

## Mission Statement

*Develop responsible and  
productive members of  
society*

Strasburg School District  
31-J

November 10<sup>th</sup>, 2021 @ 6:00 p.m.

### Board of Education

Julie Winter, President

Michael Marrero, 1<sup>st</sup> Vice  
President

Ryan Dwyer, 2<sup>nd</sup> Vice President

Diana Elliott, Secretary

Dillon Kent, Treasurer

*Strasburg School Board strives to  
follow our guiding principles:*

**T** – Transparency

**R** – Respect

**U** – Unity

**T** – Trust

**H** – Honesty

## Agenda

### SCHOOL DISTRICT BOARD ROOM

Board members will meet in person at the high school video conference room. Audience may participate in person or via zoom  
Meeting ID 7193845670

#### Board Procedures:

Board meeting time is dedicated to the mission and goals of the Strasburg 31J School District. Public opinion is valuable to the Board, and there is an opportunity during request from patrons to address the Board. Individuals who try to address the Board outside of public comment may not be recognized.

Members of the public who intend to offer public comment to the Board must sign up for comment before each Board meeting. The Board President has discretion to call on those who have signed up and set the order of speakers.

Presentations must be no more than three minutes.

- I. Opening of the Meeting**
  - a. Call to Order
  - b. Roll Call
  - c. Pledge of Allegiance
  - d. Adoption of Agenda
- II. Seating New Board Members and Election of Officers**
  - a. Oath of Office/Swearing-Ceremony – Nancy Taylor
  - b. Election of Board President
  - c. Election of Board Vice President
  - d. Election/Appointment of Board 2<sup>nd</sup> Vice President
  - e. Election/Appointment of Board Secretary
  - f. Election/Appointment of Board Treasurer
  - g. Board Members Sign Confidentiality Affidavits
- III. Public Hearing & Public Participation**
- IV. Board Reports/Discussion**
  - a. Update on the Superintendent Search – Board President
    - i. Interview Search Companies on November 11
- V. Superintendent Report/Discussion**
  - a. Amanda Fisher, Art Club presentation
  - b. Release of additional allocated salary – Monica Johnson
  - c. Recognize foreign exchange students – Jeff Rasp
  - d. Update on construction project – Tim Barber
  - e. Update on October Count – Monica Johnson
- VI. Board Action items**
  - a. **Policies:**
    - i. AC Nondiscrimination/Equal Opportunity
    - ii. GBA Open Hiring/Equal Employment Opportunity
    - iii. GBEB Staff Conduct
    - iv. GCE/GCF Professional Staff Recruiting/Hiring
    - v. GDE/GDF Support Staff Recruiting/Hiring
  - b. **Authorize Bank Account Changes:**

**Recommended Motion:** Move to add, \_\_\_\_\_, President, \_\_\_\_\_ Treasurer, to be signers on the general and food services checking accounts. Additionally, add Nancy Taylor as an authorized signer to all other District accounts.
  - c. **New Hires:**
    - i. Nick Dickens, HMS Head Boys BB Coach
    - ii. Tanner Despard, HMS Assistant Boys BB Coach

- iii. Emily Bustillos, HMS Assistant Boys BB Coach
- iv. Jerry Ryan, SHS Assistant Boys BB Coach
- v. Jennifer, Miller-Leitch, Custodian
- vi. Updates substitute list

**Recommended Motion:** Move to approve the hire of Nick Dickens, Tanner Despard, Emily Bustillos, Jerry Ryan, Jennifer Miller-Leitch, and approve the updated substitute list.

**d. Resignations:**

- i. Kristie Baca, SES Kindergarten Teacher

**Recommended Motion:** Move to approve the resignation of Kristie Baca

**e. Approval of the minutes of regular board meeting October 13<sup>th</sup>, 2021.**

**Recommended motion: I move to accept the minutes of the regular board meeting of October 13<sup>th</sup> as complete and accurate.**

**f. Approval of claims, accounts, and financial statements, as appropriate.**

**Recommended motion: I move to accept the claims, accounts, and financial statements included in the agenda as complete and accurate.**

**g. Agenda Setting**

Discuss agenda topics for future board meetings

**VII. Meeting times and dates –**

- a.** CASB Board Training December 2-4 Colorado Springs
- b.** Set a Board work session to discuss budget and capital expenditures
- c.** Next regular meeting – December 8, 2021

**VIII. Adjourn**

## Seating New Board Members

### Electing New Board Officers

The meeting to seat new Board members must occur within 15 days of the election. If the regular Board meeting cannot meet that deadline a special meeting should be scheduled.

#### Opening the Meeting:

- The incumbent board president calls the meeting to order.
- The incumbent president will continue to preside over the meeting until the board elects a successor president.
- After the roll call, the president asks the board for a motion to approve the agenda. Once the board approves the agenda, the board proceeds either to the swearing in ceremony or if the incoming board members are already seated, to the board officer elections.
- After the oath of office is taken the new board member(s) are seated and the outgoing member(s) are no longer a seated board member.
- The exception to the above rule is the president, who, regardless of whether their seat is now filled by an incoming member, continues to serve as the presider of the meeting until the board elects a new president.

