

# *Board of Education*

## *Mesa County Valley School District 51*

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*Board Work Session Minutes*

*November 1, 2022*

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### **Board Work Session Minutes**

- A - Doug Levinson
- B - Kari Sholtes
- C - Andrea Haitz
- D - Will Jones
- E - Angela Lema

**Board of Education**  
**Mesa County Valley School District 51**  
**Board Work Session: November 1, 2022**  
**Adopted: December 13, 2022**

	A	B	C	D	E		ACTION
						<b>AGENDA ITEMS</b>	
Present Absent	x x	x x	x x	x x	x x	<p><b>BOARD WORK SESSION</b></p> <ul style="list-style-type: none"> <li>➤ Mr. Jones arrived at 6:11 p.m.</li> </ul> <p>Ms. Lema read the resolution to recognize November as National American Indian Heritage Month [Resolution 22/23: 23]</p> <ol style="list-style-type: none"> <li>1. Grand Junction High School Construction Update               <ul style="list-style-type: none"> <li>➤ Ms. Colleen Kaneda, Owners Representative Dynamic Program Management, briefed the Board on the construction progress for the new Grand Junction High School. She reported approximately twenty percent of the project is completed and all of the construction materials have been procured and pricing locked in. Photos of the project were shared and it was noted the project's timeline and budget are still on track.</li> </ul> </li> <li>2. Wildflower Charter School Presentation/Discussion               <ul style="list-style-type: none"> <li>➤ Mr. Dan Bunnell, Site Director, reviewed the requirements of and steps taken to review the Wildflower Montessori Public Charter School application. Because of the complexity of the application, certain sections of the application were reviewed extensively by members of the District Accountability Committee (DAC) and a committee comprised of District administration. DAC reviewed the sections labeled Evidence of Support, Enrollment Policy, Parent and Community Engagement, Waivers, Discipline, Expulsion and Suspensions and Employees. District administration reviewed the sections regarding Educational Programs, Evaluating Pupil Performance, Serving Students with Special Needs, Governance, Employees, Evidence of Support, Budget and Finance, and School Management Contracts. A capacity interview meeting was held to allow District administration to receive clarification, request additional information or documentation from representatives of the Wildflower Montessori Charter. Graphics and information, regarding rubric ratings from DAC and District administration, were shared. It was noted additional information, received following the capacity interview meeting, may not be reflected in some of the rubric ratings.</li> </ul> </li> <li>3. K-5 Literacy Resources Adoption Presentation               <ul style="list-style-type: none"> <li>➤ Mrs. Jennifer Marsh, Chief Academic Officer, Ms. Jackie Anderson, Curriculum Director, and Mrs. Cathy Story, Hilltop Senior Director, shared information and answered questions, regarding the timeline and extensive process and rigor the District undertook in selecting a K-5 curriculum to recommend for Board adoption. Mrs. Story and Ms. Michaelle Smith, Rocky Mountain Health Foundation Executive Director, volunteered to facilitate, plan, guide and manage the process. The Instructional Resource Selection Team (IRST), a team of K-5 teachers, reviewed numerous curriculum options listed as accepted curriculum by the Colorado Department of Education. IRST then narrowed the choice down to two options through a scoring process and by elimination of curriculum that did not meet specific criteria, such as offering a Spanish version. The final two curriculums selected, SAVVAS myView Literacy</li> </ul> </li> </ol>	6:03 p.m.

