLS
Adopted November 2001
Revised April 2005
Revised June 2007
Revised June 2012
Revised June 2014
Reviewed April 2017
Revised December 2018**APS Code: JICDE-1-R**

PREVENTION OF BULLYING

EXAMPLES OF BULLYING

Examples of acts that may constitute bullying include:

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

CYBERBULLYING

Cyberbullying involves the use of information and communication technologies such as email, cellphone and pager text messages, instant messaging, defamatory personal websites, and defamatory online personal polling websites, to support deliberate and hostile behavior by an individual or group that is intended to harm others. Cyberbullying includes sexting, which is defined in JBC-2-R.

Cyberbullying will not be tolerated and will constitute the same levels of disciplinary action as other types of bullying.

RESPONSES TO BULLYING

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

- All students who believe they have been victims of bullying in any such circumstance shall immediately report it to an administrator or teacher at their school.
- All students who witness student bullying in any such circumstance shall immediately report it to an administrator or teacher at their school.
- All building administrators and teachers who have any incident of bullying reported to them shall promptly forward the report(s) to the principal or principal's designee for appropriate action.
- All principals, administrators, teachers and classified staff who witness student bullying in any such circumstance shall immediately take appropriate action to stop the bullying, as prescribed by the district and building principal, and shall promptly report the bullying to the principal or principal's designee for appropriate action.
- Each building principal or principal's designee shall ensure that all reports involving student bullying in any such circumstance are promptly and thoroughly investigated, and that appropriate action is taken.
- Each building principal or principal's designee shall contact law enforcement officials, as appropriate.

DISCIPLINARY ACTION FOR BULLYING

In determining the appropriate action to be taken in response to incidents of student bullying, the building principal or principal's designee shall consider existing policies and regulations that address the type of conduct that may be involved in bullying. Such policies and regulations include, but are not limited to, JBB, (Sexual Harassment), JICC, JICC-R (Student Conduct on Buses), JICF, JICF-R (Secret Societies/Gang Activity), JICI (Weapons in School), JK.1, JK.1-R (District Conduct and Discipline Code), JKD.1 and JKD.1-R (Disciplinary Classroom Removal by Teacher (Suspension from Class)). Any necessary discipline shall be imposed pursuant to existing policies.

In deciding on appropriate discipline, the circumstances surrounding the behavior, the severity of the conduct, and whether the conduct represents a pattern should be considered. Administrators shall also be mindful of the principles set forth in the District Philosophy Statement on Student Discipline (Policy ADH), including the concept that the discipline process should be instructive and corrective and that its focus should be on helping the student to change or control inappropriate behavior, rather than on punishment. In making determinations under this policy, due consideration will be given to the rights to freedom of expression of public school students under federal and state law.

Disciplinary interventions and consequences for student bullying may range from counseling, restorative justice and in-school suspension to suspension, and/or expulsion.

BULLYING PREVENTION EFFORTS

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

Effective prevention programs rely on a number of components to reduce and prevent bullying problems. Components may be implemented at the school level, the classroom level, or at the individual level. The use of particular components may vary according to maturity level of students, grade level, learning environment goal(s) for the school, etc.

Taking action at school, classroom and individual levels is vital to counteract any bully/victim problems. In this way, students will be exposed to consistent messages from different persons/sources and in different contexts regarding the district and school's views of and attitudes toward bullying.

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

PREVENTION OF BULLYING: SEXTING

Sexting is sending, sharing, viewing, or possessing pictures, text messages, emails or other material of a sexual nature in electronic or any other form on a computer, cellphone, or other electronic device. Sexting is prohibited. Parents and the police will be contacted. Sexting may be reported as suspected child abuse/ neglect or child pornography.

In Colorado, a person 10 or older who sends or receives sexually explicit material of someone under the age of 18, such as photographs or videos depicting actions, poses or nudity by cellphone or computer could face felony child pornography charges. A person found guilty of this crime could also be labeled a sex offender and be required to register as a sex offender for life.

Even if a student is not the person who captures the photo or video, it is against the law to be in possession of or to share such items with other students.

If students take a photo of themselves and send it to someone else via cellphone or post it on a website, they are in possession of their own child pornography, which is also a felony. There are also risks that sexually explicit photos, meant to be shared with only one person, may be distributed to others and even posted on the Internet.

Students who come into possession of child pornography immediately should contact a trusted adult and notify police. Students are hereby on notice that administrators may search cellphones if they have a reasonable suspicion that a student has been involved in sexting.

The consequences for sexting are the same as those for bullying.

Harassment and bullying related to sexting incidents are prohibited, and appropriate discipline will be imposed.

The operation of electronic communication devices with cameras is prohibited in locker rooms, bathrooms, or other locations where such operation may violate the privacy rights of another person.

LEGAL REFS: C.R.S. 22-32-109.1(2)(a)(X)

CROSS REFS: ADH, District Philosophy Statement on Student Discipline
JBB, Sexual Harassment
JK.1-R, Student Discipline
JIH/JIHB, Student Interrogations, Searches and Arrests

STUDENT DRESS CODE

A safe and disciplined learning environment is essential to a quality educational program. District-wide standards on student attire are intended to promote a school environment which facilitates student achievement, helps students concentrate on schoolwork, reduces discipline problems, improves school order and safety, and encourages school pride and unity. The Board recognizes that students have a right to express themselves through dress and personal appearance; however, students shall not wear apparel that is deemed disruptive or potentially disruptive to the classroom environment or to the maintenance of a safe and orderly school.

LEGAL REF.: C.R.S. 22-32-109.1 (2)(a)(1)(J)

*CROSS REFS.: IMDB, Flag Displays
JBB, Sexual Harassment
JICC, Student Conduct on Buses
JICF, Secret Societies/Gang Activity
JICH, Drug and Alcohol Use by Students
JICI, Weapons in School
JK.1, Student Discipline - District Conduct and Discipline Code
JKD/JKE, Suspension/Expulsion of Students*

STUDENT DRESS CODE

In order to maintain a school environment which is safe and conducive to learning, all clothing must be appropriate so as not to disrupt the learning environment and not interfere with the health, safety and welfare of any person.

The following items are deemed to be unacceptable to wear to school:

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

School principals, in conjunction with the school accountability committee and/or other parent group, may develop and adopt school-specific dress codes that are consistent with this policy.

If any unusual situation relative to dress or grooming arises which is not specifically covered in this regulation, the building principal shall have the authority to rule on the appropriateness of the attire.

School Activities:

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

Religious and Health Accommodations:

Where a bona fide religious belief or health need of a student conflicts with the school dress code, reasonable accommodations shall be provided. A principal may request a student to provide the justification for an accommodation to be made. Approved coverings worn as part of the student's bona fide religious practices or beliefs shall not be prohibited under this policy.

LEGAL REF.: C.R.S. 22-32-109.1 (2)(a)(1)(f)

*CROSS REFS.: IMDB, Flag Displays
JBB, Sexual Harassment
JICC, Student Conduct on Buses
JICF, Secret Societies/Gang Activity
JICH, Drug and Alcohol Use by Students
JICI, Weapons in School
JK.1, Student Discipline - District Conduct and Discipline Code
JKD/JKE, Suspension/Expulsion of Students*

STUDENT DISCIPLINE

District Conduct and Discipline Code

This policy and its accompanying regulation, along with policies JKD/JKE, Suspension/Expulsion of Students; policy JICI, Weapons in School; JICH, Drug and Alcohol Use by Students; JKD.1, Disciplinary Classroom Removal by Teacher (Suspension from Class); JBC, Prevention of Bullying; and policy JICE, Secret Societies/Gang Activity constitute the Aurora Public Schools District Conduct and Discipline Code. The Code is based on the principle that every student is expected to follow accepted rules of conduct and to show respect for and to obey persons in authority in the schools. Respect for school personnel and obedience to such personnel is an essential lesson to qualify one for the duties of citizenship.

This Conduct and Discipline Code shall be in effect in all schools in the District, from kindergarten through high school, and shall apply to all other programs including preschool, post-secondary and T.H. Pickens Technical College. This Code applies to conduct at any school, on District property, in District vehicles, at any school-related activities (whether or not the school-related activity is on or off campus), and under circumstances where off campus behavior has a connection to school or any District curricular or noncurricular activity or event and is detrimental to the welfare or safety of other pupils or school personnel.

The Conduct and Discipline Code shall be enforced in a manner consistent with policies ADH*, District Philosophy Statement on Student Discipline and ADHA*, District Statement on Shared Responsibilities in Promoting Safe Schools. Students, staff members and parents are expected to become familiar with those policies. In light of the principles described in these policies, one of which is that discipline should be used as a tool for learning, whenever feasible students shall be given make-up assignments for work taking place while they are out of school on suspension. In addition, students who complete such assignments in a timely manner shall be given credit for that work.

Remedial discipline plans

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

Distribution of conduct and discipline code

The conduct and discipline code shall be provided to each student upon enrollment in elementary, middle and high school. The district shall take reasonable measures to ensure each student is familiar with the code. Copies shall be posted or kept on file in each school of the district. In addition, any significant change in the code shall be provided to students and posted in each school.

STUDENT DISCIPLINE

District Conduct and Discipline Code

Administrators should plan for the use of prevention and intervention strategies such as restorative justice, peer mediation, counseling or other approaches to address student misconduct and should impose proportionate disciplinary interventions and consequences in response to student misconduct.

Violations of the District Conduct and Discipline Code shall subject the violator to discipline consistent with these policies. Violations may also result in referrals to law enforcement agencies.

I. GENERAL CATEGORIES OF MISCONDUCT

By Colorado law, a student may be suspended or expelled for behavior which constitutes any of the following:

- A. continued willful disobedience or open and persistent defiance of proper authority;
- B. willful destruction or defacing of school property;
- C. behavior on or off school property which is detrimental to the welfare or safety of other pupils or of school personnel, including behavior which creates a threat of physical harm to the child or other children;
- D. committing one of the following offenses on school grounds, in a school vehicle, or at a school activity or sanctioned event;
 - 1. Possession of a dangerous weapon without the authorization of the school or school district;
 - 2. the use, possession, or sale of a drug or controlled substance as defined in section C.R.S. 18-18-102(5);
 - 3. the commission of an act by a student at least ten (10) years of age which, if committed by an adult would be robbery pursuant to title 18, article 4, part 3 of the Colorado Revised Statutes;
 - 4. the commission of an act by a student at least ten (10) years of age which, if committed by an adult would be assault pursuant to title 18, article 3, part 2 of the Colorado Revised Statutes (other than third degree assault);
 - 5. carrying, using, actively displaying, or threatening with the use of a firearm facsimile that could reasonably be mistaken for an actual firearm in a school building or in or on school property; AND
 - 6. pursuant to C.R.S. 22-12-105(3), making a false accusation of criminal activity against an employee of an educational entity to law enforcement authorities or school district officials or personnel.
- E. declaration as an “habitually disruptive student”, (which is defined in this regulation); and/or
- F. repeated interference with a school’s ability to provide educational opportunities to other students.

NOTE: Where a student brings, carries, possesses or uses a firearm as defined in policy JICI under Colorado law, this is the only offense that is a mandatory expulsion.

II. SPECIFIC EXAMPLES OF MISCONDUCT AND CONSEQUENCES

If discipline is suspension or expulsion, the due process procedures of district policy JKD/JKE, Suspension/Expulsion of Students will be followed. Where the proposed discipline is expulsion, a student is entitled to a hearing under policy JKD/JKE at which s/he may contest the finding that an offense was committed and/or the consequences. This list does not cover everything that a student might do which could result in discipline; it is meant to identify many of the offenses which might be committed by students and to illustrate the sort of conduct which is not allowed. Individual schools may identify additional offenses and outline consequences for such offenses so long as they are not inconsistent with district policy and the school takes appropriate steps to inform students and parents/guardians of these additional offenses and consequences.

Schools are encouraged to consider which of the consequences listed in the discipline action levels below are most appropriate for a given situation but are not required to utilize any specific disciplinary consequence except where specifically so provided in district policy or regulation.

Discipline Action Levels*Level 1 – Conferences*

- conference with student and/or staff
- conference with parent/guardian and student
- contract with student
- written warning
- restorative justice
- peer counseling
- peer mediation
- other similar actions

Level 2 – Interventions

- in-school suspension
- exclusion from extra-curricular activities
- assignment to another class or teaching teammate
- referral to intervention classes offered within or outside the school district (information about drug, alcohol use, addictions, anger management, conflict management, etc.)*
- referral to alcohol/drug assessment outside the school district (program to assist student and parent/guardian to determine if student has an alcohol/drug problem)*
- Saturday school
- work detail/community service
- after school detention
- confiscation of unauthorized materials
- financial settlement -- payment of damages by student to one who was harmed
- restorative justice
- counseling
- other similar actions

[* = school funds will not be used to pay for such interventions unless specifically authorized by the principal]

Level 3 – Suspension / Emergency Removal / Reassignment

- emergency removal -- immediate danger or serious disruption presented (due process procedures follow soon after)
- suspension out-of-school (up to 10 days)
- alternative placement within the school district
- other similar action

Level 4 – Expulsion

- suspension out-of-school pending expulsion
- expulsion

Level 5 – Mandatory Expulsion

- mandated by federal law, state law or Aurora Public Schools Board of Education policy.

III. DISCIPLINE SUMMARY CHARTS

Listed in the subsequent tables for middle/high schools, elementary schools, and early childhood education are examples of misconduct, if committed by a student, may result in disciplinary action. The tables provide guidance as to the range of “discipline action levels” which may be considered for the specific offenses and to the requirement of referring offenses to school administrators. Although the list of offenses is not all inclusive, both offenses and consequences shall remain consistent with district policy and applicable law.

MIDDLE AND HIGH SCHOOL

Notes on interpreting the Discipline Summary Chart:

- In the *Behavior* column, the type of behavior is categorized.
- In the *Occurrence* column, behaviors are determined to be minor or serious in nature. A behavior could be serious in nature on the first offense or could be considered serious if a student’s minor behavior has occurred repeatedly.
- In determining whether a given offense should be considered “Minor” or “Serious,” and what interventions and consequences are appropriate in that specific situation, schools should consider the following factors:
 - o The age of the student;
 - o The disciplinary history of the student;
 - o Whether the student has a disability;
 - o The seriousness of the violation committed by the student;
 - o Whether the violation committed by the student threatened the safety of any student or staff member; and
 - o Whether a lesser intervention would properly address the violation committed by the student.
- The numbers found in the *Discipline Minimum/Maximum* column refer to the Discipline Action Levels of intervention.
- In the *Referral to School Administration* column, staff members are required to refer those behaviors marked “always refer” to the school administration. With some identified behaviors, a referral may generally not be needed. Staff members may choose to refer other behaviors at their discretion.
- Carrying, bringing, using or possessing a firearm on school grounds requires an expulsion and a referral to law enforcement.
- **Other offenses which may be referred to law enforcement are designated by an asterisk (*).** However, if at any time law enforcement is needed for the safety of students and staff, police may be called.

Definitions for each type of behavior may be found following the early childhood education discipline summary charts.