#### Officer Elections:

- The president will call for nominations for each office starting with president.  
*Nominations are now in order for the office of \_\_\_\_\_*  
*I nominate \_\_\_\_\_*  
*No second is required and any seconds made simply indicate endorsement of the candidate. No member may nominate more than one candidate. For the offices of board secretary and board treasurer, nominees may or may not be members of the board. One person may simultaneously hold the offices of board secretary and board treasurer.*

*The President answers:*

*\_\_\_\_\_ is nominated. Are there any further nominations for the office of \_\_\_\_\_?*

*The president repeats this until the board presents no more nominees, at which point the president closes the nominations.*

*Seeing none, nominations for the office of \_\_\_\_\_ are now closed. The nominees for the office of \_\_\_\_\_ are: We will now hold the election for the office of \_\_\_\_\_*

### **Voting by secret ballot (only for the office of president and vice president)**

A secret ballot election may proceed even if there is only one nominee for the office. Members may cast a single vote for any nominee or submit a “write-in vote” for another eligible person. To win, a nominee must receive a majority of the ballots cast. If the incumbent president is an outgoing board member, then he or she would not cast a vote for the new president; otherwise, the president participates in the election just like any other member of the board.

Must repeat this process until a nominee gets the majority of votes.

### **Voting by roll call (required for all offices except president and vice president)**

If the election is by roll call, the candidates are voted on in the order in which they were nominated. To conduct a roll call vote, the board president states: *“The question is on the election of [Nominee A] for [officer position]. As many are in favor of [Nominee A] for [officer position] will, as their names are called, answer ‘Aye’; those opposed will answer ‘No.’”*

The president then calls each board member’s name in alphabetical order. If the incumbent president is an outgoing board member, then they would not cast a vote. If the incumbent president will remain on the board, they participate in the election just like any other board member. The president should record the vote(s) and then repeat them to be sure of their accuracy. If the Nos are in the majority, the president states: *“The Nos have it and [Nominee A] is not elected. Those in favor of [Nominee B (the next nominee put forward by the board)] say ‘Aye’; those opposed say ‘No.’”*

When the Ayes are in the majority, the president states: *“The Ayes have it, and [winning nominee] is elected [officer position].”*

### **Recording election results in meeting minutes**

The board must record the result of all votes in the minutes of the meeting. For secret ballot elections, record the vote tallies by each name nominated and/or receiving votes.[\[4\]](#) So long as a recount is not requested, either destroy the ballots or maintain them for a period set by the board. For roll call elections, record the results as the board would typically record the outcome of a roll call vote in the board’s meeting minutes.

### **Reporting election results**

In addition to recording the results of officer elections in the board’s meeting minutes, the law obligates school districts to send any updated board member information to CDE, then CDE works with each district to update board member information in the Data Pipeline Directory.

CASB also requests that information about new board members be provided to CASB via the CASB website so that CASB can maintain up-to-date membership records.

**Confidentiality affidavit**

State law requires all board members to sign a “Confidentiality Affidavit” during the board organizational meeting.<sup>[5]</sup> This affidavit serves as board members’ public commitment to safeguarding the confidentiality of board conversations held during executive sessions, including conversations related to personnel, students, security, and attorney-client privileged communications, among others. Once completed, the district maintains these affidavits with the minutes of the meeting. Boards are welcome to use CASB’s sample Confidentiality Affidavit to meet this legal requirement.

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

### **Nondiscrimination/Equal Opportunity**

The Board is committed to providing a safe learning and work environment where all members of the school community are treated with dignity and respect. The schools in the district are subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry or need for special education services. Accordingly, no otherwise qualified student, employee, applicant for employment, or member of the public may be excluded from participation in, be denied the benefits of, or be subjected to unlawful discrimination under any district program or activity on the basis of disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry, or need for special education services. Discrimination against employees and applicants for employment based on age, genetic information, and conditions related to pregnancy or childbirth is also prohibited in accordance with state and/or federal law.

For purposes of this policy and other policies including a nondiscrimination statement, these terms have the following meanings:

- “Race” includes hair texture, hair type, or a protective hairstyle that is commonly or historically associated with race.
- “Protective Hairstyle” includes such hairstyles as braids, locs, twists, tight coils or curls, cornrows, bantu knots, afros, and head wraps.
- “Sexual Orientation” means an individual's identity, or another individual's perception thereof, in relation to the gender or genders to which the individual is sexually or emotionally attracted and the behavior or social affiliation that may result from the attraction.~~a person's orientation toward heterosexuality, homosexuality, bisexuality, or transgender status or another person's perception thereof.~~
- “Gender Expression” means an individual's way of reflecting and expressing the individual's gender to the outside world, typically demonstrated through appearance, dress, and behavior.

- “Gender Identity” means an individual’s innate sense of the individual’s own gender, which may or may not correspond with the individual’s sex assigned at birth.

This policy and supporting regulation(s) will be used to address all concerns regarding unlawful discrimination and harassment. Alleged conduct regarding sex-based discrimination and sexual harassment will follow the complaint and investigation procedures specific to this conduct.

In keeping with these statements, the following are objectives of this school district:

1. To promote the rights and responsibilities of all individuals as set forth in the state and federal constitutions, pertinent legislation, and applicable judicial interpretations.
2. To encourage positive experiences in terms of human values for children and adults who have differing personal and family characteristics or who come from various socio-economic, racial, and ethnic groups.
3. To consider carefully, in all decisions made which affect the schools, the potential benefits or adverse consequences that those decisions might have on the human relations aspects of all segments of society.
4. To utilize educational experiences to build each individual's pride in the community in which they live.
5. To initiate a process of reviewing all policies and practices of this school district in order to achieve the objectives of this policy to the greatest extent possible.
6. To investigate and resolve promptly any complaints of unlawful discrimination and harassment.
7. To investigate and appropriately discipline staff and students found to be responsible for incidents of harassment or unlawful discrimination in violation of Board policy.