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						<b>AGENDA ITEMS</b>	
						<p>and HMH Into Reading, were reviewed extensively by IRST, including interviews with the vendors and surveying other school districts currently using the curriculum. Feedback from additional classroom teachers, not serving on IRST and who reviewed the curriculum, was also taken into consideration. Community members had the opportunity to review the final two choices and submit feedback. A Curriculum Resource Governance Committee reviewed the recommendation and rationale of the IRST to determine the HMH Into Reading would be the curriculum presented to the Board for adoption at the next meeting.</p> <p>[Recess 7:57 p.m. Resume 8:10 p.m.]</p> <p>4. Policy First Reading  4.a. DIA, Online School  4.b. DAB, Financial Administration  4.c. IC/ICA, School Year/School Calendar  4.d. KFA, Public Conduct on School Property or at School Activities</p> <p>5. Board Open Discussion</p> <ul style="list-style-type: none"> <li>➤ Mrs. Haitz requested feedback from the other members as to the need or desire to have a timing process in place to give presenters a heads up when a presentation is running long. The Board would like to ensure there is adequate time to get the needed information and ask questions, but they also want to be mindful of everyone's time.</li> <li>➤ Dr. Sholtes requested a presentation regarding classroom behaviors. District administration will present information at the December work session.</li> <li>➤ Mr. Jones shared information on attending a naturalization program at Grand Junction High School and a Special Olympics bowling event.</li> </ul>	
						<b><u>BUSINESS ITEMS</u></b>	
Present	x	x	x	x	x	A. Call to Order/Roll Call	8:29 p.m.
Absent							
Motion		x				B. Agenda Approval	
Second				x			
Aye	x	x	x	x	x		
No							
Motion	x					C. Executive Session	8:30 p.m.
Second					x	<ul style="list-style-type: none"> <li>➤ Executive session to discuss the purchase acquisition, lease, transfer or sale of any real, personal or other property interest under C.R.S. Section 24-6-402(4)(a), specifically to discuss the Orchard Mesa Pool.</li> <li>➤ Present at the executive session were Dr. Brian Hill, Superintendent, Mr. Clint Garcia, Chief Operations Officer, Ms. Tammy Eret, Legal Counsel, Mrs. Melanie Trujillo, Chief Financial Officer, Mr. Eric Nilsen, Maintenance, Operations &amp; Grounds Director, Eddie Mort, Maintenance and Operations Coordinator and Board Members, Mrs. Haitz, Mr. Jones, Ms. Lema, Mr.</li> </ul>	
Aye	x	x	x	x	x		
No							

A - Doug Levinson B - Kari Sholtes C - Andrea Haitz D - Will Jones E - Angela Lema						<b>Board of Education</b> <b>Mesa County Valley School District 51</b> <b>Board Work Session: November 1, 2022</b> <b>Adopted: December 13, 2022</b>	
	A	B	C	D	E		
						AGENDA ITEMS	ACTION
Motion						Levinson and Dr. Sholtes. Time spent in executive session discussing the Orchard Mesa pool: 40 minutes	
Second		x				Adjourn	9:10 p.m.
Aye	x	x	x	x	x		
No							
						<hr/> Bridget Story, Assistant Secretary Board of Education	

**Mesa County Valley School District 51**  
**DIA**  
**Online School and Online Program Documentation**

Adopted: June 21, 2016

Policy Revision First Reading: November 1, 2022

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The district includes schools and programs that provide blended learning and differentiated instruction for students, including online instruction. This policy addresses the types of documentation the district may utilize as proof of a student's enrollment, attendance, interaction with teachers and participation in any district online school or online program.

In accordance with applicable state law, one or more of the following forms of documentation is acceptable for purposes of tracking or counting a student's enrollment, attendance, interaction with teachers and participation in educational activities to support student learning in any district online school or online program:

1. Valid documentation of the following that includes student name and date of participation verified by either student sign-in sheets verified by a teacher signature, pre-printed attendance sheets verified by a teacher signature, or weekly attendance sheets verified by instructor signature:
  - Attendance at an orientation or induction session or activity prior to beginning online coursework.
  - In-person educational instruction, including but not limited to, exploratory classes, elementary school and middle school required attendance days, specific onsite courses and intervention services.
  - Participation in District and State-mandated assessments.

2. An adequate and comprehensive system of attendance records shall be maintained for each student. Teachers shall be responsible for accurate and timely reporting of attendance in their individual classrooms. The following ways qualify as teacher-student instruction and contact time, which may be tracked and counted for attendance purposes: Synchronous and asynchronous Internet-based educational progress reports containing student name, date, time and course content associated with a course on a student's schedule. The activities on this report may include:

- Student management system logins verifying student assignments and tests
- Presence during in-person instruction;
- Completion of assignments at homes;
- Logging into an online learning platform to access instruction;
- Logging into the online student portal to access information and materials and/or communicate with a teacher.
- Logging into the student email system to communicate with a teacher and/or obtain information and materials;
- Logging into an online collaborative platform to access information and materials
- Meeting virtually with a teacher during office hours or instructional support times;
- Signing an online form attesting that assignments were completed at home;
- Demonstration of learning by the student.
- ~~Student emails through the student management system that address course content.~~
- ~~Student participation in student management system message boards that address course content.~~
- ~~Student time sheets or logs showing off-line work in fulfillment of on-line course requirements, verified by instructor or instructor's designee.~~

The identified activities on the above list that may be accomplished on remote learning days are equivalent to in-person teacher-student instruction and contact time on in-person days based on the in-person bell schedule.