MIDDLE & HIGH SCHOOL			Referral to School Administration		
<i>State Code & Behavior</i>	<i>Occurrence</i>	<i>Discipline Action Level Minimum → Maximum</i>	<i>Always refer</i>	<i>Generally do not refer</i>	<i>Staff discretion</i>
01 Drug Violation					
Controlled Substance: Other Than Marijuana SALE	Serious	2 – 4 MUST report to APD	X		
Controlled Substance: Other Than Marijuana PURCHASE	Serious	2 – 4 MUST report to APD	X		
Controlled Substance: Other Than Marijuana POSSESSION	Serious	2 – 4 MUST report to APD	X		
Drug Paraphernalia	Minor	1 – 2	X		
	Serious	2 – 4*	X		

MIDDLE & HIGH SCHOOL			Referral to School Administration		
<i>State Code & Behavior</i>	<i>Occurrence</i>	<i>Discipline Action Level Minimum → Maximum</i>	<i>Must refer</i>	<i>Generally do not refer</i>	<i>Staff discretion</i>
02 Alcohol Violation					
Alcohol Possession or Sale	Minor	1 – 2	X		
	Serious	2 – 4*	X		
03 Tobacco Violation					
Tobacco Possession or Sale	Minor	1 – 2			X
	Serious	2 – 4*	X		
04 1st, 2nd Degree or Vehicular Assault					
1st, 2nd Degree Assault Vehicular Assault	Serious	3 – 4 MUST report to APD	X		
05 Dangerous Weapon					
Dangerous Weapon	Serious	2 – 4 MUST report to APD	X		
Firearm	Serious	5 MUST report to APD	X		
06 Robbery					
Robbery	Serious	3 – 4 MUST report to APD	X		
07 Other Felony					
Arson	Serious	3 – 4 MUST report to APD	X		
False Fire Alarm	Serious	2 – 4 MUST report to APD	X		
07 Other Felony: Bomb Threat					
Bomb Threat	Serious	3 – 4 MUST report to APD	X		

MIDDLE & HIGH SCHOOL			Referral to School Administration		
<i>Behavior</i>	<i>Occurrence</i>	<i>Discipline Action Level Minimum → Maximum</i>	<i>Always refer</i>	<i>Generally do not refer</i>	<i>Staff discretion</i>
08 Disobedient/Defiant or Repeated Interference					
Disobedience	Minor	1 – 2		X	
	Serious	2 – 4*	X		
Defiance	Minor	1 – 2		X	
	Serious	2 – 4*	X		
Repeated Interference	Minor	1 – 2		X	
	Serious	2 – 4*	X		
Academic Dishonesty	Minor	1 – 2			X
	Serious	2 – 4	X		
09 Detrimental Behavior					
Encourage Fight/Assault	Minor	1 – 2			X
	Serious	2 – 4*	X		
Fire Extinguisher Misuse	Minor	1 – 2	X		
	Serious	2 – 4*	X		
Fireworks	Minor	1 – 2	X		
	Serious	2 – 4*	X		
Offense to Staff	Minor	1 – 2			X
	Serious	2 – 4	X		
Reckless Wheels	Minor	1 – 2			X
	Serious	2 – 4	X		
Threat to Staff	Minor	1 – 2	X		
	Serious	2 – 4	X		
Threat to Student	Minor	1 – 2	X		
	Serious	2 – 4	X		
09 Detrimental Behavior: Harassment					
Sexual Harassment	Minor	1 – 2	X		
	Serious	2 – 4 MUST report to APD	X		
Discriminatory Harassment	Minor	1 – 2	X		
	Serious	2 – 4*	X		
Bullying, Cyberbullying	Minor	1 – 2			X
	Serious	2 – 4*	X		
Sexting	Minor	1 – 2			X
	Serious	2 – 4	X		

MIDDLE & HIGH SCHOOL			Referral to School Administration		
<i>Behavior</i>	<i>Occurrence</i>	<i>Discipline Action Level Minimum → Maximum</i>	<i>Always refer</i>	<i>Generally do not refer</i>	<i>Staff discretion</i>
09 Detrimental Behavior: Weapon					
Weapon	Serious	2 – 4*	X		
Ordinary item as Weapon	Minor	1 – 2	X		
	Serious	2 – 4*	X		
Firearm Facsimile	Serious	2 – 4* MUST report to APD	X		
09 Detrimental Behavior: Declaration as Habitually Disruptive					
	Serious	1 – 4*	X		
10 Destruction of School Property					
Vandalism	Minor	1 – 2			X
	Serious	2 – 4*	X		
12 Other Violation of Code of Conduct					
Cell Phone/ Electronic Device	Minor	1 – 2			X
	Serious	2 – 3	X		
Computer/ Internet misuse	Minor	1 – 2			X
	Serious	2 – 4*	X		
Break/Enter School Property	Serious	2 – 4*	X		
Dress Code Violation	Minor	1 – 2		X	
	Serious	2 – 4	X		
Loitering	Minor	1 – 2			X
	Serious	2 – 3*	X		
Profane to adult	Minor	1 – 2	X		
	Serious	2 – 4*	X		
Profane to Student	Minor	1 – 2			X
	Serious	2 – 4	X		
Stolen Property Possession	Minor	1 – 2			X
	Serious	2 – 4*	X		
Theft	Minor	1 – 2			X
	Serious	2 – 4*	X		
Trespassing	Minor	1 – 2	X		
	Serious	2 – 4*	X		

MIDDLE & HIGH SCHOOL			Referral to School Administration		
<i>Behavior</i>	<i>Occurrence</i>	<i>Discipline Action Level Minimum → Maximum</i>	<i>Always refer</i>	<i>Generally do not refer</i>	<i>Staff discretion</i>
13 3rd Degree Assault/Disorderly Conduct					
3rd Degree Assault	Minor	2 – 3	X		
	Serious	2 – 4*	X		
Disorderly Conduct	Minor	1 – 2			X
	Serious	2 – 4*	X		
Fight with Student/Physical Aggression with Student	Minor	1 – 2	X		
	Serious	2 – 4*	X		
Conduct	Serious	2 – 4*	X		
14 Marijuana Violation					
Controlled Substance Marijuana SALE	Serious	2 – 4* MUST report to APD	X		
Controlled Substance Marijuana PURCHASE	Serious	2 – 4*	X		
Controlled Substance Marijuana POSSESSION	Minor	1 – 2	X		
	Serious	2 – 4*	X		
15 Sexual Violence/Battery (other than rape)					
Sexual Violence/ Battery	Serious	3 – 4 MUST report to APD	X		
16 Rape or Attempted Rape					
Rape or Attempted Rape	Serious	3 – 4 MUST report to APD	X		

ELEMENTARY SCHOOL

Notes on interpreting the Discipline Summary Chart:

- In the *Behavior* column, the type of behavior is categorized
- In the *Occurrence* column, behaviors are determined to be minor or serious in nature. A behavior could be serious in nature on the first offense or could be considered serious if a student’s minor behavior had occurred repeatedly.
- In determining whether a given offense should be considered “Minor” or “Serious”, schools may consider the following factors:
 - o degree of disruption to the educational process or the school; generally (but not always) misbehavior that occurs in the classroom or in the course of a school-related activity will be more disruptive than that which occurs during unstructured time such as in hallway/playground/cafeteria)
 - o age of the student
 - o maturity level of the student
 - o special needs of the student
 - o whether the student stops the misbehavior when told to do so
 - o whether the misbehavior has been engaged in many times
 - o discipline history
 - o number of students involved
 - o seriousness of the threat
 - o number of adults necessary to deal with the immediate incident
 - o whether the incident presented a credible threat to the safety (physical or emotional) to any person
- The numbers found in the *Discipline Minimum/Maximum* column refer to the Discipline Action Levels on intervention.
- In the *Referral to School Administration* column, staff members are required to refer those behaviors marked “always refer” the school administration. With some identified behaviors, a referral would generally not be needed. Staff members may choose to refer behaviors at their discretion.
- Carrying, bringing, using or possessing a firearm on school grounds requires an expulsion and a referral to law enforcement.
- **Other offenses which may be referred to law enforcement are designated by an asterisk (*)**. However, if at any time law enforcement is needed for the safety of students and staff, police may be called.

Definitions for each type of behavior may be found following the early child education discipline summary charts.

ELEMENTARY SCHOOL			Referral to School Administration		
<i>State Code & Behavior</i>	<i>Occurrence</i>	<i>Discipline Action Level Minimum → Maximum</i>	<i>Always refer</i>	<i>Generally do not refer</i>	<i>Staff discretion</i>
01 Drug Violation					
Controlled Substance: Other Than Marijuana SALE	Serious	2 – 4 MUST report to APD	X		
Controlled Substance: Other Than Marijuana PURCHASE	Serious	2 – 4 MUST report to APD	X		
Controlled Substance: Other Than Marijuana POSSESSION	Serious	2 – 4 MUST report to APD	X		
Drug Paraphernalia	Minor	1 – 2	X		
	Serious	2 – 4*	X		

ELEMENTARY SCHOOL			Referral to School Administration		
<i>State Code & Behavior</i>	<i>Occurrence</i>	<i>Discipline Action Level Minimum → Maximum</i>	<i>Must refer</i>	<i>Generally do not refer</i>	<i>Staff discretion</i>
02 Alcohol Violation					
Alcohol Possession or Sale	Minor	1 – 2	X		
	Serious	2 – 4*	X		
03 Tobacco Violation					
Tobacco Possession or Sale	Minor	1 – 2	X		
	Serious	2 – 4*	X		
04 1st, 2nd Degree or Vehicular Assault					
1st, 2nd Degree Assault Vehicular Assault	Serious	3 – 4 MUST report to APD	X		
05 Dangerous Weapon					
Dangerous Weapon	Serious	2 – 4 MUST report to APD	X		
Firearm	Serious	5 MUST report to APD	X		
06 Robbery					
Robbery	Serious	2 – 4 MUST report to APD if 10 years of age or older	X		
07 Other Felony					
Arson	Serious	2 – 4 MUST report to APD if 10 years of age or older	X		
False Fire Alarm	Serious	2 – 4 MUST report to APD if 10 years of age or older	X		
07 Other Felony: Bomb Threat					
Bomb Threat	Serious	3 – 4 MUST report to APD	X		

ELEMENTARY SCHOOL			Referral to School Administration		
<i>Behavior</i>	<i>Occurrence</i>	<i>Discipline Action Level Minimum → Maximum</i>	<i>Always refer</i>	<i>Generally do not refer</i>	<i>Staff discretion</i>
08 Disobedient/Defiant or Repeated Interference					
Disobedience	Minor	1 – 2		X	
	Serious	2 – 4	X		
Defiance	Minor	1 – 2		X	
	Serious	2 – 4	X		
Repeated Interference	Minor	1 – 2		X	
	Serious	2 – 4*	X		
Academic Dishonesty	Minor	1 – 2			X
	Serious	2 – 3	X		
09 Detrimental Behavior					
Encourage Fight/Assault	Minor	1 – 2			X
	Serious	2 – 4*	X		
Fire Extinguisher Misuse	Minor	1 – 2	X		
	Serious	2 – 4*	X		
Fireworks	Minor	1 – 2	X		
	Serious	2 – 4*	X		
Offense to Staff	Minor	1 – 2			X
	Serious	2 – 4*	X		
Reckless Wheels	Minor	1 – 2	X		
	Serious	2 – 4*	X		
Threat to Staff	Minor	1 – 2			X
	Serious	2 – 4*	X		
Threat to Student	Minor	1 – 2			X
	Serious	2 – 4*	X		
09 Detrimental Behavior: Harassment					
Sexual Harassment	Minor	1 – 2	X		
	Serious	2 – 4 MUST report to APD	X		
Discriminatory Harassment	Minor	1 – 2	X		
	Serious	2 – 4*	X		
Bullying, Cyberbullying	Minor	1 – 2			X
	Serious	2 – 4*	X		
Sexting	Minor	1 – 2	X		
	Serious	2 – 4	X		

ELEMENTARY SCHOOL			Referral to School Administration		
<i>Behavior</i>	<i>Occurrence</i>	<i>Discipline Action Level Minimum → Maximum</i>	<i>Always refer</i>	<i>Generally do not refer</i>	<i>Staff discretion</i>
09 Detrimental Behavior: Weapon					
Weapon	Minor	1 – 2	X		
	Serious	2 – 4*	X		
Ordinary item as Weapon	Minor	1 – 2	X		
	Serious	2 – 4*	X		
Firearm Facsimile	Serious	2 – 4 MUST report to APD	X		
09 Detrimental Behavior: Declaration as Habitually Disruptive					
	Serious	1 – 4*	X		
10 Destruction of School Property					
Vandalism	Minor	1 – 2			X
	Serious	2 – 4	X		
12 Other Violation of Code of Conduct					
Cell Phone/ Electronic Device	Minor	1 – 2			X
	Serious	2 – 3	X		
Computer/ Internet misuse	Minor	1 – 2			X
	Serious	2 – 3*	X		
Break/Enter School Property	Serious	2 – 4*	X		
Dress Code Violation	Minor	1 – 2		X	
	Serious	2 – 4			X
Loitering	Minor	1 – 2			X
	Serious	1 – 3	X		
Profane to adult	Minor	1 – 2	X		
	Serious	2 – 4	X		
Profane to Student	Minor	1 – 2		X	
	Serious	2 – 4			X
Stolen Property Possession	Minor	1 – 2			X
	Serious	2 – 4*	X		
Theft	Minor	1 – 2			X
	Serious	2 – 4*	X		
Trespassing	Minor	1 – 2			X
	Serious	2 – 4*	X		

ELEMENTARY SCHOOL			Referral to School Administration		
<i>Behavior</i>	<i>Occurrence</i>	<i>Discipline Action Level Minimum → Maximum</i>	<i>Always refer</i>	<i>Generally do not refer</i>	<i>Staff discretion</i>
13 3rd Degree Assault/Disorderly Conduct					
3rd Degree Assault	Minor	2 – 3	X		
	Serious	3 – 4*	X		
Disorderly Conduct	Minor	1 – 2			X
	Serious	2 – 4*	X		
Fight with Student/Physical Aggression with Student	Minor	1 – 2			X
	Serious	2 – 4*	X		
Physical Aggression with Adult	Minor	1 – 2			X
	Serious	2 – 4*	X		
14 Marijuana Violation					
Controlled Substance Marijuana SALE	Serious	2 – 4 MUST report to APD	X		
Controlled Substance Marijuana PURCHASE	Serious	2 – 4	X		
Controlled Substance Marijuana POSSESSION	Minor	1 – 2	X		
	Serious	2 – 4	X		
15 Sexual Violence/Battery (other than rape)					
Sexual Violence/ Battery	Serious	3 – 4 MUST report to APD	X		
16 Rape or Attempted Rape					
Rape or Attempted Rape	Serious	3 – 4 MUST report to APD	X		

EARLY CHILDHOOD EDUCATION

Notes on interpreting the Discipline Summary Chart:

- Early Childhood Education refers to preschoolers in Aurora Public Schools who are enrolled as a P 3 or P 4 student;
- In the *Behavior* column, the type of behavior is categorized;
- In the *Occurrence* column, behaviors are determined to be minor or serious in nature.
- In responding to the level of seriousness, a proactive, developmentally appropriate stance that is inclusionary in practice, rather than moving to an out-of-school suspension or expulsion should be the primary mode of discipline with **any** P – 3 or P – 4 student.

Preschool classrooms operate from a proactive mode to teach explicit behaviors and expectations, rather than reacting to behaviors in order to prevent the need to engage in disciplinary action.

The following procedures and guidance should drive response to young children who may be evidencing challenging behaviors in preschool:

1. Have clearly developed classroom rules, procedures and expectations of creating positive child, staff and family relationships (including guidelines for parent/family involvement – see Early Childhood Education Staff and Family Handbook)
2. Implementation of teaching strategies that support positive behavior, pro-social peer interaction, and overall social and emotional competence in young children;
3. Provision of individualized social and emotional intervention supports for children who need them, including methods for understanding child behavior, and developing, adopting and implementing team-based positive behavior support plans with the intent to reduce challenging behavior to prevent suspensions and expulsions;
4. Access to an early childhood mental health consultant or other specialist as needed.

An asterisk (*) indicates offenses which may be referred to law enforcement.

However, if at any time law enforcement is needed for the safety of students and staff, police may be called.