### **Annual notice**

The district will issue a written notice prior to the beginning of each school year that advises students, parents, employees, and the general public that the educational programs, activities, and employment opportunities offered by the district are offered without regard to disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry, or need for special education services. With respect to employment practices, the district will



also issue written notice that it does not discriminate on the basis of age, genetic information, or conditions related to pregnancy or childbirth. The announcement will also include the name, address, email address, and telephone number of the person(s) designated to coordinate Title IX, Section 504, and ADA compliance activities.

The notice will be disseminated to persons with limited English language skills in the person's own language. It will also be made available to persons who are visually or hearing impaired.

The notice will appear on a continuing basis in all district media containing general information, including: teachers' guides, school publications, the district's website, recruitment materials, application forms, vacancy announcements, student handbooks, school program notices, summer program newsletters, and annual letters to parents.

### **Harassment is prohibited**

Harassment based on a person's disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry or need for special education services. is a form of discrimination prohibited by state and federal law. Preventing and remedying such harassment in schools is essential to ensure a nondiscriminatory, safe environment in which students can learn, employees can work, and members of the public can access and receive the benefit of district facilities and programs. All such harassment, by district employees, students, and third parties, is strictly prohibited.

All district employees and students share the responsibility to ensure that harassment does not occur at any district school, on any district property, at any district or school-sanctioned activity or event, or off school property when such conduct has a nexus to the school, or any district curricular or non-curricular activity or event.

### **Reporting unlawful discrimination and harassment**

Any student who believes they have been a target of unlawful discrimination or harassment, as defined in Board policy and supporting regulations, or who has witnessed such unlawful discrimination or harassment, must immediately report it to an administrator, counselor, teacher, or the district's compliance officer and file a complaint as set forth in the regulation which accompanies this policy.

Any employee, applicant for employment, or member of the public who believes they have been a target of unlawful discrimination or harassment, or who has witnessed

such unlawful discrimination or harassment, must file a complaint with either an immediate supervisor or the district's compliance officer.

If the individual alleged to have engaged in prohibited conduct is the person designated as the compliance officer, an alternate compliance officer will be designated to investigate the matter in accordance with this policy's accompanying regulation.

### **District action**

All district employees who witness unlawful discrimination or harassment must take prompt and effective action to stop it, as prescribed by the district.

The district will take appropriate action to promptly and impartially investigate allegations of unlawful discrimination and harassment, to end unlawful behavior, to prevent the recurrence of such behavior, and to prevent retaliation against the individual(s) who files the complaint and/or any person who participates in the investigation. When appropriate, the district will take interim measures during the investigation to protect against further unlawful discrimination, harassment, or retaliation.

To the extent possible, all reports of unlawful discrimination or harassment will be kept confidential. Students or employees who knowingly file false complaints or give false statements in an investigation may be subject to discipline, up to and including suspension/expulsion for students and termination of employment. No student, employee, or member of the public may be subject to adverse treatment in retaliation for any good faith report of harassment under this policy.

Upon determining that incidents of unlawful discrimination or harassment are occurring in particular district settings or activities, the district will implement measures designed to remedy the problem in those areas or activities.

Any student or employee who engages in unlawful discrimination or harassment will be disciplined according to applicable Board policies and the district will take reasonable action to restore lost educational or employment opportunities to the target(s).

In cases involving potential criminal conduct, the district will determine whether appropriate law enforcement officials should be notified.

### **Notice and training**

To reduce unlawful discrimination and harassment and ensure a respectful school environment, the administration is responsible for providing notice of this policy to all

district schools and departments. The policy and complaint process must be prominently posted on the district's website, referenced in student and employee handbooks and made otherwise available to all students, staff, and members of the public through electronic or hard-copy distribution. Training materials regarding sex-based discrimination and sexual harassment are available to the public on the district's website.

Students and district employees will receive periodic training related to recognizing and preventing unlawful discrimination and harassment. District employees must receive additional training related to handling reports of unlawful discrimination and harassment. The training will include, but not be limited to:

- awareness of groups protected under state and federal law and/or targeted groups;
- how to recognize and react to unlawful discrimination and harassment; and
- proven harassment prevention strategies.

**Compliance Officer**

Nancy Taylor, CFO  
[ntaylor@strasburg31j.com](mailto:ntaylor@strasburg31j.com)  
303-622-9211 ext 897  
56729 E. Colorado Ave.  
Strasburg, CO 80136

**Title IX Officer**

Mike Aragon, AP HMS  
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56729 E. Colorado Ave.  
Strasburg, CO 80136