Attendance will be recorded at least once daily for days when instructional hours are provided, meaning a student is "actively engaged in the education process".

The District will ensure that all students who are participating in remote learning will receive equitable instruction and services. Further, the District will ensure that equitable and appropriate instruction will continue to be offered to those students requiring accommodations.

3. For students who are concurrently enrolled in or attending cross-over classes at a District school or career or technical education school or program in addition to enrollment or participation in an online school or program: attendance reports showing attendance as reported by the teacher or instructor in such classes.

**Mesa County Valley School District 51**  
**DIA**  
**Online School and Online Program Documentation**

Adopted: June 21, 2016

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4. For students engaged in work experience classes or similar forms of instruction: employer payroll check pay stubs, accompanied by a signed training plan and agreement with the employer.
5. For students receiving special education services, a service log or other digital or tangible documentation demonstrating that the student has had interaction with a teacher or other learning specialist or professional in accordance with the student's Individual Education Plan. The documentation shall be sufficient if it contains dates and times of service, the student's name, the name of the teacher, learning specialist or professional, and a brief description of the services provided, and may also contain notes regarding progress, treatment and goals.
6. For students participating in an internship, service learning program or activity, or similar forms of instruction, time sheets or sign-in sheets verified by mentor or supervisor signature and showing the dates of the student's participation, the hours served or time spent, and the activities performed.

Any or all of the above-described forms of documentation shall be used to determine whether the student is enrolled in a district online school or program on a part-time or full-time basis, in accordance with applicable state law.

LEGAL REFS: C.R.S. 22-30.7-105 (2)(a) (*online programs and online schools must document student attendance and participation in educational activities*)  
C.R.S. 22-54-104 (*district total program requirements, including pupil count*)  
1 CCR 301-39 (*Rules for the Administration of the Public School Finance Act of 1994*)  
1 CCR 301-71, Rules 3.02.9 and 8.0 (*must adopt policy tracking student enrollment, attendance and participation if the district authorizes an online program or online school*)

# Mesa County Valley School District 51

DAB

## FINANCIAL ADMINISTRATION

Adopted: November 18, 2003

Reviewed October 15, 2013

Revised: May 19, 2015

Policy First Reading: November 1, 2022

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The Board of Education strives to be good stewards of taxpayers' money and transparent to the community. To ensure full transparency to the Board and the community the following items shall require Board approval:

- Construction Contracts as defined in Policy FEG/FEGB and FEH
- Staff Contracts as defined in Personnel Policies Section G
- Contracts requiring a bidding process as defined in Policy DJB and DJE
- Independent Contracts as defined in Policy IIK with a total committed dollar amount of \$100,000 or greater
- Acquisition of Land as defined in Policy FG
- Charter School Contracts as defined in Policy LBD
- School-Business Partnerships/Marketing as defined in KHB-R
- Negotiations Agreements as defined in Section H
- Intergovernmental Agreements with a total committed dollar amount of \$25,000 or greater.
- Memorandums of Understanding with a total committed dollar amount of \$25,000 or greater.

Contracts, Intergovernmental Agreements and Memorandums of Understanding reoccurring on an annual basis and listed in the general operating budget, approved by the Board, need not be reapproved by the Board annually, unless such agreements have changes in the terms of the agreement which result in a financial commitment increase of 5% or more.

Any of the foregoing items not requiring funds from the general operating budget, such as grant-funded items, shall not require approval by the Board, unless specifically required in policy.

With respect to the actual, ongoing financial condition and activities of the eDistrict, the superintendent shall not cause or allow fiscal jeopardy or a material deviation from the annual budget or any budget policies adopted by the Board, or any fiscal condition that is inconsistent with achieving the eDistrict's objectives.

### Expending District Funds

The superintendent shall take reasonable steps to ensure that only funds that have been received in the fiscal year to date are expended, unless authorized by the Board through resolution.

### Reporting to Board and Community

- **Audits** - All eDistrict funds and accounts shall be audited by an independent auditor, ~~outside the district,~~ annually in accordance with state law and Board policy DIE. All eDistrict funds and accounts shall be audited or reviewed internally on a quarterly basis. Timely and appropriate corrective actions shall be taken in accordance with any internal or external audit findings.

The Board shall receive all audit reports and be informed of all corrective actions taken.