EARLY CHILDHOOD EDUCATION			Referral to School Administration		
<i>State Code & Behavior</i>	<i>Occurrence</i>	<i>Discipline Action Level Minimum → Maximum</i>	<i>Always refer</i>	<i>Generally do not refer</i>	<i>Staff discretion</i>
01 Drug Violation					
Controlled Substance: Other Than Marijuana SALE	Not applicable *should result in consultative call with CDHS and possibly police involvement as a concern for child welfare and safety				
Controlled Substance: Other Than Marijuana PURCHASE	Not applicable *should result in consultative call with CDHS and possibly police involvement as a concern for child welfare and safety				
Controlled Substance: Other Than Marijuana POSSESSION	Not applicable *should result in consultative call with CDHS and possibly police involvement as a concern for child welfare and safety				
Drug Paraphernalia *could result in consultative call with CDHS and possibly police involvement as a concern for child welfare and safety	Minor	1 – 2	X		
	Serious	2 – 4*	X		

EARLY CHILDHOOD EDUCATION			Referral to School Administration		
<i>State Code & Behavior</i>	<i>Occurrence</i>	<i>Discipline Action Level Minimum → Maximum</i>	<i>Must refer</i>	<i>Generally do not refer</i>	<i>Staff discretion</i>
02 Alcohol Violation					
Alcohol Possession or Sale	Minor	1 – 2	X		
	Serious	2 – 4*	X		
*could result in consultative call with CDHS and possibly police involvement as a concern for child welfare and safety					
03 Tobacco Violation					
Tobacco Possession or Sale	Minor	1 – 2	X		
	Serious	2 – 4*	X		
04 1st, 2nd Degree or Vehicular Assault					
1st, 2nd Degree Assault Vehicular Assault	Not applicable				
05 Dangerous Weapon					
Dangerous Weapon	Serious	2 – 4 MUST report to APD and Health & Human Services	X		
Firearm	Serious	5 MUST report to APD	X		
06 Robbery					
Robbery	Serious	2 – 4 MUST report to APD if 10 years of age or older	X		
07 Other Felony					
Arson	Serious	2 – 4 MUST report to APD if 10 years of age or older	X		
False Fire Alarm	Serious	2 – 4 MUST report to APD if 10 years of age or older	X		
07 Other Felony: Bomb Threat					
Bomb Threat	Serious	3 – 4 MUST report to APD	X		

EARLY CHILDHOOD EDUCATION			Referral to School Administration		
<i>Behavior</i>	<i>Occurrence</i>	<i>Discipline Action Level Minimum → Maximum</i>	<i>Always refer</i>	<i>Generally do not refer</i>	<i>Staff discretion</i>
08 Disobedient/Defiant or Repeated Interference					
Disobedience	Minor	1 – 2		X	
	Serious	2 – 4	X		
Defiance	Minor	1 – 2		X	
	Serious	2 – 4	X		
Repeated Interference	Not applicable				
Academic Dishonesty	Not applicable				
09 Detrimental Behavior					
Encourage Fight/Assault	Not applicable				
Fire Extinguisher Misuse	Not applicable				
Fireworks	Minor	1 – 2	X		
	Serious	2 – 4*	X		
Offense to Staff	Minor	1 – 2			X
	Serious	2 – 4*	X		
Reckless Wheels	Not applicable				
Threat to Staff	Minor	1 – 2			X
	Serious	2 – 4*	X		
Threat to Student	Minor	1 – 2			X
	Serious	2 – 4*	X		
09 Detrimental Behavior: Harassment					
Sexual Harassment	Minor	1 – 2	X		
	Serious	2 – 4 MUST report to APD	X		
Discriminatory Harassment	Minor	1 – 2	X		
	Serious	2 – 4*	X		
Bullying	Minor	1 – 2		X	
	Serious	2 – 4*			X
Cyberbullying	Not applicable				
Sexting	Not applicable				

EARLY CHILDHOOD EDUCATION			Referral to School Administration		
<i>Behavior</i>	<i>Occurrence</i>	<i>Discipline Action Level Minimum → Maximum</i>	<i>Always refer</i>	<i>Generally do not refer</i>	<i>Staff discretion</i>
09 Detrimental Behavior: Weapon					
Weapon	Minor	1 – 2	X		
	Serious	2 – 4*	X		
*could result in consultative call with CDHS and possibly police involvement as a concern for child welfare and safety					
Ordinary item as Weapon	Minor	1 – 2	X		
	Serious	2 – 4*	X		
Firearm Facsimile	Serious	2 – 4*	X		
09 Detrimental Behavior: Declaration as Habitually Disruptive					
	Serious	1 – 4*	X		
10 Destruction of School Property					
Vandalism	Not applicable				
12 Other Violation of Code of Conduct					
Cell Phone/ Electronic Device	Not applicable				
Computer/ Internet misuse	Not applicable				
Break/Enter School Property	Not applicable				
Dress Code Violation	Not applicable				
Loitering	Not applicable				
*could result in consultative call with CDHS and possibly police involvement as a concern for child welfare and safety					
Profane to adult	Minor	1 – 2	X		
	Serious	2 – 4	X		
Profane to Student	Minor	1 – 2		X	
	Serious	2 – 4			X
Stolen Property Possession	Not applicable				
Theft	Minor	1 – 2			X
	Serious	2 – 4*	X		
Trespassing	Not applicable				

EARLY CHILDHOOD EDUCATION			Referral to School Administration		
<i>Behavior</i>	<i>Occurrence</i>	<i>Discipline Action Level Minimum → Maximum</i>	<i>Always refer</i>	<i>Generally do not refer</i>	<i>Staff discretion</i>
13 3rd Degree Assault/Disorderly Conduct					
3rd Degree Assault	Not applicable				
Disorderly Conduct	Not applicable				
Fight with Student/Physical Aggression with Student	Minor	1 – 2			X
	Serious	2 – 4*	X		
Physical Aggression with Adult	Minor	1 – 2			X
	Serious	2 – 4*	X		
14 Marijuana Violation					
Controlled Substance Marijuana SALE	Not applicable				
<small>*should result in consultative call with CDHS and possibly police involvement as a concern for child welfare and safety</small>					
Controlled Substance Marijuana PURCHASE	Not applicable				
<small>*should result in consultative call with CDHS and possibly police involvement as a concern for child welfare and safety</small>					
Controlled Substance Marijuana POSSESSION	Not applicable				
<small>*should result in consultative call with CDHS and possibly police involvement as a concern for child welfare and safety</small>					
15 Sexual Violence/Battery (other than rape)					
Sexual Violence/Battery	Serious	3 – 4 MUST report to APD	X		May be reported to Child Development Social Services Consideration
<small>*should result in consultative call with CDHS and possibly police involvement as a concern for child welfare and safety</small>					
16 Rape or Attempted Rape					
Rape or Attempted Rape	Serious	3 – 4 MUST report to APD	X		
<small>*should result in consultative call with CDHS and possibly police involvement as a concern for child welfare and safety</small>					

IV. ATTEMPTING TO COMMIT AN OFFENSE

In addition, schools have the authority to impose disciplinary action for an attempt to commit an offense, where in the judgment of the school administration it is appropriate to do so under the circumstances. "Attempt" for purposes of the preceding sentence includes an attempt to commit, aiding, or abetting the commission of, conspiring to commit, or participating in any manner, even though unaccomplished, in the commission of any of the offenses designated.

V. REFERRAL TO LAW ENFORCEMENT

Offenses requiring referral to law enforcement are indicated in the Discipline Summary Charts. Other offenses may be referred to law enforcement as indicated by an asterisk. However, if at any time law enforcement is needed for the safety of students and staff, police may be called. Referral to law enforcement is defined as communication between a school administrator, teacher, or other school employee and a law enforcement agency which is initiated by an employee, concerns behavior, and requests law enforcement involvement or investigation.

VI. HABITUALLY DISRUPTIVE STUDENTS

A disruptive act is one involving behavior which causes a material and substantial disruption in the classroom, on school grounds, in school vehicles, or at school activities or sanctioned events.

Before determining that an act is disruptive, the student should be given an opportunity to explain her/his side of the story regarding the incident. Whether a given act is disruptive shall be determined by the school administration in consultation with the staff member(s) who observed or know about the conduct. For an act to be counted as one of the three disruptive acts leading to declaration as an habitually disruptive student, both the student and the parent/guardian must be notified in writing and by phone (or other means) of the definition of an habitually disruptive student, that the act will be counted as one of the three disruptive acts potentially leading to being labeled as habitually disruptive, and that a student who commits three or more disruptive acts during a school year may be expelled.

In most disruptive acts which may lead to the status of a habitually disruptive student, progressive discipline will be employed, i.e. progressively more severe consequences for each successive disruptive act will be implemented. In such cases, the school should put a behavior support plan in place immediately after the first habitual disruptive offense. The behavior support plan should be revised as appropriate if the student continues to misbehave. All interventions which have been utilized to assist the student should be documented by the school throughout the habitually disruptive process.

However, the nature of the discipline imposed in each case and whether progressive discipline is appropriate for a given case is up to the administrator to determine. A single disruptive act may be serious enough to warrant expulsion, but in such cases the expulsion will be brought on grounds other than that the student is "habitually disruptive" (for example, the ground for expulsion might be "continued willful disobedience or open and persistent defiance of proper authority", or "behavior which is detrimental to the welfare or safety of other pupils or of school personnel").

Students with disabilities (either Section 504 or IDEIA) may only be expelled as habitually disruptive students where a staffing team or building intervention team has determined that each disruptive act counted toward declaring the student "habitually disruptive" and that the behaviors are not a manifestation of the student's disability.

VII. USE OF REASONABLE FORCE

Teachers and other district employees shall have the responsibility to determine and enforce consequences to ensure the proper management of their classes and the appropriate behavior of pupils. All teachers, administrators and other district personnel are authorized to use reasonable and appropriate acts of physical force in compliance with policy JKA, Physical Intervention.

VIII. PROCEDURAL ISSUES

- A. Misconduct away from school.** Misconduct which does not take place at a school or at a school-related function may, in some cases result in student discipline if the misconduct is detrimental to the welfare or safety of other pupils or of school personnel. Conduct which is disruptive to the school's educational process, or to the ability of a given child to concentrate on her/his studies, may be found to be detrimental to the welfare of pupils. In summary, something that happens away from school may result in discipline at school.
- B. Consequences.** The consequences described in this regulation are those which will most likely be imposed in the usual case for a given offense. However, unless a specific consequence is mandated by law, a greater or lesser consequence may be imposed in a given case because of the specific circumstances of the case, such as the age and/or maturity of the student.
- C. Standard of proof.** The standard of proof in determining whether acts of students constitute violations under the District Conduct and Discipline Code shall remain at all times one of substantial evidence (i.e. whether there is substantial evidence to support the charge), whether or not the definition of such acts is taken from the criminal law.

IX. DISTRIBUTION AND EDUCATION REGARDING THE CODE

This Code shall be available for review for each student and family in the school district. The Code shall also be available for review in each school in the district, as well as on the district Web site at aurorak12.org. In addition, each school in the district shall take reasonable measures to ensure that each student is familiar with the Code.

DEFINITION OF OFFENSES

The behaviors and various terms listed in this regulation are defined as indicated below.

01 DRUG VIOLATION

For all offenses under this category, the terms “controlled substance” and “drug” shall be synonymous and shall be defined as in 21 USC sec 12 and include, but are not limited to certain narcotic drugs, hallucinogenic or mind-altering drugs or substances, amphetamines, barbiturates, stimulants, depressants, cocaine, marijuana, prescription drugs and anabolic steroids and shall also synthetic drugs (k2, spice).

CONTROLLED SUBSTANCE: OTHER THAN MARIJUANA POSSESSION

Students shall not possess, use, consume, have consumed or be under the influence of any drug on school grounds, in any District vehicles, or in connection with school-related activities. (Prescription medication and over the counter medication must be secured in the health office at all times. The exception is that high school students may have one day’s worth of such medication for self-administration during the school day, provided such medication is not a controlled substance.)

CONTROLLED SUBSTANCE: OTHER THAN MARIJUANA PURCHASE/ACCEPTANCE

Purchase means providing something of value in exchange for a controlled substance. Acceptance means freely receiving drugs without purchase or exchange for value.

CONTROLLED SUBSTANCE: OTHER THAN MARIJUANA SALE

The sale, exchange, distribution or gift of drugs including anabolic steroids and prescription drugs. As used in this definition, “drug” includes substances that are represented by or to the students to be a drug or what the student believes to be a drug. Distribution means the transfer of a controlled substance from one person to another.

DRUG PARAPHERNALIA POSSESSION

Possession, use, gift, purchase or acquisition, sale or other transmission of any equipment, products, and materials of any kind which are used, intended for use, or designed for use in producing, storing, analyzing, concealing, or assisting in introducing into the human body a controlled substance including hypodermic needles, syringes, pipes, roach clips and rolling papers is prohibited.

02 ALCOHOL VIOLATION**ALCOHOL**

Students shall not sell, purchase, exchange, purchase or use alcohol on school grounds, in any District vehicle, or in connection with school-related activities. The standard for being under the influence of alcohol shall not be the standard used under Colorado Motor Vehicle Law, but rather shall be whether the student is under the influence of alcohol, to any degree.

03 TOBACCO VIOLATION**TOBACCO**

Use or sale of tobacco on district property, in a district vehicle or district sanctioned event is not allowed. Tobacco products are defined in C.R.S. 25-14.103.5 and District regulation ADC (Tobacco-Free Schools) and include cigarettes, cigars, and chewing tobacco, electronic cigarettes and vapor pens.

04 1ST, 2ND DEGREE or VEHICULAR ASSAULT**1ST, 2ND DEGREE or VEHICULAR ASSAULT**

An act intended by the actor to cause some bodily injury, and which does cause some serious bodily injury, serious bodily injury or death to another person (though not necessarily the person intended) as defined by C.R.S. Section 18-3-204. This includes vehicular assault, defined as “driving a motor vehicle in a reckless manner, and this conduct is the proximate cause of serious bodily injury to another.”

- a. 1st Degree Assault consists of intent to cause “bodily injury” which results in a substantial risk of death, or serious and permanent disfigurement, or protracted loss or impairment of the function of any part or organ of the body; or broken bones or burns of the second or third degree.
- b. In general, the following types of injuries will be present where a second degree assault has been committed: 2nd Degree Assault consists of intent to cause a “bodily injury” which results in significant facial scars, broken bones, second or third degree burns, impairment of vision or hearing for an extended period of time or injuries resulting in impaired mobility for an extended time period.
- c. Self-defense: self-defense is present where (1) a reasonable person under the same circumstance would have believed that it was necessary for him/her to use force to protect him/herself against an actual or apparent threatened harmful contact; (2) the person used no more force than a reasonable person would have under the same circumstances; and (3) there was no way (such as by leaving the scene or calling for an adult) that a reasonable person could have avoided the altercation. Self-defense may be a defense to the offense of assault (not to the offense of fighting).

05 DANGEROUS WEAPON**DANGEROUS WEAPON**

Bringing, carrying, possessing, and/or using any of the following:

1. A firearm, as defined in section 18 U.S.C. sec 921(a)(3), is any (A) any weapon (including starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.
2. Any pellet or “BB” gun or other device, whether operational or not, designed to propel projectiles by spring action or compressed air;
3. Knives
 - a. Any fixed-blade knife with a blade that measures longer than three inches; or
 - b. A spring-loaded or pocketknife with a blade that measures longer than three and one-half inches; or
 - c. Any object, device, instrument, material or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury including but not limited to bludgeon, brass knuckles or artificial knuckles of any kind.

06 ROBBERY**ROBBERY**

Commission of an act by a student which, had it been committed by an adult, would be robbery as defined by C.R.S. Section 18-4-301. “A person who knowingly takes anything of value from the person or presence of another by the use of force, threats or intimidation commits robbery.”

07 OTHER FELONY**ARSON**

Intentionally starting any fire or combustion on school property without authorization from a school official, whether or not damage occurs. Arson does not include lighting matches where there is no attempt to light anything else on fire.

FALSE FIRE ALARM

Reporting a fire to authorities or setting off a fire alarm without a reasonable belief that a fire or other serious emergency appropriate for activation of the alarm exists.

OTHER FELONY: BOMB THREAT**BOMB THREAT**

Reporting to authorities by any form of media the presence of a bomb on or near school property (or at a school-related activity) without a reasonable belief that the report is true.