Adopted 2006 Revised 12/2015 10/2016 8/2020

LEGAL REFS.: 20 U.S.C. 1681 (*Title VII, Education Amendments of 1972*)  
20 U.S.C. 1701-1758 (*Equal Employment Opportunity Act of 1972*)  
29 U.S.C. 621 *et seq.* (*Age Discrimination in Employment Act of 1967*)  
29 U.S.C. 701 *et seq.* (*Section 504 of the Rehabilitation Act of 1973*)  
42 U.S.C. 12101 *et seq.* (*Title II of the Americans with Disabilities Act*)  
42 U.S.C. 2000d (*Title VI of the Civil Rights Act of 1964, as amended in 1972*)  
42 U.S.C. 2000e (*Title VII of the Civil Rights Act of 1964*)  
42 U.S.C. 2000ff *et seq.* (*Genetic Information Nondiscrimination Act of 2008*)  
34 C.F.R. Part 100 through Part 110 (*civil rights regulations*)  
C.R.S. 2-4-401 (3.4) (definition of gender expression)  
C.R.S. 2-4-401 (3.5) (definition of gender identity)

C.R.S. 2-4-401 (13.5) (definition of sexual orientation), ~~which includes transgender~~

C.R.S. 18-9-121 (bias-motivated crimes)

C.R.S. 22-32-109 (1)(II) (Board duty to adopt written policies prohibiting discrimination)

C.R.S. 22-32-110 (1)(k) (definition of racial or ethnic background includes hair texture, definition of protective hairstyle)

C.R.S. 24-34-301 et seq. (Colorado Civil Rights Division)

C.R.S. 24-34-301 (3.3) (definition of gender expression)

C.R.S. 24-34-301 (3.5) (definition of gender identity)

C.R.S. 24-34-301 (7) (definition of sexual orientation), ~~which includes transgender~~

C.R.S. 24-34-402 et seq. (discriminatory or unfair employment practices)

C.R.S. 24-34-402.3 (discrimination based on pregnancy, childbirth or related conditions; notice of right to be free from such discrimination must be posted "in a conspicuous place" accessible to employees)

C.R.S. 24-34-601 (unlawful discrimination in places of public accommodation)

C.R.S. 24-34-602 (penalty and civil liability for unlawful discrimination)

CROSS REFS.: GBA, Open Hiring/Equal Employment Opportunity

GBAA, Sexual Harassment

JB, Equal Educational Opportunities

JBB\*, Sexual Harassment

[Revised ~~September 2021~~ July 2020]

COLORADO SAMPLE POLICY 1992©

## Open Hiring/Equal Employment Opportunity

The Board subscribes to the principles of the dignity of all people and of their labors. It also recognizes that it is both culturally and educationally sound to have persons of diverse backgrounds on the school district's staff.

Therefore, the district promotes and provides for equal opportunity in the recruitment, selection, promotion, and dismissal of all personnel. Commitment on the part of the district towards equal employment opportunity applies to all people without regard to disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry, age, genetic information, or conditions related to pregnancy or childbirth. The district will ensure that it does not unlawfully discriminate in any area of employment including job advertising, pre-employment requirements, recruitment, compensation, fringe benefits, job classifications, promotion, and termination.

(Adoption date) September 2020

Revised:

LEGAL REFS.: 20 U.S.C. §1681 (*Title IX of the Education Amendments of 1972*)  
29 U.S.C. §201 *et seq.* (*Fair Labor Standards Act*)  
29 U.S.C. §621 *et seq.* (*Age Discrimination in Employment Act of 1967*)  
29 U.S.C. §794 (*Section 504 of the Rehabilitation Act of 1973*)  
42 U.S.C. §12101 *et seq.* (*Title II of the Americans with Disabilities Act*)  
42 U.S.C. §2000d (*Title VI of the Civil Rights Act of 1964*)  
42 U.S.C. §2000e (*Title VII of the Civil Rights Act of 1964*)  
42 U.S.C. §2000ff *et seq.* (*Genetic Information Nondiscrimination Act of 2008*)  
C.R.S. 2-4-401 (3.4) (definition of gender expression)  
C.R.S. 2-4-401 (3.5) (definition of gender identity)  
C.R.S. 2-4-401 (13.5) (definition of sexual orientation), ~~which includes transgender~~  
C.R.S. 22-32-110 (1)(k) (definition of racial or ethnic background includes hair texture, definition of protective hairstyle)  
C.R.S. 22-61-101 (*discrimination in employment prohibited*)  
C.R.S. 24-34-301 *et seq.* (*Colorado Civil Rights Division procedures*)  
C.R.S. 24-34-301 (3.3) (definition of gender expression)  
C.R.S. 24-34-301 (3.5) (definition of gender identity)

C.R.S. 24-34-301 (7) (definition of sexual orientation), ~~which includes transgender~~

C.R.S. 24-34-402 et seq. (discriminatory or unfair employment practices)

C.R.S. 24-34-402.3 (discrimination based on pregnancy, childbirth or related conditions; notice of right to be free from such discrimination must be posted “in a conspicuous place” accessible to employees)

CROSS REFS.: AC, Nondiscrimination/Equal Opportunity  
GBAA, Sexual Harassment

*NOTE: For purposes of this policy, these terms have the following meanings:*

- “Race” includes hair texture, hair type, or a protective hairstyle that is commonly or historically associated with race. C.R.S. 22-32-110 (1)(k).
- “Protective Hairstyle” includes such hairstyles as braids, locs, twists, tight coils or curls, cornrows, bantu knots, afros, and head wraps. Id.
- “Sexual Orientation” means an individual’s identity, or another individual’s perception thereof, in relation to the gender or genders to which the individual is sexually or emotionally attracted and the behavior or social affiliation that may result from the attraction. C.R.S. 2-4-401 (13.5) and C.R.S. 24-34-301 (7).
- “Gender Expression” means an individual’s way of reflecting and expressing the individual’s gender to the outside world, typically demonstrated through appearance, dress, and behavior. C.R.S. 2-4-401 (3.4) and C.R.S. 24-34-301 (3.3).
- “Gender Identity” means an individual’s innate sense of the individual’s own gender, which may or may not correspond with the individual’s sex assigned at birth. C.R.S. 2-4-401 (3.5) and C.R.S. 24-34-301 (3.5).