- **Financial reports**

Quarterly reports - The superintendent or designee shall prepare and submit to the Board a quarterly fiscal actions report of all District the general funds, and of the following funds:

- ~~General Fund (10)~~
- ~~Colorado Preschool Program Fund (19)~~
- ~~Capital Project Fund (43)~~

# Mesa County Valley School District 51

DAB

## FINANCIAL ADMINISTRATION

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- ~~Food Service Fund (21)~~
  - ~~Physical Activities Fund (23)~~
  - ~~Beverage Fund (27)~~
  - ~~Bond Redemption Fund (31)~~
  - ~~Insurance Fund (64)~~
  - ~~Dental Insurance Fund (63)~~
  - ~~Medical Insurance Fund (62)~~

The quarterly report shall include:

- the actual amounts spent and received as of the date of the report from each of these ~~e~~District funds budgeted for the fiscal year, expressed as dollar amounts and as percentages of the annual budget
- the actual amounts spent and received for each fund for the same period in the preceding fiscal year, expressed as dollar amounts and as percentages of the annual budget
- the expected year-end fund balances, expressed as dollar amounts and as percentages of the annual budget
- a comparison of the expected year-end fund balances with the amount budgeted for that fiscal year
- details on the ~~e~~District's major tax and revenue sources, with variance analysis that shows the factors that are affecting revenue inflow.

The format and basis for reporting shall be consistent with the adopted budget and the past year's generally accepted accounting procedures results.

### Reconciliation Report

The superintendent or designee shall prepare for the Board an itemized reconciliation between the fiscal year-end fund balances based on the budgetary basis of accounting and the modified accrual basis of accounting. The reconciliation shall include, but is not limited to, the liability for accrued salaries and related benefits. The reconciliation shall be included with the final version of the amended budget and the annual audited financial statements.

The Board shall receive all financial reports in a timely manner and be informed of all corrective actions taken.

The superintendent or designee shall conduct quarterly financial reviews with the Board using reports described above.

The Board may request other financial reports as needed.

### Oral Notification

The superintendent shall assure that immediate verbal notification be given to the Board regarding any potential financial problem or any matter that may affect the ~~e~~District's financial condition or ability to achieve its mission.

### Available to Public

~~All f~~Financial and audit reports shall be made available to the public and shall be posted on the District website as required and in accordance with the Public School Financial Transparency Act.



# Mesa County Valley School District 51

DAB

## FINANCIAL ADMINISTRATION

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### Legally-Required Reports

Reports and filings required by state and federal law and agencies shall be accurately and timely filed.

### Record Keeping

Complete and accurate financial records shall be kept for all edistrict funds and accounts.

### Operating Losses Or Deficits

The superintendent, as well as all fund directors, program directors, department heads and school principals, shall take all reasonable steps to identify funds, programs, departments or schools that may end the fiscal year with an operating loss or deficit. A corrective action plan shall be developed and implemented within 30 days of such identification.

The superintendent, as well as all fund directors, program directors, department heads and school principals, shall develop and implement processes whereby variations or deviations in cash flow, revenues or other important financial indicators can be identified and dealt with in a timely manner.

### Employee Reporting

The superintendent shall develop and implement procedures to encourage all edistrict employees to report suspected financial problems or wrongdoing. No adverse employment decisions shall be taken in response to a good faith report by an employee.

### Contingency Planning

The superintendent or designee shall continually be aware of the financial and political landscape both internally and externally and shall develop contingency plans against possible events.

### Legal References:

[C.R.S. 22-2-113.8 \(annual report required regarding additional local property tax revenues received and the amount distributed directly to the district's schools\)](#)

[C.R.S. 22-44-105 \(1.5\)\(b\) \(itemized reconciliation\)](#)

[C.R.S. 22-44-301 et seq. \(Public School Financial Transparency Act\)](#)

[C.R.S. 22-45-102 \(1\)\(b\) \(quarterly financial reports\)](#)

### Cross References:

[DJB, Purchasing Procedures](#)

[DJE, Bidding Requirements and Procedures](#)

[FEG/FEGB, Construction Contract Bidding & Awards/Contractor's Affidavits & Guarantee](#)

[FEH, Supervision of Construction \(Change Orders\)](#)

[FG, Acquisition of Land](#)

[IIK, Performance Contracting \(Independent Contractors\)](#)

[KD, Public Information Services](#)

[KHB, School-Business Partnership/Marketing](#)