08 DISOBEDIENT/DEFIANT OR REPEATED INTERFERENCE**ACADEMIC DISHONESTY**

Untruthful or deceptive behavior in connection with academics, including plagiarism, cheating on tests or assignments or changing grades without authorization. Plagiarism is the taking of someone else's words, ideas, or findings and intentionally presenting them as your own without properly giving credit to their source.

DISOBEDIENCE

A student's deliberate failure or refusal to comply with the directions of authorized school personnel or with school rules.

DEFIANCE

Disobedience coupled with a serious verbal challenge or challenge of some other kind.

INTERFERENCE WITH SCHOOL PERSONNEL

Preventing or attempting to prevent school personnel from engaging in their responsibilities through any means including threats, physical force or violence. Interference with school personnel may also constitute a crime under C.R.S. 18-9-109.

09 DETRIMENTAL BEHAVIOR**ENCOURAGING FIGHTING/ASSAULT**

Taking action, making comments or writing message in any media which might reasonably be expected to result in a fight or assault or which increase the likelihood that a fight or assault will occur. If a conflict appears to be imminent, students should try to remove themselves from the situation and immediately contact an administrator, teacher or other school employee.

FIRE EXTINGUISHER MISUSE

Tampering with or misuse of a fire extinguisher or other fire protection equipment.

FIREWORKS

The use or possession of firecrackers or other minor powder explosives. (Incendiary devices which meet the definition of "firearm" under 18 U.S. Code 921 require expulsion by federal law and are not "minor powder explosives".)

OFFENSE TO STAFF

Any assault upon, disorderly conduct toward, harassment of, knowingly making of a false allegation of child abuse against, or any alleged offense under the Colorado Criminal Code directed toward district staff or instances of damage occurring on the premises to the personal property of district staff by a student.

RECKLESS WHEELS

Operation of a motor vehicle, bicycle, roller blades, skateboard, motorized skateboard or scooter, or similar device on school property so as to endanger the property, safety, health, and/or welfare of others.

THREAT TO STAFF

Threats of bodily injury, of damage to property or reputation, or of economic loss made against a staff member of an educational institution. Also, acts or words in any media sufficiently pervasive and severe to interfere with the work of a staff member or their participation in school-related activities.

THREAT TO STUDENT

Threats of bodily injury, of damage to property or reputation, or of economic loss made against a student. Also, acts or words in any media (including hazing or initiation rites) sufficiently pervasive and severe to interfere with the learning of a student or their participation in school-related activities.

09 DETRIMENTAL BEHAVIOR: HARASSMENT**SEXUAL HARASSMENT**

Harassing another person through conduct or communications which are of a sexual nature or which, while not overtly sexual, would not have occurred except for the person's gender or sexual orientation. The behavior must be unwelcome, offensive, and must have negative affects on the learning or work of others.

DISCRIMINATORY HARASSMENT

Harassing another person through conduct or communications which are of race, creed, color, religion, national origin, ancestry, disability or need for special education services nature or which, would not have occurred except for the student's race, color or national origin. Such conduct must have negative effects on the learning or work of others. (This is a summary of the information found in district policy AC which contains a more complete description of the offense.)

BULLYING

Any written or verbal expression, or physical or electronic act or gesture, or a pattern thereof, that is intended to coerce, intimidate, or cause any physical, mental, or emotional harm to any student. Bullying against any student for any reason is prohibited, including but not limited to any such behavior that is directed toward a student on the basis of his or her academic performance or against whom federal and state laws prohibit discrimination upon any of the bases described in Section 22-32-109 (1)(LL)(I). This definition is not intended to infringe upon any right guaranteed to any person by the First Amendment to the United States Constitution or to prevent the expression of any religious, political, or philosophical views.

CYBERBULLYING

Students will also be subject to school or legal disciplinary actions for cyberbullying. This involves the use of information and communication technologies such as e-mails, cell phone and pager text messages, instant messaging, defamatory personal websites, social network websites and defamatory online personal polling websites. Cyberbullying actions include:

- Sending mean, vulgar or threatening messages or images;
- Posting sensitive, private information about another person;
- Pretending to be someone else in order to make that person look bad; and
- Intentionally excluding someone from an online group

Cyberbullying will not be tolerated and will constitute the same levels of disciplinary action as other types of bullying.

SEXTING

Sexting is sending, sharing, viewing, or possessing pictures, text messages, emails or other material of a sexual nature in electronic or any other form on a computer, cellphone, or other electronic device. Sexting is prohibited. Parents and the police will be contacted. Sexting maybe reported as suspected child abuse/ neglect or child pornography.

09 DETRIMENTAL BEHAVIOR: WEAPON**WEAPON**

Bringing, carrying, possessing, and/or using an item, (other than an item classified as a "dangerous weapon") whose intended purpose is to harm or injure another. Examples of weapons include:

- a. Knives which are not considered "dangerous weapons" by definition,
- b. Nunchukus,
- c. Chinese stars,
- d. Slingshots.

ORDINARY ITEM AS A WEAPON

Bringing, carrying possessing, and/or using an everyday item whose intended purpose is not normally in inflict harm on a person, that is used to threaten, intimidate, frighten or injure another. Examples of such items may include:

- a. Padlocks on ropes, strings, chains, etc.;
- b. Baseball and softball bats, sticks, pipes and clubs;
- c. Chemical, including mace, pepper gas, tear gas, etc.;
- d. Lighters;
- e. Shoes, especially military-style boots;
- f. Rocks, bottles, pop cans.

FIREARM FACSIMILE

Bringing, carrying, possessing, and/or using, a firearm facsimile that could reasonably be mistaken for an actual firearm in a school building or in or on school property. This charge does not include a student carrying, bringing, using, or possessing a firearm facsimile on school property for either a school-related or a non-school-related activity with prior authorization of school principal/designee.

09 DETRIMENTAL BEHAVIOR: DECLARATION AS HABITUAL DISRUPTIVE**HABITUALLY DISRUPTIVE STUDENT**

A student who has, on three or more occasions during a school year, caused a material and substantial disruption in the classroom, on school grounds, on school vehicles, or at school-related activities. Once a student is declared “habitually disruptive,” the student may be expelled. No child shall be declared to be “habitually disruptive student” unless the student and parent/guardian have been notified in writing and by telephone (or other means) of the definition “habitually disruptive student.”

10 DESTRUCTION OF SCHOOL PROPERTY**VANDALISM**

Intentionally or recklessly causing damage to or defacing school district property. Minor incidents are those which can be repaired with little or no expense (generally less than \$20 of materials and labor); other incidents are considered major. Actions that impair the use of school property are also included. Ruining bulletin boards, intentionally clogging a plumbing system, impairing the functions of a computer or computer system, breaking light bulbs or fixtures, and damaging school equipment to the point where repair is necessary are acts of property destruction.

12 OTHER VIOLATION OF CODE OF CONDUCT**CELL PHONES – ELECTRONIC DEVICES**

Aurora Public Schools believes in “providing environments that optimize learning and teaching and are safe, secure, and well-maintained.” As such, and except for approved educational purposes, all personal electronic devices shall not be seen, used, nor heard during the school day on Aurora Public Schools property by students grades K-12. Cell phones and electronic devices include, but are not limited to, cell phones, iPods, MP3 players, tablets, cameras, electronic games, etc. Schools may develop protocols to address the implementation of the electronic device regulation.

COMPUTER /INTERNET MISUSE

Violation of rules adopted by a school relating to the proper use of computers or the Internet.

BREAKING/ENTERING SCHOOL PROPERTY

A student shall not break and enter (or otherwise enter without authorization) property either on school grounds or at any school-related activity.

DRESS CODE VIOLATION

Students shall not wear apparel that is deemed disruptive or potentially disruptive to the classroom environment or to the maintenance of a safe and orderly school. (This is a summary of the information found in policy JICA which contains a more complete description of the offense.)

LOITERING

Loitering is defined as standing idly around; lingering; delaying or wandering about. Students who loiter at any school after the close of the school day without special need or proper supervision are trespassing and may be prosecuted by law if they do not leave when instructed to do so.

PROFANE TO ADULT

Profane, lewd or vulgar communications directed to any adult by any method or means, including verbally, electronically or by written words, photographs, or drawings.

PROFANE TO STUDENT

Profane, lewd or vulgar communications directed to any other student by any method or means, including verbally, electronically or by written words, photographs or drawings. (Racial or sexual slurs, if severe in nature, may lead to an offense considered to be racial or sexual harassment. [See definitions for discriminatory or sexual harassment]).

THEFT

Taking or “borrowing” property which belongs to someone else without permission. Minor theft involves items of less than \$20 value, except that theft of the following are considered major thefts: (a) items such as wallets and purses which often contain articles of significant monetary value; (b) items such as credit cards which may be used to acquire articles of significant value; and (c) items such as keys or computer access cards by which access may be gained to restricted property or areas. Theft shall also include causing another to be deceived by false or misleading information in order to obtain anything of value.

POSSESSION OF STOLEN PROPERTY

Having in one's possession or under one's control (including in one's locker) property which has been stolen or when the person has reasonable cause to believe that it has been stolen.

TRESPASS

No student shall be on the campus of any school except the one to which the student is assigned during the school day without the knowledge and consent of the officials of that school or in connection with a public event. Nor shall a student under suspension or expulsion be on the grounds of any District school or other property, or attend any school-related activities without the permission of the school which imposed the discipline.

13 3RD DEGREE ASSAULT/DISORDERLY CONDUCT**3RD DEGREE ASSAULT**

This crime is committed if a person knowingly or recklessly causes bodily injury (even slight injury) to another person.

DISORDERLY CONDUCT

Intentionally, knowingly, or recklessly disrupts the educational environment.

FIGHT/PHYSICAL AGGRESSION WITH STUDENT

Is present where: (1) a student acts with the intent of making physical contact with another person (or acts with the knowledge that physical contact could probably result); (2) physical contact with another person does result; and (3) the intended contact is significantly offensive to the other person. If a conflict appears to be likely, the student is, if at all possible under the circumstances, expected to make all possible efforts to avoid the conflict, including leaving the scene or seeking the help of a teacher, administrator, paraeducator or other school employee. Self-defense may be a defense to the offense of assault 1, 2, 3(not the offense of fighting).

- Where horseplay may be involved, the administration must make a judgment about whether the incident was truly horseplay and, if so, whether it remained horseplay or escalated to a point where contact was significantly offensive to another person.
- Fighting may also result in 3rd degree assault, which is defined as an act in which a person knowingly or recklessly causes bodily injury (even slight injury) to another person.

EXPLANATORY NOTE REGARDING FIGHTING:

Administrators shall determine interventions and/or consequences of a fight based upon a consideration of the following factors and any other factors relevant to the individual case.

Factors related to fighting consequences

- The age and grade level of the students involved, especially if there are significant differences between students involved in the fight.
- The degree of injury inflicted
- The number of people involved (more people = more serious)
- Maturity level of the student
- Special needs of the student
- Discipline history
- The degree of disruption to the educational process or the school
- Compliance with directives and attitude toward staff when directed to stop, to go to the office, to explain what happened etc.
- Whether the student instigated the fight or, on the other hand, had taken some step(s) prior to the fight to avoid it, such as reporting the conflict to a school employee or attempted to use an intervention such as peer mediation, conflict resolution process, etc.
- The administration's judgment as to the potential for future disruption, including the degree to which the incident may cause further disruption to the school through attempted retaliation by the victim or those allied with the victim
- The location of the incident (school related activity including classroom vs. unstructured time hallway/playground/cafeteria vs. during P.E class or an athletic activity)
- The student's sincere contrition: the administrators' judgment that the student truly regrets the conduct and it is unlikely to re occur
- Intensity
 - Aggressiveness shown by the student (one shove vs. repeated or savage blows)
 - Level of staff or police intervention necessary to resolve (shoving match which is over quickly vs. major brawl with police called to scene)

PHYSICAL AGGRESSION WITH ADULT

No student shall act in a physically aggressive way toward an adult at school, on any district property, in any district vehicle, or at any school-related activities. Physical contact and/or physical injury is not a requirement of this offense.

14 MARIJUANA VIOLATION**MARIJUANA VIOLATION**

For all offenses under this category, the terms “controlled substance” and “drug” shall be synonymous and shall be defined as in 21 USC sec 12 and include, but are not limited to certain narcotic drugs, hallucinogenic or mind-altering drugs or substances, amphetamines, barbiturates, stimulants, depressants, cocaine, marijuana, prescription drugs and anabolic steroids and shall also synthetic drugs (k2, spice).

CONTROLLED SUBSTANCE: MARIJUANA POSSESSION

Students shall not possess, use, consume, have consumed or be under the influence of any drug on school grounds, in any District vehicles, or in connection with school-related activities. (Prescription medication and over the counter medication must be secured in the health office at all times. The exception is that high school students may have one day’s worth of such medication for self-administration during the school day, provided such medication is not a controlled substance.)

CONTROLLED SUBSTANCE: MARIJUANA PURCHASE/ACCEPTANCE

Purchase means providing something of value in exchange for a controlled substance. Acceptance means freely receiving drugs without purchase or exchange for value.

CONTROLLED SUBSTANCE: MARIJUANA SALE

The sale, exchange, distribution or gift of drugs including anabolic steroids and prescription drugs. As used in this definition, “drug” includes substances that are represented by or to the students to be a drug or what the student believes to be a drug. Distribution means the transfer of marijuana from one person to another.

15 SEXUAL VIOLENCE/BATTERY (Other than Rape)**SEXUAL VIOLENCE**

A physical sexual act perpetrated against a person’s will or where a person is incapable of giving consent on school grounds, in a school vehicle, or at a school activity or sanctioned event.

16 RAPE OR ATTEMPTED RAPE**RAPE OR ATTEMPTED RAPE**

Forced sexual intercourse (vaginal, anal, or oral penetration.) This includes from a foreign object. Both male and female students can be victims of rape.

COMMUNICATION OF DISCIPLINARY INFORMATION

The principal or designee of each school in the Aurora Public Schools 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. This information may include offenses that occurred in Aurora Public Schools or while a student attended a school in another district. The purpose of this requirement is to make school personnel aware of situations that present a significant risk to the safety and welfare of others.

The Superintendent or designee shall issue regulations to carry out the purposes of this policy. Those regulations shall include a requirement that parents/guardians be given a copy of the discipline information shared with staff near the time that the information is given to staff and shall also include a process by which parents/guardians may challenge the accuracy of the disciplinary information given to staff, unless a hearing has already been held on the discipline at issue.

COMMUNICATION OF DISCIPLINARY INFORMATION

As outlined in Board policy, student disciplinary information must be shared with any teacher who has direct contact with a student in the classroom and to any counselor who has direct contact with a student. For purposes of this regulation, “disciplinary information” means documentary records representing the following types of discipline:

- A. offenses as found under policy JK.1-R (weapons, sale or purchase of drugs, robbery, 1st or 2nd degree assault);
- B. sexual harassment; and
- C. other offenses that the principal believes should be shared, especially any infraction involving threats to person or property that indicate a substantial risk of danger to others.

Such disciplinary information shall include offenses which fall within the three categories listed above and were committed while a student attended a former school.

In addition to sharing copies of the disciplinary information described above, building administrators shall also inform staff members on an annual basis that teachers who have a student in class or counselors having direct contact with a student have the right to inspect the entire disciplinary file of such students and that they should contact the principal or designee if they wish to conduct such a review.

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 without the consent of the principal or designee.

The student and/or the student’s parent/guardian may challenge the accuracy of disciplinary information as outlined below.

A copy of the discipline documents provided to the teacher/counselor will be provided to the student and the student’s parent/guardian at or near the time it is shared with staff. However, if a student is 18 years old or older, as required by federal law, the student’s written permission will be necessary in order for the parent/guardian to receive them. The student and/or parent/guardian will be informed, when they receive a copy of the discipline documents, that the parent/guardian (or the student, if over 18) may challenge the accuracy of the disciplinary information on the basis that it is inaccurate, false or misleading. However, where the student or parent/guardian has already been provided a formal hearing (one which included the right to cross-examine witnesses and an impartial hearing officer) on the discipline at issue, then no further challenge will be allowed.