[Revised ~~September 2021~~ July 2020]  
COLORADO SAMPLE POLICY 1992©

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

### **Staff Conduct** (And Responsibilities)

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

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

### **Rules of conduct**

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

1. Disclose or use confidential information acquired in the course of employment to further substantially the employee's personal financial interests.
2. Accept a gift of substantial value or substantial economic benefit tantamount to a gift of substantial value which would tend to improperly influence a reasonable person in the position to depart from the faithful and impartial discharge of the staff member's duties, or which the staff member knows or should know is primarily for the purpose of a reward for action taken.
3. Engage in a substantial financial transaction for private business purposes with a person whom the staff member supervises.
4. Perform an action which directly and substantially confers an economic benefit tantamount to a gift of substantial value on a business or other undertaking in which the staff member has a substantial financial interest or is engaged as counsel, consultant, representative, or agent.

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

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

1. Use school facilities and equipment to communicate or correspond with constituents, family members, or business associates on an occasional basis.
2. Accept or receive a benefit as an indirect consequence of transacting school district business.

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

1. Faithfulness and promptness in attendance at work.
2. Support and enforcement of policies of the Board and regulations of the school administration in regard to students.
3. Diligence in submitting required reports promptly at the times specified.
4. Care and protection of school property.
5. Concern and attention toward the safety and welfare of students.

### **Child abuse**

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

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

### **Possession of deadly weapons**

The Board's policy regarding public possession of deadly weapons on school property or in school buildings applies to district employees. However, the



restrictions do not apply to employees who are required to carry or use deadly weapons in order to perform their necessary duties and functions.

### **Felony/misdemeanor convictions**

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

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

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

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

### **Unlawful behavior involving children**

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

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

### **Notification concerning arrests**

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

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

### **Personnel addressing health care treatment for behavior issues**

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

(Adoption date)

LEGAL REFS.: 28 C.F.R. 50.12 (b) (*notification requirements regarding fingerprints*)  
C.R.S. 18-12-105.5 (*unlawful carrying/possession of weapons on school grounds*)  
C.R.S. 18-12-214 (3)(b) (*school security officers may carry concealed handgun pursuant to valid permit*)  
C.R.S. 19-3-308 (5.7) (*child abuse reporting*)  
C.R.S. 22-1-130 (*parent notification of employee criminal charges*)  
C.R.S. 22-2-119.3 (6)(d) (*name-based criminal history record check – definition*)

C.R.S. 22-32-109 (1)(ee) (*duty to adopt policy prohibiting personnel from recommending certain drugs for students or ordering behavior tests without parent permission*)  
 C.R.S. 22-32-109 (1)(pp) (*annual employee notification requirement regarding federal student loan repayment programs and student loan forgiveness programs*)  
 C.R.S. 22-32-109.1 (8) (*policy requiring inquiries upon good cause to department of education for purpose of ongoing screening of employees*)  
 C.R.S. 22-32-109.7 (*duty to make inquiries prior to hiring*)  
 C.R.S. 22-32-109.8 (*non-licensed personnel – submittal of fingerprints and name-based criminal history record check*)  
 C.R.S. 22-32-109.8 (6)(a) (*requirement to terminate non-licensed employees for certain felony offenses*)  
 C.R.S. 22-32-109.9 (*licensed personnel – submittal of fingerprints and name-based criminal history record check*)  
 C.R.S. 22-32-110 (1)(k) (*power to adopt conduct rules*)  
 C.R.S. 24-18-104 (*government employee rules of conduct*)  
 C.R.S. 24-18-109 (*local government employee rules of conduct*)  
 C.R.S. 24-18-110 (*voluntary disclosure*)

CROSS REFS.: JLC, Student Health Services and Records  
 JLDAC, Screening/Testing of Students (And Treatment of Mental Disorders)  
 JLF, Reporting Child Abuse/Child Protection  
 KDBA\*, Parent Notification of Employee Criminal Charges  
 KFA, Public Conduct on District Property

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

*NOTE 2: State law lists the type of items that are not considered “gifts of substantial value or substantial economic benefit tantamount to a gift of substantial value” and are therefore permissible for a district employee to receive. See, C.R.S. 24-18-104 (3). Such items include campaign contributions or contributions in kind that are reported in accordance with the Fair Campaign Practices Act; an unsolicited item of trivial value (i.e. currently less than \$65), “such as a pen, calendar, plant, book, notepad or similar item;” and an unsolicited token or award of appreciation in the form of a plaque, trophy, desk item, wall memento or similar item. Id.; see also, Colo. Const. Art. XXIX, Section 3.*

*NOTE 3: The amount of the gift limit (\$65) is identical to the gift limit under section 3 of Article XXIX of the state constitution. This amount is adjusted for inflation contemporaneously with any adjustment to the constitutional gift limit. C.R.S. 24-6-203 (8). The state constitution requires an adjustment for inflation every four years. The next adjustment must occur in the first quarter of 2023. Colo. Const. Art. XXIX, Section 3 (6).*

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

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

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

## **Professional Staff Recruiting/Hiring**

### **Recruiting**

The Board desires the superintendent to develop and maintain a recruitment program designed to attract and hold the best possible professional personnel in the district's schools.