Challenges

The following procedures apply when a parent/guardian (or student, if over 18) challenges the statement of disciplinary information.

- Step 1. A Step 1 review will be requested, in writing, within seven days after receipt by the parent/guardian of the written statement. If the interested persons fail to file an intent to challenge within seven days after receiving a copy of the statement, the statement will stand as written and there will be no further opportunity to challenge that statement. If the parent/guardian or student challenges any part of the statement, the principal should review the part of the statement being challenged and may, by mutual agreement with the person making the challenge, delete or modify the information in question.
- Step 2. If the principal does not agree to change the written statement as requested during the Step 1 review, the parent/guardian or student may request a review by the Superintendent or designee within 10 days after the principal's decision not to change the written statement. This review may include a personal meeting with the parent/guardian or may be a paper review at the option of the Superintendent or designee. The request for review must be in writing and state the reasons for the request. The principal may file a written response to the parent's request for a Step 2 review to be considered by the Superintendent or designee. The Superintendent or designee will make a decision within 10 school days after receiving the request for Step 2 review. The Superintendent or designee may take whatever steps necessary to make a determination about the content of the statement, including discussing the matter privately with the parent/guardian and/or principal and making independent inquiries to determine the accuracy and/or fairness of the statement.

The Superintendent or designee may decide that the statement should be revised in accordance with the parent/guardian position or may decide to uphold the principal's statement as accurate. The Superintendent or designee's decision is final.

Even after an appeal has been held on the disciplinary information contained in a statement, that statement may be communicated to teachers/counselors during the school year. However, if the statement has been communicated prior to the conclusion of the challenge and changes were made to the statement, the principal/designee will see that all those who received the original statement are provided a copy of the revised statement.

DISCIPLINE OF STUDENTS WITH DISABILITIES

Students with disabilities are neither immune from a school district's disciplinary process nor entitled to participate in programs when their behavior impairs the education of other students.

Students with disabilities who engage in disruptive activities and/or actions dangerous to themselves or others will be disciplined in accordance with their Individualized Education Programs (IEPs), Section 504 Educational Plan any behavioral intervention plan and this policy.

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

Suspensions, Expulsions and Provision of Services

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

A disciplinary change of placement occurs when a student is removed for more than 10 consecutive school days or subjected to a series of removals that constitute a pattern of removal under governing law.

For students qualifying under IDEA upon the eleventh school day of suspension or removal when such suspension or removal does not result in a disciplinary change of placement, educational services shall be provided to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. School personnel, in consultation with at least one of the student's teachers, shall determine the educational services to be provided to the student during this period of suspension or removal.

For students under a Section 504 Educational Plan, upon the eleventh day of suspension or removal educational services shall be provided to enable the student to continue to participate in an alternative educational curriculum that would be available to non disabled students. School personnel, in consultation with at least one of the student's teachers, shall determine the educational services to be provided to the student during the period of suspension or removal.

When a student is expelled or subject to a removal that results in a disciplinary change of placement, educational services shall be provided as determined by the student's IEP team to enable the student to participate in the general education curriculum, although in another setting, and to progress toward meeting his or her IEP goals.

Prior to expulsion or other disciplinary change in placement, the student's parents shall be notified of the decision to take such disciplinary action and of their procedural safeguards. This notification shall occur not later than the date on which such decision is made.

Manifestation Determination

Within 10 school days from the date of the decision to take disciplinary action that will result in a disciplinary change of placement, relevant members of the student's IEP team, including the student's parents, or the student's 504 team if IDEA is not applicable, shall review all relevant information in the student's file, including the student's IEP and/or Section 504 Educational Plan, any teacher observations, and any relevant information provided by the parents, to determine whether the student's behavior was a manifestation of the student's disability.

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

Disciplinary Action for Behavior That Is Not a Manifestation

If the team determines that the student's behavior was not a manifestation of the student's disability, disciplinary procedures shall be applied to the student in the same manner as applied to nondisabled students. As stated above, the student shall receive educational services during the period of expulsion or other disciplinary change of placement.

Within a reasonable amount of time after determining that the student's behavior is not a manifestation of the student's disability, the student may receive, as appropriate, a functional behavioral assessment ("FBA"). In addition, a behavioral intervention plan ("BIP") may be developed for the student, as appropriate. If a BIP has already been developed, the BIP may be reviewed and modified, as appropriate.

Disciplinary Action and/or Alternative Placement for Behavior That Is a Manifestation

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

Within a reasonable amount of time after determining that the student's behavior is a manifestation of the student's disability, the student's IEP or 504 team shall: (1) conduct an FBA of the student, unless an FBA has already been conducted; and (2) implement a BIP for the student. If a BIP has already been developed, the IEP or 504 team shall review it and modify it as necessary to address the student's behavior.

Placement In an Alternative Setting for 45 School Days

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

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

Such removal to an alternative setting is permissible even if the student's behavior is determined to be a manifestation of the student's disability. The student's IEP or 504 team shall determine the educational services to be provided to the student in the alternative setting.

Students Not Identified as Disabled

Students who have not been identified as disabled shall be subjected to the same disciplinary measures applied to students with disabilities if the district had "knowledge" of the student's disability before the behavior that precipitated the disciplinary action occurred.

The district is deemed to have knowledge of the student's disability if:

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

If a request for evaluation is made during the period the student is subject to disciplinary measures, the evaluation will be expedited. Until the evaluation is completed, the student shall remain in the district's determined educational placement, which can include suspension or expulsion.

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

LEGAL REFS.: 20 U.S.C. 1401 et seq. (Individuals with Disabilities Education Improvement Act of 2004)
34 C.F.R. 300.530-300.537 (IDEIA regulations)
C.R.S. 22-20-101 et seq. (Exceptional Children's Educational Act)
C.R.S. 22-33-106 (1)(c)

CROSS REFS.: IHBA.1, Special Education
JK.1, Student Discipline, and Subcodes
JRA/JRC, Student Records/Release of Information on Students

DISCIPLINARY CLASSROOM REMOVAL BY TEACHER

(Suspension from Class)

To the extent authorized by Colorado law, a classroom teacher in this district is hereby given authority to remove a disruptive student from his or her classroom. Upon a third such removal from class, and provided that the legally required behavior plan has been developed and implemented, teachers are given authority to remove the student from class for the remainder of the term. The Superintendent is directed to adopt procedures to implement the purposes of this policy.

In exercising the right to exclude disruptive students, the Board of Education wishes teachers to be mindful that “a fair and effective discipline program is the shared responsibility of all stakeholders, including students, staff, parents and the larger community.” (See District Statement on Shared Responsibilities in Promoting Safe Schools, Policy ADHA*). In addition, the Board of Education expects that teachers will abide by the following principles, which are part of the District’s Philosophy Statement on Student Discipline (Policy ADH): “Greater attention should be given to the prevention of inappropriate behavior than to consequences for misbehavior,” and “good classroom management and thorough engagement of students in learning are among the most effective ways to reduce inappropriate behaviors.”

LEGAL REFS.: 22-32-109.1 (2)(a)(I)(B)

*CROSS REFS.: ADH, District Philosophy Statement on Student Discipline
ADHA*, District Statement on Shared Responsibilities in Promoting Safe Schools*

DISCIPLINARY CLASSROOM REMOVAL BY TEACHER

(Suspension from Class)

DEFINITIONS

As used in this regulation, the term “disciplinary classroom removal” means the exclusion of a student from the classroom by a teacher for causing a material and substantial disruption in the classroom through behavior that is initiated, willful and overt on the part of the student. Teachers may exclude students from class without the incident being classified as a disciplinary classroom removal (e.g. through a pre-existing building referral process). A teacher must specifically identify a removal as a disciplinary classroom removal in district-provided documentation in order for the removal to be considered a disciplinary classroom removal. A disciplinary classroom removal is not a suspension from school. To be classified as a disciplinary classroom removal, all the requirements of this regulation and its accompanying policy must be followed.

As used in this regulation a “term” shall be defined as follows:

In elementary schools: a quarter

In middle schools: the grading period

In high schools: a quarter

As used in this regulation, the term “principal” shall refer to both the principal and any person designated by the principal to carry out the duties of the principal.

PROCEDURE FOR DISCIPLINARY CLASSROOM REMOVAL

The following procedures shall be followed with respect to any disciplinary classroom removal of a student.

1. A teacher may remove a student from the teacher's classroom for the remainder of the class period for causing a material and substantial disruption in the classroom through behavior that is initiated, willful and overt on the part of the student. When a teacher removes a student from the classroom, the teacher shall direct the student to go to the school office or to any other place designated by the principal.
2. Except as otherwise set forth in this section, as soon as possible after a disciplinary classroom removal of a student from the classroom (and always before 24 hours has passed), the teacher shall complete the disciplinary classroom removal due process form and provide a copy to the principal. The principal shall have the power to overturn the removal decision of a teacher if he or she determines that the removal is contrary to law.
3. The teacher initiating the disciplinary removal of a student from the classroom, unless excused by the principal, shall provide the principal with assignments and other course work to be completed by the student as make-up work to account for the period of removal. The teacher shall contact the parent or legal guardian of the student as soon as possible after the removal and request the presence of the parent or legal guardian at a student-teacher conference. (The teacher shall notify the principal of the time and place of the meeting, so that the principal has the option to attend.)
4. The principal or his/her designee, with the teacher's input should the principal/designee desire such input, shall develop a behavior plan after a student's second one-day removal from the classroom during any term. (Such a plan may also be developed after a student's first one-day removal from the classroom during a term.) The teacher and school administration shall make all reasonable efforts to ensure that the behavior plan is developed and approved before the student is scheduled to re-enter class. However, the student shall not be excluded from class pending completion of the behavior plan. The behavior plan shall indicate that a third disciplinary classroom removal during a term may result in the student's removal from the classroom for the remainder of the term. As soon as possible, the teacher shall provide a copy of the behavior plan, as well as a copy of each revision thereto, to the student and the parent or legal guardian of the student. In order for a student to be removed from class due to a third disciplinary classroom removal, an approved behavior plan must have been in place prior to the class period during which the third event occurred. A copy of the behavior plan shall be given to the student and parent/guardian prior to the class period during which the third event occurred.
5. For any student removed from the classroom for the remainder of a term as provided in paragraph 4 above, the teacher responsible for the removal shall provide the principal with lesson plans, assignments, other course work, quizzes and exams for the remainder of the term. Such material must be provided in a timely fashion. A teacher may be excused from the obligation of providing such material by the principal. The teacher must grade and return the work to the student within a reasonable time so as to allow the student to complete and receive credit for the course.
6. Disciplinary classroom removals shall not count as suspensions for purposes of declaring a student as "habitually disruptive" unless school administration takes the necessary steps under district policy JK.1.
7. Even where a disciplinary classroom removal has been imposed, a suspension or expulsion may also be imposed for the same behavior.
8. A teacher's ability to remove a student with a disability from the classroom for disciplinary purposes shall be subject to governing law and the terms and conditions of the student's IEP, Section 504 plan, or behavior plan. If the disciplinary classroom removal results in a change of placement, such removal must be preceded by a determination that the student's alleged conduct was not a manifestation of his or her disability. This determination shall be made by the student's IEP team or Section 504 team, whichever is applicable. In general, a one-day disciplinary removal of a student with a disability will not result in a change of placement unless the student has had a series of suspensions and/or classroom removals prior to the one-day disciplinary removal. Consistent with applicable law, the decision whether a change of placement would result from the proposed classroom removal shall be made by the principal in consultation with the special education teacher.

LEGAL REFS.: C.R.S. 22-32-109.1 (2)(a)(I)(B)

CROSS REFS.: JK.1, *Student Discipline – District Conduct and Discipline Code*

SUSPENSION/EXPULSION OF STUDENTS

The Board of Education shall provide due process of law to student through written procedures consistent with law for the suspension or expulsion of students and the denial of admission. Since one significant goal of the public schools is to educate the young in citizenship and respect for the law, the Board of Education believes that the constitutional freedoms of the individual pupil deserve scrupulous protection. Therefore, the Superintendent or designee is directed to develop regulations that are calculated to be fair to the pupil involved and to lead to a resolution of contested issues. Such regulations relating to suspension, transfer, expulsion, and denial of admissions will be followed in the Aurora Public Schools in conformance with Colorado law.

The Board and its designee(s) may consider the following factors in determining whether to suspend or expel a student:

1. The student's age;
2. The student's disciplinary history;
3. The student's eligibility as a student with a disability;
4. The seriousness of the violation committed by the student;
5. The threat posed to any student or staff; and
6. The likelihood that a lesser intervention would properly address the violation.

Other Disciplinary Interventions

In lieu of an out-of-school suspension or expulsion and in accordance with applicable law, and the principal or designee may consider the use of available interventions to address the student's misconduct. The use of such interventions will vary, depending upon the facts and circumstances of an individual case. Such interventions shall be at the principal's or designee's sole discretion.

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

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

Delegation of Authority

1. The Board of Education delegates to the principals of the school district or to a person designated in writing by the principal the power to suspend a student in that school for not more than five school days on the grounds stated in C.R.S. 22-33-106(1)(a), (1)(b), (1)(c) or (1)(e) or not more than 10 school days on the grounds stated in C.R.S. 22-33-106 (1)(d) unless expulsion is mandatory under law (see JKD/JKE-R), but the total period of suspension shall not exceed 25 school days.
2. The Board of Education delegates to the superintendent of schools the authority to suspend a student, in accordance with C.R.S. 22-33-105, for an additional 10 school days plus up to and including an additional 10 days necessary in order to present the matter to the Board.
3. The superintendent shall report on each case acted upon at the next meeting of such Board, briefly describing the circumstances and the reasons for action taken. Such denial of admission or expulsion by the Superintendent shall be subject to appeal to the Board. The appeal shall consist of a review of the facts that were presented, arguments relating to the decision and questions of clarification from the Board.
4. The Board of Education retains the authority to deny admission to or expel for any period not extending beyond one year any student whom the Board, in accordance with the limitations imposed by Title 22, Article 33, of the Colorado Revised Statutes, shall determine does not qualify for admission to or continued attendance at the public schools of the district.

Expulsion for Unlawful Sexual Behavior or Crime of Violence

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

The information shall be used by the Board of Education 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.

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

Annual Reports

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

LEGAL REFS.: C.R.S. 16-22-102(9) (unlawful sexual behavior)
C.R.S. 18-1.3-406 (crime of violence)
C.R.S. 22-32-109.1 (2)(a) (adoption and enforcement of discipline code)
C.R.S. 22-32-109.1 (2)(a)(I)(E) (policy required as part of a safe schools plan)
C.R.S. 22-32-109.1(3) (agreements with state agencies)
C.R.S. 22-33-105 (suspension, expulsion and denial of admission)
C.R.S. 22-33-106 (grounds for suspension, expulsion and denial of admission)
C.R.S. 22-33-106.3 (use of student's written statements in expulsion hearings)
C.R.S. 22-33-106.5 (information concerning offenses committed by students)
C.R.S. 22-33-107 (compulsory attendance law)
C.R.S. 22-33-107.5 (notice of failure to attend)
C.R.S. 22-33-108 (juvenile judicial proceedings)
C.R.S. 25-4-903 (immunization)

CROSS REFS.: GBGB, Staff Personal Security and Safety
JE, Student Attendance
JE, Admission of Students
JICI, Weapons in School
JK.1, Student Discipline - District Conduct and Discipline Code
JK.2, Communication of Disciplinary Information

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SUSPENSION AND EXPULSION PROCEDURE

I. INTRODUCTION

The following procedures relating to suspension, transfer, expulsion, and denial of admissions will be followed in Aurora Public Schools in conformance with Colorado law.

A. Definitions

“**Board**” shall mean the Board of Education of the District.

“**District**” shall mean Joint District Number 28-J of the Counties of Adams and Arapahoe, also known as the Aurora Public Schools.

“**Expulsion**” shall mean the exclusion of a pupil from District schools and from participation in school activities for disciplinary reasons for some period of time greater than 25 consecutive school days and not greater than one calendar year (365 days).

“**Parent**” shall mean the mother and/or father of a child, or any person having legal custody or guardianship of a child.

“**Principal**” shall be deemed to include a person designated in writing by the principal.

“**Pupil**” or “**student**” shall mean a person properly enrolled and registered in an elementary, middle or high school of the District and shall include a person enrolled in other District programs.

“**School day**” shall mean a day on which pupils are scheduled to attend at least one class.

“**Superintendent**” shall mean the District Superintendent or designee. “**Suspension**” shall mean the exclusion of a pupil from District schools for disciplinary reasons for a specified and limited period of time, not to exceed 25 consecutive school days.

“**Suspension**” shall mean the exclusion of a pupil from District schools for disciplinary reasons for a specified and limited period of time, not to exceed 25 consecutive school days.

B. **Distribution and Education Regarding the Code**

This Code shall be available for review by each student and family in the school district. The Code shall also be available for review in each school in the district, as well as on the district website at <http://aurorak12.org>. In addition, each school in the district shall take reasonable measures to ensure that each student is familiar with the Code.

C. **Extraordinary Circumstances**

In extraordinary circumstances, the Superintendent or designee may modify this policy and its accompanying time requirements as s/he deems necessary.

D. **Students with Disabilities**

In accordance with applicable law and Board policies, a student with a disability may be suspended or expelled.

E. **Service of Notices**

1. **Personal Service:** Any notice provided for in this policy may be served by any person over the age of 18. If the person on whom service is to be made is over the age of 18 years, service shall be made by delivering a copy to her/him personally, or by leaving a copy thereof at her/his dwelling house or usual place of abode, with some responsible member of his family. If any person to be served refuses to accept a copy of the notice, service shall be sufficient if the person serving the same shall state the name of the document and offer to deliver a copy thereof.
2. **By Mail:** For the purpose of this timeline a notice will be deemed as delivered three (3) days from the date of mailing. Any notice provided for in this policy may be served by United States mail, addressed to the address given in the pupil's records.

F. **Extracurricular Activities**

Prior to substantially denying a student the opportunity to participate in an extra-curricular activity (e.g. interschool sports, clubs, societies, organizations, etc. sanctioned by the District) for disciplinary reasons, the principal shall comply with due process (Section II-C of this policy).

II. **SUSPENSION**

A. **Grounds for Suspension**

The following may be grounds for suspension of a student from a public school during a school year:

- a. continued willful disobedience or open and persistent defiance of proper authority;
- b. willful destruction or defacing of school property;
- c. behavior on or off school property which is detrimental to the welfare or safety of other pupils or of school personnel, including behavior which creates a threat of physical harm to the child or other children; and/or
- d. committing one of the following offenses on school grounds, in a school vehicle, or at school activity or sanctioned event;
 - I. bringing, carrying, possessing, and/or using, a dangerous weapon without the authorization of the school or school district;
 - II. the use, possession, or sale of a drug or controlled substance as defined in section C.R.S. 18-18-102(5);
 - III. the commission of an act by a student at least ten (10) years of age which, if committed by an adult would be robbery pursuant to title 18, article 4, part 3 of the Colorado Revised Statutes;
 - IV. the commission of an act by a student at least ten (10) years of age which, if committed by an adult would be assault pursuant to title 18, article 3, part 2 of the Colorado Revised Statutes (other than third degree assault);
- e. repeated interference with a school's ability to provide educational opportunities to other students.
- f. carrying, using, actively displaying, or threatening with the use of a firearm facsimile that could reasonably be mistaken for an actual firearm in a school building or in or on school property; and

- g. pursuant to C.R.S. 22-12-105(3), making a false accusation of criminal activity against an employee of an educational entity to law enforcement authorities or school district officials or personnel.
- h. declaration as a “habitual disruptive student,” (which is defined in this regulation); and/or

B. Authority of Principals to Suspend a Pupil for an Offense

The Board hereby delegates to each school principal within the District, or a person designated in writing by the principal, the power and authority to suspend a pupil in her/his school for not more than five days on the grounds stated in Section II-A of this policy.

The Board also delegates to principals, and those designated in writing by the principal, the authority to suspend a pupil for 10 days where the offense is serious, as described in Section III-A(1)(d) of this policy (which relates to offenses such as drugs, weapons, assault and robbery.)

C. Procedure for Principals to Suspend a Pupil

1. **Informal Hearing (JKD/JKE-4-E “Due Process Checklist”):** Prior to any suspension of a pupil, the principal shall comply with the following procedure.
 - a. The principal shall give to the pupil oral or written notice of the charges against her/him in enough detail to allow the pupil to understand the nature of the accusation. If the pupil appears not to understand the charges against her/him, written notice should be given (see “Notice of Charges” in JKD/JKE-1-E). If the student is unable to understand because of limited English proficiency, the school shall take such steps as are necessary to communicate effectively with the student, including arranging for an interpreter/translator in appropriate circumstances.
 - b. If the pupil denies the charges, the principal shall give to the pupil an explanation of the evidence, which the principal has to support the charges. Whether or not the student denies the charges, the pupil shall be given an opportunity to present his side of the story.
 - c. In unusual situations, or if the principal believes it necessary in order to resolve disputes about facts and arguments about cause and effect, the principal, at her/his discretion and in addition to (a) and (b), may summon the accuser and witnesses, may permit confrontation and cross-examination of same, and may allow the pupil to present his own witnesses.
 - d. The principal may suspend a pupil only if, after the above procedure, s/he believes that the charges are supported by substantial evidence, which is “such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.”
 - e. A suspended pupil shall be required to leave the school building and the school grounds as soon as practicable, following a determination by the parent and the school of the best way to transfer custody of the pupil to the parent.
2. **Immediate Suspension in Cases of Emergency Situation:** Prior notice and/or a hearing are not required prior to suspension in situations where a pupil’s presence poses a danger to persons or property or an ongoing threat of disrupting the academic process. Where the District receives a report that a student is the subject of a report under C.R.S. 22-33-105(5)(a) (relating to students who are charged with crimes of violence or unlawful sexual behavior), danger to persons shall be presumed and the student may be suspended immediately upon the District’s receipt of the report and, if suspended, shall remain on suspension pending further action by the Board or the Board’s designee. However, the student shall be informed of the charges in the report and given an opportunity to assert that there has been a case of mistaken identity (in that s/he is not in fact the person named in the report) as soon after the suspension as is practicable. In other cases where a pupil’s presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, the pupil may be immediately suspended and removed from school, with the informal hearing procedure to follow as soon as practicable (Section II-C- 1 in this policy.)
3. **Suspension Near the End of Quarter:** Should the suspension not be one pending expulsion and should it occur near the end of a quarter, a result of which would be that the pupil will lose credit for the entire quarter or would not graduate as a result thereof, the principal shall make all reasonable efforts to allow the student the opportunity to complete make- up work in a timely manner and thus receive credit and/or graduate.
4. **Notice to Parent:** As soon as practicable, the principal shall notify the parent, in writing, and on the form provided (“Notice to Parent/Guardian of Suspension”, JKD/JKE-2-E) outlining the basis for suspension and listing the duration of the suspension; the requirement for parent conferences to be held; the time and place for the conference, if any; and the time and date the pupil is to be readmitted to the educational program of the District. A copy of the informal hearing (Due Process Form JKD/JKE-4-E) shall also be provided to the parent. Unless Section II-C-1 applies, a pupil may not be sent home before the end of the school day unless a parent has received prior notification. NOTE: JKD/JKE-3-E is used only if the suspension is to be counted as one of the three disruptive acts which could lead to a student being designated as a habitually disruptive student.

5. **Parental Attendance as Alternative to Suspension:** As an alternative to suspension under this policy, (except suspension where a recommendation for expulsion has been made or is under consideration), a student may be allowed to remain in school if the student's parent agrees to attend all classes with the student for a period not greater than the number of days for which the suspension was to be imposed as determined by the principal or designee.

If, after agreeing to attend class, the parent does not attend all classes agreed to, the student shall be suspended for the time period originally proposed. However, in such cases, the student shall be given credit for the time that class was attended by the parent, if any. Prior to proposing this alternative, each of the student's teachers shall be asked whether they consent to such an arrangement. Parents shall not be allowed to bring another person (whether adult or child) with them to class without the consent of the principal.

The following situations may result in the parental attendance alternative being revoked: (1) failure of the parent to follow the direction of the classroom teacher or the school administration; (2) failure of the parent or student to follow all school and District rules; or (3) any disruption of a class by either the student or parent. If the parental attendance alternative is revoked, disciplinary action shall be taken against the student as the principal deems appropriate, so long as the discipline is not greater than the discipline initially proposed (unless a new disciplinary violation has occurred).

6. **Notice to Superintendent:** The principal shall notify the Superintendent through the Department of School Services of the suspension by sending a copy of the completed "Due Process Checklist" (JKD/JKE-4-E) and "Notice to Parent/Guardian of Suspension" (JKD/JKE-2-E and JKD/JKE-3-E), if applicable.

The principal may recommend extended suspension or expulsion of the pupil by submitting to the Superintendent through the Department of School Services the "Recommendation to the Superintendent for Extended Suspension or Expulsion" (JKD/JKE-5-E).

7. **Readmission of Pupil:** At the termination of the 10 day or less suspension, the principal shall readmit the pupil to the educational program of the District unless instructed by the Superintendent that further suspension has been ordered by the Superintendent. Except in cases of suspension pending expulsion, the school should make every reasonable effort to meet with the parent while the student is on suspension. At the meeting with the parent, the participants should address the issue of whether a remedial discipline plan should be developed in an effort to prevent further disciplinary action against the student. A period of suspension must not be extended because of the parent's failure to meet with the school. The school shall provide the student who has been suspended with an opportunity to make up schoolwork during the period of suspension so that the student is, to the extent practicable, able to reintegrate into the educational program. The student shall be given credit for makeup work that is completed in a timely manner.

D. Authority of Superintendent to Suspend a Pupil for an Offense

The Board hereby delegates to the Superintendent the power and authority to suspend on the grounds stated in Section II-A and Section III-A of this policy.

E. Procedure for Superintendent to Suspend a Pupil:

1. **Review "Informal Hearing" Record (Due Process)**

- If Section II-C-1 of this policy ("Informal Hearing") was followed by the principal, the Superintendent may suspend a pupil from school for not more than ten (10) school days; except that the Superintendent may extend a suspension to an additional ten (10) days if necessary in order to present the matter to the next meeting of the Board of Education, but the total period of suspension shall not exceed a total of twenty-five (25) school days.
- Days during which the student is held out of school subsequent to the Superintendent's decision to expel are not considered days of suspension for purposes of calculating the 25-day limit, even if the student's appeal to the Board of Education is successful.
- If Section II-C-1 of this policy ("Informal Hearing") has not been complied with by the principal, the Superintendent shall, prior to any extended suspension of a pupil by the Superintendent, make all reasonable efforts to assure compliance with that section.

2. **Notify the Parent:** In the event of an extension of the principal's suspension, the Superintendent shall, as soon as practicable, give written notice of the same to the parent on the form provided ("Notice to Parent/Guardian of Extended Suspension by the Superintendent, Where Expulsion is Not Being Recommended," JKD/JKE-7-E).

3. **Petition for Readmission:** Students who have been suspended from the District schools for periods over ten (10) days (and who are not under a suspension pending expulsion) shall have the opportunity to make written application at any time for readmittance prior to termination of the imposed sanction. The application shall be made to the principal who recommended the initial sanction.

The written request shall include, but not be limited to, appropriate identifying information, reason(s) for requesting reinstatement, time request for reinstatement and personal changes which have occurred which will prevent the behavior which prompted the original sanction from recurring.

A conference may be scheduled between appropriate school personnel, the student and his parent within five (5) days of receipt of the petition for readmittance letter.

Following completion of a conference, or when a decision has been made, the principal will communicate verbally, to be followed in writing, the support or denial of the request for readmittance prior to termination of the imposed sanction.

- F. **Suspensions Pending Expulsion:** Suspensions pending recommendation for expulsion are covered under Section III.

III. EXPULSION/DENIAL OF ADMISSION

The Board hereby delegates to the Superintendent the power and authority to deny admission to, or expel for any period up to a full calendar year, on the grounds stated below, any student or person whom the Superintendent determines does not qualify for admission to, or continued attendance at, the public schools of the District. Adult students attending Pickens Technical College may be expelled for a greater length of time than a full calendar year.

A. Grounds for Expulsion/Denial of Admission

1. The following shall be grounds for expulsion of a child from a public school during a school year:
 - a. continued willful disobedience or open and persistent defiance of proper authority;
 - b. willful destruction or defacing of school property;
 - c. behavior on or off school property which is detrimental to the welfare or safety of other pupils or of school personnel, including behavior which creates a threat of physical harm to the child, to other children; and/or
 - d. committing one of the following offenses on school grounds, in a school vehicle, or at a school activity or sanctioned event:
 1. Possession of a dangerous weapon without the authority of the school or school district;
 2. the use, possession, or sale of a drug or controlled substance as defined in section C.R.S. 18-18-102(5);
 3. the commission by a student at least ten (10) years of age of an act which if committed by an adult would be robbery pursuant to title 18, article 4, part 3 of the Colorado Revised Statutes;
 4. the commission of an act by a student at least ten (10) years of age which, if committed by an adult would be assault pursuant to title 18, article 3, part 2 of the Colorado Revised Statutes (other than third-degree assault).
 5. carrying, using, actively displaying, or threatening with the use of a firearm facsimile that could reasonably be mistaken for an actual firearm in a school building or in or on school property; and
 6. pursuant to C.R.S. 22-12-105(3), making a false accusation of criminal activity against an employee of an educational entity to law enforcement authorities or school district officials or personnel.

Expulsion for firearm offenses described in this subparagraph 1(d) shall be mandatory. Principals shall be required to recommend expulsion for a full calendar year.

Except in such firearm cases, principals have the discretion to recommend consequences as deemed appropriate.

- e. repeated interference with a school's ability to provide educational opportunities to other students; and
 - f. declaration as a habitually disruptive student under the District's Conduct and Discipline Code.
2. The following shall also be grounds for expulsion from or denial of admission to a public school or diversion to an appropriate alternative program:
 - a. physical or mental disability such that the student cannot reasonably benefit from the programs available; and
 - b. physical, mental disability or disease causing the attendance of the student suffering there from to be detrimental to the welfare of other pupils.
 3. The following shall constitute additional grounds for denial of admission to a public school:
 - a. graduation from the twelfth grade of any school or receipt of any document evidencing completion of the equivalent of a secondary curriculum;

- b. failure to meet the requirements of age, by a child who has reached the age of six years at a time after the beginning of the school year, as fixed by the Board of Education of the District in which the child applies for enrollment, as provided in section 22-1-115;
 - c. having been expelled or in the process of being expelled from any school District during the preceding twelve months;
 - d. not being a resident of the District, unless otherwise entitled to attend under the provisions of Article 23, 32, or 36 of the Colorado Revised Statutes;
 - e. failure to comply with the provisions of part 9 of article 4 of title 25, C.R.S. Any suspension, expulsion, or denial of admission for such failure to comply shall not be recorded as disciplinary action but may be recorded with the student's immunization record with an appropriate explanation.
 - f. behavior in another school District during the preceding twelve months that is detrimental to the welfare or safety of other pupils or of school personnel.
4. To the extent provided by law, the School District shall prohibit any student who is expelled from a public school from enrolling or reenrolling in the same school in which the victim of the expulsion offense or member of a victim's immediate family is enrolled or employed (C.R.S. 22-33- 106(4)(a)).