It is the responsibility of the superintendent, with the assistance of other administrators, to determine the personnel needs of the district in general and of each individual school and to locate suitable candidates to recommend to the Board for employment. The search for good teachers and other professional personnel will extend to a wide variety of educational institutions and geographical areas. It will take into consideration the diverse characteristics of the school system and the need for staff members of various backgrounds.

Recruitment procedures will not overlook the talents and potential of individuals already employed in the district's schools. Any present employee of the district may apply for a position for which they are licensed and/or meet other stated requirements.

### **Background checks**

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

### **Hiring**

Discrimination in the hiring process on the basis of disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin,

religion, ancestry, genetic information, age, marital status, or conditions related to pregnancy or childbirth is prohibited

All candidates will be considered on the basis of their merits, qualifications, and the needs of the school district.

All interviewing and selection procedures will ensure that the administrator directly responsible for the work of a staff member has an opportunity to aid in the selection and that, where applicable, the school principal has an opportunity to consent.

Unless otherwise required by law, the final selection for nomination will be made only by the superintendent.

### **Appointment of candidates**

Nominations will be made at meetings of the Board of Education. The vote of a majority of the Board is necessary to approve the appointment of teachers, administrators, or any other employee of the school district. If there is a negative vote by the Board, the superintendent must submit a new recommendation to the Board for approval.

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

(Adoption date)

LEGAL REFS.: 15 U.S.C. 1681 *et seq.* (Fair Credit Reporting Act)  
20 U.S.C. 6312 (c)(6) (teacher licensure requirements under Every Student Succeeds Act)  
42 U.S.C. 653 (a) (Personal Responsibility and Work Opportunity Reconciliation Act)  
28 C.F.R. 50.12 (b) (notification requirements regarding fingerprints)  
C.R.S. 2-4-401 (3.4) (definition of gender expression)  
C.R.S. 2-4-401 (3.5) (definition of gender identity)  
C.R.S. 2-4-401 (13.5) (definition of sexual orientation), ~~which includes transgender~~  
C.R.S. 8-2-126 (limits employers' use of consumer credit information)  
C.R.S. 13-80-103.9 (liability for failure to perform an education employment required background check)  
C.R.S. 14-14-111.5 (Child Support Enforcement procedures)  
C.R.S. 22-2-119 (inquiries prior to hiring)  
C.R.S. 22-2-119.3 (6)(d) (name-based criminal history record check – definition)

C.R.S. 22-32-109 (1)(f) *(Board duty to employ personnel)*  
 C.R.S. 22-32-109 (1)(pp) *(annual employee notification requirement regarding federal student loan repayment programs and student loan forgiveness programs)*  
 C.R.S. 22-32-109.7 *(duty to make inquiries prior to hiring)*  
 C.R.S. 22-32-109.8 *(non-licensed personnel – submittal of fingerprints and name-based criminal history record check)*  
 C.R.S. 22-32-126 *(principal's role in hiring and assignment)*  
 C.R.S. 22-60.5-114 (3) *(State Board can waive some requirements for initial license applicants upon request of school district)*  
 C.R.S. 22-60.5-201 *(types of teacher licenses issued)*  
 C.R.S. 22-61-101 *(prohibiting discrimination)*  
 C.R.S. 22-61-103 *(requirement for teacher's oath or written pledge)*  
 C.R.S. 22-63-201 *(licensure required)*  
 C.R.S. 22-63-202 *(employment contracts and mutual consent placement)*  
 C.R.S. 22-63-206 *(transfers)*  
 C.R.S. 24-5-101 *(effect of criminal conviction on employment)*  
C.R.S. 24-34-301 (3.3) *(definition of gender expression)*  
C.R.S. 24-34-301 (3.5) *(definition of gender identity)*  
 C.R.S. 24-34-301 (7) *(definition of sexual orientation), which includes transgender*  
 C.R.S. 24-34-402 (1) *(discriminatory and unfair employment practices)*  
 C.R.S. 24-34-402.3 *(discrimination based on pregnancy, childbirth or related conditions; notice of right to be free from such discrimination must be posted "in a conspicuous place" accessible to employees)*  
 C.R.S. 24-72-202 (4.5) *(definition of personnel file in open records law)*

CROSS REFS.: GBA, Open Hiring/Equal Employment Opportunity  
 GCKAA\*, Teacher Displacement

NOTE 1: Specific procedures for background checks need to follow as a regulation. The regulations might also include specific procedures for making applications, for screening and for selection of candidates to be recommended to the Board.