B. Procedures for Expulsion or Denial of Admission

1. The student and parent will be given written notice of the charges against the student that must be one of the grounds set forth as grounds for suspension, or expulsion. If the student and parent wish to request a hearing regarding the expulsion (JKD/JKE-8-E) or denial of admission (JKD/JKE-10-E), they must do so within the timeframe noted in the notice of hearing (JKD/JKE-8-E or JKD/JKE-10-E). Failure to request a hearing within the specified time frame will result in a waiver of the right to a hearing.
2. A student may be suspended pending an expulsion hearing, provided the Board's regulations for suspension are followed. A student being denied admission may not enroll or attend an Aurora Public School, pending the outcome of a hearing, if requested.
3. The hearing officer appointed by the Superintendent shall:
 - a. preside over each session of the hearing to which s/he has been detailed;
 - b. take appropriate action in order that the proceedings may be conducted in a dignified, fair and orderly manner;
 - c. rule on all requests or motions and shall recess or adjourn the hearing as s/he deems appropriate. S/He may change her/his rulings at any time during a hearing;
 - d. hear the evidence and arguments;
 - e. authenticate the record of the hearing, if any; and
 - f. summarize issues and evidence, and make proposed findings of fact, conclusions and recommendations in her/his written report to the Superintendent (JKD/JKE-13-E).
4. The hearing officer may, among other actions, properly intervene in the presentation of a case to prevent unnecessary waste of time or to clear up some obscurity. S/He may ask questions of witnesses or others. S/He should bear in mind, however, that undue interference or participation in the examination of witnesses, or a severe attitude on his part toward witnesses or others, may tend to prevent the proper presentation of the case or hinder the ascertainment of the truth.
5. Hearing Procedures
 - a. The hearing officer shall call the hearing to order and introduce all persons present.
 - b. The hearing officer shall read aloud the "Notice of Charges."
 - c. The school principal or her/his designee shall inform the hearing officer of the background of the recommended suspension or expulsion.
 - d. Those presenting the case for suspension or expulsion may present witnesses or other evidence as desired.
 - e. The defense may then proceed to present witnesses or other evidence as desired.
 - f. The hearing officer may recall witnesses or request additional witnesses.
 - g. Both sides shall then have an opportunity to summarize their cases.
 - h. The hearing officer shall take the matters presented during the hearing under advisement.
 - i. The hearing officer shall adjourn the hearing.
6. Miscellaneous
 - a. The pupil may be represented by a parent and by an attorney-at-law licensed to practice in Colorado.
 - b. Confrontation and cross-examination of witnesses is within the discretion of the hearing officer.
 - c. The hearing shall not be open to the public.
 - d. A recording shall be made of the proceedings.
 - e. A court reporter may be present at the request of either party; however, the cost of the reporter's record, if any is made, and all transcripts thereof, shall be prorated equally among all parties ordering copies thereof unless they shall agree otherwise, and shall be paid for by such parties directly to the reporting agency.

- f. Within three business days of the hearing's end or such other times as the Superintendent may allow after the adjournment of the hearing, the hearing officer shall prepare and submit to the Superintendent a written report containing a summary of the evidence presented to support the charges, a summary of the defense, and recommend findings of fact and appropriate action to be taken (JKD/JKE-13-E).
- g. The Superintendent shall consider the recommendation of the hearing officer and may either accept, reject or partially accept the recommendation. In addition, the Superintendent may order a new hearing or may order that the hearing previously held be reconvened. Parents will be notified in writing of the Superintendent's decision (JKD/JKE-14-E) and will inform the parent of their right to appeal the Superintendent's decision (JKD/JKE-14-E) to the Board of Education.
- h. At the Board's next meeting, the Superintendent shall report on each case acted upon, briefly describing circumstances and the reason for action.

C. Appeal to Board of Expulsion or Denial of Admission

1. Within ten business days of the date of the Superintendent's notice to pupil and parent of her/his decision to expel or deny admission to a pupil, the pupil and parent may appeal the Superintendent's decision to the Board by submitting, in writing, to the Superintendent a "Notice of Appeal" (JKD/JKE-15-E). Failure to request an appeal within ten days of receipt of the Superintendent's notice will result in a waiver of the right to an appeal and the Superintendent's decision shall become final.
2. If a timely "Notice of Appeal" is received by the Superintendent, he shall give written notice on the form provided ("Notice of Appeal Hearing" JKD/JKE-16-E) to the pupil and her/his parent at least three business days prior to the appeal hearing. The notice shall include the following:
 - a. the time, date, and place of the hearing;
 - b. a statement of the procedure to be followed at the appeal hearing ("Statement of Procedure for Appeal Hearing" Section III-I of this policy); and
 - c. a copy of the documents, "Notice to Parent/Guardian of Suspension" (JKD/JKE-2-E and JKD/JKE-3-E, if applicable), "Notice of Superintendent's Action" (JKD/JKE-14-E), and "Hearing Officer's Report to the Superintendent of Hearing Conducted" (JKD/JKE- 13-E) pertinent to the hearing.
3. Prior to making a decision, the Board shall have available to it the record concerning the expulsion or denial of admission. The Superintendent or the Superintendent's designee may address matters raised in the request for appeal for inclusion in the record to be considered by the Board
4. In the event the Board overrules the order of the Superintendent to expel or deny admission, the pupil shall be readmitted to the educational program of the District consistent with the Board's order. If the Board approves the order of expulsion or denial of admission, the pupil shall not be readmitted to the educational program of the District.
5. In the event the pupil is expelled or denied admission, the Superintendent shall, within five school days, notify the pupil and her/his parent, in writing, of the reasons for the action of the Board, on the form provided ("Notice of Board's Action" JKD/JKE-18-E).

D. Statement of Procedure for Appeal or Denial of Admission Hearing Before the Board of Education

1. The Board of Education calls the meeting to order.
2. Roll call.
3. If an appeal has been properly requested, the Board will review the facts that were presented and determined at the hearing and such other portions of the hearing record as it deems appropriate, if any. The hearing record includes the transcript or tape recording of the testimony, if any, the hearing exhibits, the findings and recommendations of the hearing officer, the Superintendent's decision, and other documents designated by the Superintendent or the hearing officer concerning the expulsion or denial of admission. Copies of the hearing record shall be made available to the Board and to both parties prior to the Board of Education appeal hearing.
4. The parties may be represented by counsel at the appeal.
5. Representatives of the District and the parents may make brief arguments (up to 15 minutes) to the Board relating to the decision of the Superintendent. The party appealing shall go first. No new evidence will be presented unless such evidence was not reasonably discoverable at the time of the hearing. If such evidence is presented, whether to allow examination and cross-examination of witnesses relating to the new evidence will be within the Board's discretion.
6. The Board may ask questions relating to the matter presented.
7. A recording of the proceeding shall be made.
8. Ordinarily, the appeal hearing will be held in executive session. In the event that the pupil and parent request in writing that the appeal hearing not be held in executive session, the Board shall decide this question at the opening of the special meeting. In order to be considered, the request must be in writing, stating the reasons therefore, and must be filed with the Superintendent at least 48 hours prior to the hearing.

9. The Board may decide the appeal or may take the matter under advisement. It may also decide to send the matter back to the hearing officer for further findings of fact. If the Board orally announces its decision, this shall constitute official notice to the parent and child of the Board's action.
10. The Board adjourns meeting.
11. The Board or Superintendent shall promptly provide the parent a written confirmation of the Board's final decision (JKD/JKE-18-E).

E. District Obligations Relating to Expelled Students

1. Upon expelling a student, the school shall provide information to the student's parent concerning the educational alternatives available to the student during the period of expulsion. If the parent chooses to provide a home-based educational program for the student, the school shall assist the parent in obtaining appropriate curricula for the student if requested by the parent.
2. If requested by the student or the student's parent, the school or District shall provide such educational services as it deems appropriate for any expelled student. These services shall be designed to enable the student to return to school following the expulsion or to successfully complete the Graduate Equivalency Diploma (GED). The school or District shall determine the amount of credit the student shall receive toward graduation for the educational services provided.
3. A student who has previously been expelled and is receiving educational services may be suspended or expelled for violations of the rules of conduct of the school or school District. Any such students shall not be entitled to further educational services while under the later suspension or expulsion, unless services are required to be provided under federal law, such as for some students with disabilities.
4. If a student is expelled and is not receiving educational services through the school District, the school District shall contact the expelled student's parent to see if the student is receiving educational services from some other source. This contact must be made at least once every 60 days until the earlier of: (a) the beginning of the next school year; (b) the time the student is enrolled in another school; (c) is committed to the Department of Human Services; or (d) is sentenced pursuant to the juvenile delinquency laws.

F. Petition for Readmission

Students who have been expelled from the District schools shall have the opportunity to make written request at any time for readmission prior to termination of the imposed sanction. The request shall be made to the principal who recommended the initial sanction.

The written request shall include, but not be limited to, appropriate identifying information, reason(s) for requesting reinstatement, date proposed for reinstatement and personal changes which have occurred which will prevent the behavior which prompted the original sanction from recurring.

A conference will be scheduled between appropriate school personnel and the student and her/his parent within 10 days of receipt of the petition for readmission letter. Time and location of this conference will be conveyed to the student, in writing, at least five days prior to the scheduled conference.

Following completion of the conference, the principal will communicate orally, to be followed in writing, the support or denial of the request for readmittance prior to termination of the imposed sanction.

G. Expulsion Prevention

The principal shall work with the school staff to identify students who are at risk of suspension or expulsion from school. Among those students who may be at risk are those who have been or are likely to be declared habitually truant or habitually disruptive.

Interventions and support will be provided to students who have been identified as being at risk of suspension or expulsion to help them avoid expulsion. The parent will be included when determining appropriate interventions and support for the student. In some cases, a remedial discipline plan may be the means by which various intervention and prevention services are identified and made available to a student.

Interventions to assist a student in avoiding an expulsion may also be available through local and state governmental agencies, community-based organizations, and institutions of higher learning.

The failure of the school to identify a student as being at risk of suspension or expulsion, the failure of a student who is so identified to receive interventions, or the failure of such interventions to remediate behavior, shall not be grounds to prevent the school from proceeding with appropriate disciplinary action.

IV. PROCEDURE UPON RECEIPT OF REPORT OF STUDENT WHO HAS ENGAGED IN A CRIME OF VIOLENCE OR UNLAWFUL SEXUAL BEHAVIOR

Upon receiving a report under C.R.S. 22-33-105 (5)(a) that one of its students who is at least 12 years of age but less than 18 has been charged with an offense that would constitute a crime of violence (under C.R.S. 18-1.3-(406)) or unlawful sexual behavior (under C.R.S. 16-22-102(9)) if committed by an adult, the Board of Education, or its designee, shall determine whether: (1) The student has exhibited behavior that is detrimental to the safety, welfare, and morals of the other students or of personnel in the school; and (2) whether educating the student in the school may, (a) disrupt the learning environment, (b) provide a negative example for other students, or (c) create a dangerous and unsafe environment for students, teachers and other school personnel.

If the Board, or its designee, using the standards set forth in the preceding paragraphs, determines that the student should not be educated in the school, it may either: (a) Proceed to suspend or expel the student; or (b) wait for the resolution of the juvenile court or district court proceedings to consider the suspension or expulsion matter, in which case, the District shall provide the student with an appropriate alternative education program or home-based education program, but in no event shall the student be allowed to return to the education program in the school until there has been a disposition of the charge.

If the student pleads guilty, is found guilty, or is adjudicated a delinquent juvenile, the District shall proceed to expel in accordance with this policy. The time the student spends in an alternative or home-based educational program shall not be considered a period of suspension or expulsion.

If the Board has determined to wait until the conclusion of the criminal proceedings to consider the expulsion matter, and the student does not receive adjudication, is found not guilty, or pleads to a lesser charge, the District may then proceed to hear the expulsion matter. In such cases, the fact that the student did not receive adjudication, was found not guilty, or was otherwise not convicted of the crime of violence or unlawful sexual behavior (or corresponding offense) shall not prevent the student from being expelled.

Where a student has been identified as a student with a disability, or has been referred for an evaluation of the need for special education services, it is recommended that either the Department of Exceptional Student Services or Aurora Public Schools' Legal Counsel be consulted concerning any determination to expel a student or place the student in an alternative educational setting. Such expulsion or placement in an alternative educational setting shall then be made in accordance with applicable law.

V. ADMINISTRATIVE TRANSFER

- A. The Superintendent or designee has the power and authority to administratively transfer a student between schools in the District for reasons that constitute a basis for suspension and/or expulsion or are required to comply with statute or court order.
- B. Prior to such transfer, the Superintendent or designee shall comply with the procedures set forth in Section II-E of this policy, unless the pupil's parent waives these procedures.

LEGAL REF: C.R.S. 22-33-105 and 106
C.R.S. 22-32-109

CROSS REF: JICI, Weapons in Schools
JK.1, Student Discipline – District Conduct and Discipline Code
GBGB, Staff Personal Safety and Security
JK.2, Communication of Disciplinary Information

WEAPONS IN SCHOOL

The Board of Education determines that student possession, use and/or threatened use of a weapon is detrimental to the welfare and safety of the students and school personnel within the district.

Violent behavior and the use of weapons in schools and at school-related activities or events is a matter of increasing concern across the country and in this district. Accordingly, the Board of Education hereby reaffirms its position that violence and weapons have no place in educational environments of Aurora Public Schools. To address this serious problem, the Board of Education directs that, without exception, any student of this district who is involved in a weapons offense as outlined below shall be disciplined as provided in this policy. This policy shall be in effect in all schools in the district, from kindergarten through high school, and shall apply to all other programs including preschool, post-secondary and T.H. Pickens Technical College.

Dangerous Weapon

Using, possessing or threatening to use a dangerous weapon on district property, when being transported in vehicles dispatched by the district or one of its schools, during a school-sponsored or district-sponsored activity or event, and off school property when the conduct has a reasonable connection to school or any district curricular or non-curricular event without the authorization of the school or the school district is prohibited. An exception to this policy may be made for students participating in an authorized extracurricular activity or team involving the use of firearms.

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

- a. A firearm.
- b. Any pellet, BB gun or other device, whether operational or not, designed to propel projectiles by spring action or compressed air.
- c. A fixed blade knife with a blade that exceeds three inches in length.
- d. A spring-loaded knife or a pocket knife with a blade exceeding three and one-half inches in length.
- e. Any object, device, instrument, material, or substance, whether animate or inanimate, that is used or intended to be used to inflict death or serious bodily injury including, but not limited to, a slingshot, bludgeon, nunchucks, brass knuckles or artificial knuckles of any kind.

Students who use, possess or threaten to use a dangerous weapon in violation of this policy may be subject to disciplinary action in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.

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

Firearm Facsimile

Carrying, using, actively displaying or threatening with the use of a firearm facsimile that could reasonably be mistaken for an actual firearm on district property, when being transported in vehicles dispatched by the district or one of its schools, during a school-sponsored or district-sponsored activity or event, and off school property when such conduct has a reasonable connection to school or any district curricular or non-curricular event without the authorization of the school or school district is prohibited. Students who violate this policy provision may be subject to disciplinary action, including but not limited to suspension and/or expulsion, in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.

A student may seek prior authorization from the building principal to carry, bring, use or possess a firearm facsimile that could reasonably be mistaken for an actual firearm on school property for purposes of a school-related or non-school related activity. A student’s failure to obtain

such prior authorization is a violation of this policy provision and may result in disciplinary action, including but not limited to suspension and/or expulsion, in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions. The principal's decision to deny or permit a student to carry, bring, use or possess a firearm facsimile that could reasonably be mistaken for an actual firearm on school property shall be final.

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

Due Process

The due process procedures found in the District's policy JKD-JKE relating to suspension and expulsion of a student shall also apply to weapons offenses. Consequently, the due process checklist found in that policy is to be completed and a student shall have the right to contest the recommended disciplinary action. The student's right to contest the recommended action shall be limited to arguing that the facts of the case do not fit the definition of "offense" under this policy. If the hearing officer or Board of Education finds that an "offense" has been committed, the discipline outlined in this policy shall be imposed.

This weapons policy shall be explained to all students at the beginning of each school year and upon the registration of new students. In addition, this policy shall be sent home to all parents/guardians each school year in some fashion, for example by being made a part of school handbooks, calendars, or the district safe schools booklet. In addition, this policy shall be made available on the district website at <http://aurorak12.org/about-aps/district-policies/>.

Local restrictions

The Board of Education determines that extra precautions are important and necessary to provide for student safety. Therefore, the using, possessing or threatening to use any knife, regardless of the length of the blade, on district property, when being transported in vehicles dispatched by the district or one of its schools, during a school-sponsored or district-sponsored activity or event, without authorization of the school or school district is prohibited. Students who violate this policy provision shall be subject to disciplinary action, including suspension and/or expulsion, in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.

Referral to law enforcement

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

NOTE: The fact that a situation is not covered by this policy does not prevent discipline from being imposed or recommended under policy JKD/JKE.

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

CROSS REFS.: JK.3, Discipline of Students with Disabilities
 JKD/JKE, Suspension/Expulsion of Students
 KFA, Public Conduct on School Property
 KLG, Relations with Law Enforcement Agencies

SECRET SOCIETIES/GANG ACTIVITY

The Board of Education desires to keep district schools and students free from the threats or harmful influence of any groups or gangs which advocate drug use, violence or other unlawful or disruptive behavior. Therefore, gang “wannabes”, affiliation, membership, and gang-related activity will not be tolerated in the schools, on school grounds, in district vehicles or at school-related activities or events. The principal or designee(s) shall maintain supervision of school premises to deter gang intimidation of students and confrontations between members of different gangs.

The Superintendent or designee shall establish open lines of communication with local law enforcement authorities so as to share information and provide mutual support in this effort.

The Board realizes that many students become involved in gangs without understanding the consequences of gang “wannabes”, affiliation and membership. Early intervention is a key component of efforts to break the cycle of gang “wannabes”, affiliation and membership. Therefore, gang violence prevention education will be available in all schools.

LEGAL REFS.: C.R.S. 22-1-120 (8)
C.R.S. 22-32-109.1 (2)(a)(I)(F) (policy required as part of safe schools plan)

CROSS REFS.: JIC1, Weapons in School
JIH, Student Interrogations, Searches and Arrests
JK, Student Discipline
JKD/JKE, Suspension/Expulsion of Students

SECRET SOCIETIES/GANG ACTIVITY

Gang membership and gang related activity will not be tolerated in the schools, on the school grounds, in district vehicles or at school-related activities or events.

Most gang wannabes and gang members advertise their affiliation and membership by distinctive dress and behaviors. Whether a given situation presents a case of gang involvement depends upon the specific facts and circumstances. However, the following are examples of attire, symbols and behavior which may present gang involvement.

A. Gang Attire/Symbols

The following non-exclusive list denotes some possible examples of gang attire, which by virtue of its predominant color, arrangement, trademark or any other attribute may be deemed gang-related:

- jewelry;
- some sports attire;
- handkerchiefs or scarves from belt loops, pockets or tied to the leg;
- brim of hat turned to right or left;
- colored shoe laces;
- colors displayed on wrist or ankle bands;
- eyebrows shaved or lines shaved through them;
- tattoos;
- wearing specific symbols;
- wearing sunglasses on back of head;
- tongue hanging out of one shoe;
- one pant leg rolled up;
- rubber banding pant legs up or down;
- shirt collars turned up on one side only; and/or
- burn marks (brands) on the arms, hands or chest.

B. Gang Behaviors

The following non-exclusive list denotes some possible examples of gang-related behaviors:

- advocating drug use;
- advocating violence or other unlawful or disruptive behavior;
- talking gang-related jargon;
- using hand gestures;
- marking territory with graffiti or gang symbols (tagging). Materials used to do this include spray paint, markers, items used for scratching, etc.;
- carrying and using weapons; and/or
- writing or drawing/sketching gang-related information on notebooks, paper, school books, etc.

Staff can expect to be tested constantly by the subtle and changing forms of gang symbols.

Wearing particular apparel does not, by itself, imply that a student is a gang wannabe, affiliate, or member. One student might wear a Star of David pendant for the innocent purpose of proclaiming the student's Jewish faith, for instance, while another student might wear a Star of David pendant to proclaim membership in a particular gang.

In cases where an item of apparel or an accessory may have an innocent purpose, but could also be gang-related, students shall be given the opportunity to rebut any accusation that an item has gang significance.

C. Influence of Gangs

At the principal's discretion, staff members may use the following techniques to discourage the influence of gangs:

1. Any student wearing or carrying overt gang paraphernalia or making gestures that symbolize gang affiliation or membership will be referred to the principal or designee. The student's parents/guardians will be contacted and appropriate disciplinary action will be imposed;
2. Any graffiti on school premises shall be quietly removed, washed down or painted over as soon as discovered. Not only does this immediate removal signal that school property is not the gang's property, it also discourages rival gangs from responding with more graffiti, or worse, defacing their rival's symbols, which can lead to retaliation and violence.

Daily checks for graffiti will be made throughout the campus, including restroom walls and doors. Graffiti may be photographed prior to removal. Photographs may be shared with law enforcement authorities and/or may be used in disciplinary proceedings or future criminal action against the offenders;

3. Classroom and after school programs at each school will be designed to enhance individual self-esteem, provide positive reinforcement for acceptable behavior and foster interest in a variety of wholesome activities; and
4. Staff members will actively promote membership in authorized student organizations which can provide students companionship, safety and a sense of purpose and belonging.

D. Gang Prevention Education

Gang prevention instruction offered in the schools may:

1. explain the dangers of gang membership;
2. include lessons in nonviolent conflict resolution and gang avoidance skills;
3. promote constructive activities available in the community;
4. involve students in structured, goal-oriented community service projects/programs;
5. encourage positive school behavior;
6. explain the nature of local gang apparel and graffiti;
7. identify warning signs which may indicate that children are at risk of becoming involved with gangs; and/or
8. assist students who seek help in rejecting gang associations and refer them to community-based gang suppression and prevention organizations.

Gang prevention lessons may be taught jointly by teachers, law enforcement officers and community agencies.

E. Disciplinary Action

The principal or designee shall take appropriate disciplinary action for students engaging in gang activity that violates District policy, including JK, Student Discipline (District Conduct Discipline Code), JKD/JKE, Suspension/Expulsion of Students or JICI, Weapons in Schools. The principal or designee(s) shall maintain supervision of school premises to deter gang intimidation of students and confrontations between members of different gangs. Law enforcement shall be contacted, as needed, to assist in any gang-related activities and/or confrontation.

F. School and Community Sharing

Information sharing is vital. The Superintendent or designee shall establish and maintain open lines of communication with local law enforcement and community agencies so as to share (to the extent allowed by law) vital information and provide mutual support in the effort to control gang activity.

LEGAL REFS.: C.R.S. 22-1-120(8)

*CROSS REFS.: JICI, Weapons in School
JIH, Student Interrogations, Searches and Arrests
JK, Student Discipline – District Conduct and Discipline Code
JKD/JKE, Suspension/Expulsion of Students*

STUDENT INTERROGATIONS, SEARCHES AND ARRESTS

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

Searches may be conducted by a school official (for the purpose of this policy, school official shall mean any administrator and any other employee authorized by the school principal) who has reasonable grounds for suspecting that a search will turn up evidence that the student has violated either the law, school rules or Board policy. When reasonable grounds for a search exist, school personnel may search a student and/or her/his property (including a motor vehicle) while on school premises, in a school vehicle or during a school activity under the circumstances outlined in this policy and may seize any illegal, unauthorized contraband materials. School property remains under the control of school officials and is subject to search at any time.

Any search conducted by a school official shall not be any more intrusive than necessary, considering the age and sex of the student and nature of the suspected infraction. Whenever feasible, another school employee shall be present to witness the search.

When the student is present during the search, the student may be informed of the reason(s) for conducting the search and the student's permission to perform the search will, in most cases, be requested. A student's failure to cooperate with school officials conducting a search shall be considered grounds for disciplinary action. Law enforcement officials may also be notified.

At the time of the request, refusal by a student, parent/guardian, or owner of a vehicle to allow access to and search of a motor vehicle on the school premises shall be cause for termination of the privilege of bringing the vehicle on to the school premises. Refusal to submit to a search also may result in disciplinary action and notification of law enforcement officials.

Definitions

1. "Reasonable suspicion/reasonable cause to suspect" is the standard for the search on school property or at school activities carried out by school officials. "Reasonable suspicion/reasonable cause to suspect" should be based on facts provided by a reliable informant or personal observation which cause the school official to believe, based on her/his own experience, that search of a particular person, place or thing would lead to the discovery of evidence of a violation of Board policy, school rules or the law. "Reasonable suspicion/reasonable cause to suspect" requires more than a mere hunch.
2. "Contraband" consists of all substances or materials prohibited by Board policy, school rules or the law, including but not limited to, drugs, alcoholic beverages, weapons, explosives and incendiary devices. It also includes items acquired unlawfully, whether by theft or by other means prohibited by Board policy or school rules.

Search of School Property

School lockers, desks and other storage areas are school property and remain at all times under the control of the school. School property provided for the use of students is subject to inspection, clean-outs, access for maintenance and search pursuant to this policy. Consequently, students should not expect privacy regarding items placed in school property.

Students shall assume full responsibility for the security of their lockers and/or other storage areas in the manner approved by school officials. No student shall lock or otherwise impede access to any locker, desk or storage area except with a device approved by school officials. Unapproved devices shall be removed or destroyed. Students shall be responsible for whatever is contained in desks and lockers assigned to them by the school, regardless of whether they may have placed a given item in the locker or desk.

The principal or those authorized by the principal, may search a desk, locker or any other storage area and its contents when s/he believes that contraband may be found or for some other reason believes it is appropriate. Whenever feasible, another school employee shall be available to witness the search.

Search of the Student's Person

The principal or those authorized by the principal may search the person of a student, if the school official has reasonable cause to suspect that the student is in possession of contraband.

Search of the person shall be limited to: 1) the student's pockets, jacket, coat, sweater, shirt, hat, shoes, socks or other outer clothing; 2) any object in the student's possession, such as a purse, backpack or briefcase; and 3) a "pat-down" of the exterior of the student's clothing.

Ordinarily and where circumstances permit, searches of the person should be conducted out of the presence of other students and as privately as possible and at least one additional school employee shall witness but not participate in the search. Searches by persons who are the same sex as the student being searched shall be preferred when the circumstances warrant.

In cases where a search uncovers contraband, the parent or guardian of any student searched shall be notified of the search as soon after the search as reasonably possible or prior to the search at the school official's discretion. Where contraband is not found, parental notification is strongly encouraged but shall be at the discretion of the school official.

Searches of the person, which require removal of clothing other than a jacket, coat, sweater, shirt, hat, shoes, socks or other outer clothing shall be referred to a law enforcement officer. No strip search shall be carried out by any school employee.

Metal Detectors, Alcohol Detection Devices and Canines

A. Site Manager Authority

The Board authorizes, at the discretion of the building principal, the use of **hand-held** metal detectors and of alcohol detecting devices where appropriate to ensure the safety and welfare of persons attending school and school-related functions.

B. Board/Superintendent Approval Required

The Board also authorizes, but only with the express permission of the Superintendent or designee after consultation with the Board, the use of stationary metal detectors in unusual cases for the protection of students or others. The Board also authorizes the use of canines in cooperation with law enforcement in appropriate cases.

Where the use of stationary metal detectors, alcohol detection devices or canines will be a regular and recurring event, steps shall be taken to notify students and parents/guardians of the use of such devices in a given school building.

C. Law Enforcement Officers' Involvement

The principal or one authorized by the principal may request a search on school premises be conducted by a law enforcement officer. When law enforcement authorities are involved in the search, the search will be conducted under criminal law standards rather than under the provisions of this policy.

When law enforcement officers respond to such a request, no school employee shall assist or otherwise participate in the search unless under the direct request of the law enforcement officer. If the school employee decides to honor the request, it shall be done under the direct supervision of the law enforcement officer.

If law enforcement personnel seek permission from school officials to search a student, her/his property or school property to obtain evidence related to criminal activities, school officials shall require the police to produce a valid search warrant before the search is conducted, unless:

1. there is uncoerced consent by the student; or
2. law enforcement personnel indicate that there is probable cause and circumstances such that taking the time to obtain a search warrant would frustrate the purpose of the search; or
3. the search is incident to an arrest and is limited to the person and his/her immediate surroundings.

When law enforcement officials request permission to question students when students are in school or participating in school activities, the principal or one authorized by the principal shall be present. Every effort will be made to contact the parent before law enforcement questions a student.

Every effort shall be made not to draw attention to the student being questioned by conducting the interrogation in private and with as little disruption to the school as possible.

Seizure of Items

Anything found in the course of a search conducted by school officials which is evidence of a violation of law, school rules or Board policy or which by its presence presents an immediate danger or harm may, at the principal's discretion, be either:

1. seized and offered as evidence in any suspension or expulsion proceeding. Such material shall be kept in a secure place by the principal until it is presented at the hearing;
2. returned to the student or her/his parent or guardian;
3. destroyed, if it has no significant value; or
4. turned over to any law enforcement officer.

Appeals

Within 10 school days after a search, the student may appeal the search decision to the principal, who shall investigate in a timely manner the reason(s) and circumstances of the search. These findings shall constitute the basis for the principal's decision on the student's appeal.

The principal shall forward a written copy of the findings and appeal decision to the student and the Superintendent. Within five school days after receipt of the principal's written report, the student may appeal the decision to the Superintendent .

The Superintendent shall review the case and shall issue a decision in writing to the student. The Superintendent's decision on the appeal shall constitute the final district determination.

In the event that the student is being recommended for suspension or expulsion as a result of a search, the student shall comply with the appeals provision set forth in policy and regulation JKD/JKE, Suspension/Expulsion of Students.

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

*CROSS REFS.: JK, Student Discipline
JKD/JKE, Suspension/Expulsion of Students
KLG, Relations with Law Enforcement Authorities*

AURORA PUBLIC SCHOOLS
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VISITORS TO SCHOOLS

The Board believes that community members who visit schools are more likely to become involved in the schools. This is beneficial to both the school district and to the community at large. The Board also believes that community members have the right to be informed about the uses of their tax dollars. For all these reasons, the Board encourages parents/guardians, individual members of the Board of Education, the governor of the state of Colorado, Colorado state legislators, city and county officials, and community members of the district, upon giving reasonable notice, to visit and observe classrooms, activities and school functions not open to the public. The Board believes such visits will result in better community member understanding of the many positive things going on in the Aurora Public Schools.

In order to ensure that no unauthorized persons enter buildings, all visitors to school buildings or district facilities during regular business hours must enter through the main/front entrance and report to the main school office (or with the receptionist in non-school buildings) where they shall show proper identification, describe the nature of their visit, sign in on the district-approved sign in/out log, and receive a visitor's pass authorizing them to proceed. Visitors are encouraged (but not required) to call ahead. If a visitor is given a visitor's pass, the visitor thereby has given the "reasonable notice" required under this policy. Visitors must sign out at the main school office or district office upon leaving the building.

In accordance with Colorado state law, principals or their designees may require any persons to leave school property if the principal has reason to believe that their presence presents a risk of disrupting any of the functions of the school or undermining the safety of the school environment.

If the principal determines that a visit at a later time would be more appropriate, the principal shall specify the earliest date/time and the visitor may return. If necessary, the principal may also identify conditions (including behavior expectations) under which the visitor may return. If the visitor feels any restriction imposed by the principal is unfair, s/he may contact School and Community Services.

*LEGAL REFS.: C.R.S. 18-9-109 (interference with school staff or students)
C.R.S. 18-9-110 (trespass, interference at or in public buildings)
C.R.S. 18-9-112 (definition of loitering)
C.R.S. 18-9-117 (unlawful conduct on public property)
C.R.S. 18-12-105.5 (unlawful possession of weapons on school property)
C.R.S. 22-32-109.1 (7) (Board must adopt open school policy)*

*CROSS REFS.: ADC, Tobacco-Free Schools
KDD, Media Relations
KFA, Public Conduct on School Property
ECA/ECAB, Security/Access to Buildings*