NOTE 2: State law requires public school teachers to take an oath/affirmation or sign a written pledge that states the following: "I solemnly (swear) (affirm) (pledge) that I will uphold the constitution of the United States and the constitution of the state of

*Colorado, and I will faithfully perform the duties of the position I am about to enter.” C.R.S. 22-61-103 (1). A person authorized to administer oaths in Colorado shall administer the oath or affirmation, or the teacher must sign the pledge. C.R.S. 22-61-103 (2). The Colorado Department of Education has stated that a school district’s hiring officials must ensure that teachers take the oath orally or in writing at the time of hiring or during the signing of the teacher’s contract.*

*NOTE 3: State law requires school districts to annually distribute to employees “informational materials related to federal student loan repayment and student loan forgiveness programs, including updated materials received from the department of education.” C.R.S. 22-32-109 (1)(pp). In addition to annual distribution, school districts must “distribute the informational materials to newly hired district employees as part of its employee orientation process.” Id. Distribution to employees may be made via e-mail “or as part of a mailing or regular communication to employees” Id.*

*NOTE 4: For purposes of this policy, these terms have the following meanings:*

- *“Race” includes hair texture, hair type, or a protective hairstyle that is commonly or historically associated with race. C.R.S. 22-32-110 (1)(k).*
- *“Protective Hairstyle” includes such hairstyles as braids, locs, twists, tight coils or curls, cornrows, bantu knots, afros, and head wraps. Id.*
- *“Sexual Orientation” means an individual’s identity, or another individual’s perception thereof, in relation to the gender or genders to which the individual is sexually or emotionally attracted and the behavior or social affiliation that may result from the attraction. C.R.S. 2-4-401 (13.5) and C.R.S. 24-34-301 (7).*
- *“Gender Expression” means an individual’s way of reflecting and expressing the individual’s gender to the outside world, typically demonstrated through appearance, dress, and behavior. C.R.S. 2-4-401 (3.4) and C.R.S. 24-34-301 (3.3).*
- *“Gender Identity” means an individual’s innate sense of the individual’s own gender, which may or may not correspond with the individual’s sex assigned at birth. C.R.S. 2-4-401 (3.5) and C.R.S. 24-34-301 (3.5).*



## **Support Staff Recruiting/Hiring**

The Board will establish and budget for classified positions in the school district on the basis of need and the financial resources of the district.

### **Recruiting**

The recruitment and selection of candidates for these positions is the responsibility of the superintendent or designee who must confer with principals and other supervisory personnel in making a selection.

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

### **Background checks**

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

All applicants recommended for a position in the district must submit a set of fingerprints and information about felony or misdemeanor convictions as required by law. (This requirement does not apply to any student currently enrolled in the district applying for a job.) Applicants may be conditionally employed prior to receiving the fingerprint results.

### **Hiring**

Discrimination in the hiring process on the basis of disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry, age, genetic information, or conditions related to pregnancy or childbirth is prohibited

The Board will officially appoint all employees upon the superintendent's recommendation; however, temporary appointments may be made pending Board action.

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

Adopted: 6-2006

Revised: 9-2020

LEGAL REFS.: 15 U.S.C. 1681 *et seq.* (Fair Credit Reporting Act)  
42 U.S.C. 653 (a) (Personal Responsibility and Work Opportunity Reconciliation Act)  
42 U.S.C. 2000ff *et seq.* (Genetic Information Nondiscrimination Act of 2008)  
28 C.F.R. 50.12 (b) (notification requirements regarding fingerprints)  
C.R.S. 2-4-401 (3.4) (definition of gender expression)  
C.R.S. 2-4-401 (3.5) (definition of gender identity)  
C.R.S. 2-4-401 (13.5) (definition of sexual orientation), ~~which includes transgender~~  
C.R.S. 8-2-126 (limits employers' use of consumer credit information)  
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C.R.S. 24-5-101 (effect of criminal conviction on employment)  
C.R.S. 24-34-301 (3.3) (definition of gender expression)  
C.R.S. 24-34-301 (3.5) (definition of gender identity)  
C.R.S. 24-34-301 (7) (definition of sexual orientation), ~~which includes transgender~~  
C.R.S. 24-34-402 (1) (discriminatory and unfair employment practices)  
C.R.S. 24-34-402.3 (discrimination based on pregnancy, childbirth or related conditions; notice of right to be free from such discrimination must be posted “in a conspicuous place” accessible to employees)

CROSS REFS.: GBA, Open Hiring/Equal Employment Opportunity  
GDA, Support Staff Positions

*NOTE 1: Specific procedures for background checks, fingerprinting, and submission of child support information need to follow as a regulation. The regulation might also include specific procedures for making applications, for screening and for selection of candidates to be recommended to the Board.*

*NOTE 2: Federal law requires school districts to notify individuals fingerprinted that the fingerprints will be used to check the criminal history records of the Federal Bureau of Investigation (FBI). Districts must also notify fingerprinted applicants about the opportunity to challenge the accuracy of the information contained in the FBI identification record and the procedure to obtain a change, correction, or update of an FBI identification record. 28 C.F.R. 50.12 (b). Districts must retain documentation that this notification was provided. For sample notification and acknowledgment forms that meet these federal requirements, visit the Colorado Bureau of Investigation's website: <https://www.colorado.gov/pacific/cbi/identification-unit>.*

*NOTE 3: State law requires school districts to annually distribute to employees "informational materials related to federal student loan repayment and student loan forgiveness programs, including updated materials received from the department of education." C.R.S. 22-32-109 (1)(pp). In addition to annual distribution, school districts must "distribute the informational materials to newly hired district employees as part of its employee orientation process." Id. Distribution to employees may be made via email "or as part of a mailing or regular communication to employees" Id.*

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- *"Sexual Orientation" means an individual's identity, or another individual's perception thereof, in relation to the gender or genders to which the individual is sexually or emotionally attracted and the behavior or social affiliation that may result from the attraction. C.R.S. 2-4-401 (13.5) and C.R.S. 24-34-301 (7).*
- *"Gender Expression" means an individual's way of reflecting and expressing the individual's gender to the outside world, typically demonstrated through appearance, dress, and behavior. C.R.S. 2-4-401 (3.4) and C.R.S. 24-34-301 (3.3).*
- *"Gender Identity" means an individual's innate sense of the individual's own gender, which may or may not correspond with the individual's sex assigned at birth. C.R.S. 2-4-401 (3.5) and C.R.S. 24-34-301 (3.5).*

| [Revised September 2021~~July 2020~~]  
COLORADO SAMPLE POLICY 1993©

Strasburg School District 31J  
56729 East Colorado Avenue  
Strasburg, CO 80136  
Minutes of the Board of Education  
October 13<sup>th</sup>, 2021 (6:00 P.M.)

CALL TO ORDER:

Meeting was called to order at 6:00 P.M. by President Julie Winter

ATTENDANCE: (Roll Call)

Board members present were: Diana Elliott, Ryan Dwyer, Dillon Kent, Michael Marrero and Julie Winter.

Others participating were Monica Johnson (Superintendent of Schools), Stephanie Velez (Secretary to the BOE), School Administration and several members of the school district and public.

PLEDGE OF ALLEGIANCE:

AGENDA APPROVAL:

On a motion by Diana Elliott and seconded by Ryan Dwyer, it is hereby resolved to approve the Agenda with the change of moving executive session to number 8 on the agenda order.

**AYE: Dwyer, Elliott, Kent, Marrero, Winter**

**NAY: NONE – MOTION CARRIED 5-0**

PUBLIC HEARING & PUBLIC PARTICIPATION:

Stephanie Bloomfield addressed the BOE regarding the continued mask mandate.

BOARD REPORTS/DISCUSSION

Diana Elliott updated the BOE on the CASB Legislative report and initiatives.

Dillon Kent addressed the BOE regarding his desire to look into hiring an HR company to help with the district's staffing and retention.

SUPERINTENDENT REPORT/DISCUSSION:

Superintendent Johnson turned the floor over to John Sattler and Tim Barber to update the BOE on the construction project. Superintendent Johnson gave an update on the superintendent search proposals submitted, what the process will be to evaluate the proposals, the interview process and awarding the contract by December 1<sup>st</sup>.

BOARD ACTION ITEMS:

On a motion by Ryan Dwyer and seconded Michael Marrero, it is hereby resolved to approve the second and final read of Policy KEB-Relations with Parent Organizations.

**AYE: Dwyer, Elliott, Kent, Marrero, Winter**

**NAY: NONE – MOTION CARRIED 5-0**

On a motion by Diana Elliott and seconded by Ryan Dwyer, it is hereby resolved to approve the following to participate on the District Accountability Committee and the 1338 Committee: Jasel Estrada, Angie Graf, Lindsey Armstrong, Donna Holcomb, Angie Redd, Ronda Lee.

**AYE: Dwyer, Elliott, Kent, Marrero, Winter**

**NAY: NONE – MOTION CARRIED 5-0**

On a motion by Diana Elliott and seconded by Ryan Dwyer, it is hereby resolved to accept the hiring of Nikki Jaques, SES Para Professional, Emily Bustillos, HMS Para Professional, Maria Del Carmen Torres, Food Service Cook, Jeanie Wicks, Food Service Cook, Emma Copeland, SES Special Education Teacher

Nancy Tayler, Business Office Accountant, Updated Substitute List

**AYE: Dwyer, Elliott, Kent, Marrero, Winter**

**NAY: NONE – MOTION CARRIED 5-0**

On a motion by Diana Elliott and seconded by Michael Marrero, it is hereby resolved to accept the resignations of Georgia Steele, Business Manager, Carol Wethington, SES Principal, Jacquin Colabello, HMS Special Ed Teacher and Tayler Simpson, HMS Para.

**AYE: Dwyer, Elliott, Kent, Marrero, Winter**

**NAY: NONE – MOTION CARRIED 5-0**

On a motion by Michael Marrero and seconded by Diana Elliott, it is hereby resolved to approve the minutes from the October 13<sup>th</sup> regular school board meeting.

**AYE: Dwyer, Elliott, Kent, Marrero, Winter**

**NAY: NONE – MOTION CARRIED 5-0**

On a motion by Diana Elliott and seconded by Michael Marrero it is hereby resolved to approve the claims, accounts and financial statements from the August board meeting.

**AYE: Dwyer, Elliott, Kent, Marrero, Winter**

**NAY: NONE – MOTION CARRIED 5-0**

ADJOURN INTO EXECUTIVE SESSION:

On a motion by Ryan Dwyer and seconded by Dillon Kent it is hereby resolved to adjourn meeting into executive session (8:15p.m.)

**AYE: Dwyer, Elliott, Kent, Marrero, Winter**

**NAY: NONE – MOTION CARRIED 5-0**

On a motion by Michael Marrero and seconded by Diana Elliott it is hereby resolved to adjourn from executive session (8:56p.m.)

**AYE: Dwyer, Elliott, Kent, Marrero, Winter**

**NAY: NONE – MOTION CARRIED 5-0**

ADJOURNMENT:

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Julie Winter, President

Date

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Dillon Kent, Treasurer

Date