[LBD, Relations with Charter Schools](#)

# Mesa County Valley School District 51

IC/ICA

## SCHOOL YEAR/SCHOOL CALENDAR

Adopted: April 22, 1975

Revised: October 15, 1996

Policy Manual Review: November 19, 2002

Policy Revision First Reading: November 1, 2022

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The Board of Education is responsible for adopting the District calendar. Prior to the end of the school year, the Board must determine the length of time during which District schools must be in session during the next school year. The number of hours/days of planned teacher-student instruction and of teacher-student contract must be consistent with the Board's definition of "actively engaged in the educational process", must meet or exceed the requirements of state law, and must include a sufficient number of days to allow the superintendent flexibility in preparing a calendar that supports the District's educational objectives.

### I. Active Engagement in the Educational Process

The Board defines "actively engaged in the educational process" as time when students are working toward achieving educational objectives under the supervision of a licensed teacher, including:

- Classroom instruction time
- Individual student work time while at school, including study hall and library research
- School-related field trips
- Independent study insofar as such study is allowed under District policy
- Assemblies
- Recess time
- Passing periods between classes, and from class to lunch
- Assessment days, including finals and state assessments
- Remote learning provided through the District's online learning schools approved by the Colorado Department of Education
- Individual student (and group) work time through an online learning environment
- Independent or group remote work time that is directed, controlled, monitored, or supervised by a certified or licensed teacher

"Supervision of a certificated or licensed teacher" means a certificated or licensed educator including teachers, counselors, paraprofessionals, or other certificated or licensed staff as assigned.

"Actively engaged in the educational process" does not include:

- Lunch
- Time students spend before school waiting for classes to begin and time after the last class of the day, including waiting for the bus
- Teacher preparation time
- Parent-teacher conferences
- Graduation ceremonies

Supervision by a licensed teacher does not require that the teacher be in the student's physical presence at all times, but that the teacher is exercising direction and control over the nature of the student's activities.

### II. Attendance

An adequate and comprehensive system of attendance records shall be maintained for each student. Teachers shall be responsible for accurate and timely reporting of attendance in their individual classrooms.

The following ways qualify as teacher-student instruction and contact time, which may be tracked and counted for attendance purposes:

1. Presence during in-person instruction;
2. Completion of assignments at home;

# Mesa County Valley School District 51

IC/ICA

## SCHOOL YEAR/SCHOOL CALENDAR

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3. Logging into an online learning platform to access instruction;
4. Logging into the online student portal to access information and materials and/or communicate with a teacher;
5. Logging into the student email system to communicate with a teacher and/or obtain information and materials;
6. Logging into an online collaborative platform to access information and materials;
7. Meeting virtually with a teacher during office hours or instructional support times;
8. Signing an online form attesting that assignments were completed at home;
9. Demonstration of learning by the student.

The identified activities on the above list that may be accomplished on remote learning days are equivalent to in-person teacher-student instruction and contact time on in-person days based on the in-person bell schedule.

Attendance will be recorded at least once daily for days when instructional hours are provided, meaning a student is "actively engaged in the educational process".

The District will ensure that all students who are participating in remote learning will receive equitable instruction and services. Further, the District will ensure that equitable and appropriate instruction will continue to be offered to those students requiring accommodations.

### III. School Calendar

Each year the District calendar for the next school year must be prepared by the superintendent or designee shall prepare a district calendar(s) for the next ensuing school year and presented to the Board for approval during the second semester. In the discharge of this responsibility, the superintendent/designee should involve other staff and community members as may be both practical and appropriate. The calendar(s) may apply to all schools or to individual schools of the ~~d~~District. The ~~d~~District calendar or individual school calendars shall be presented by the superintendent for adoption by the Board of ~~e~~Education in during the spring second semester of each year and shall be adopted by the Board prior to the end of the preceding school year. The number of days of planned teacher-student instruction and of teacher-student contact shall meet or exceed the requirements of state law.

The Board authorizes the administration in each school building to issue a school calendar based on the District calendar and in accordance with this policy. Administrators are encouraged to examine instruction time and calendar issues in the context of supporting the District's educational objectives.

Calendars must include the dates for all staff in-service programs scheduled for the upcoming school year. The administration may allow public input from parents and staff prior to scheduling the dates for staff in-service programs, as may be both practical and appropriate.

A copy of the calendar(s) shall be provided to the parents/~~or~~ guardians of all children students enrolled in schools within the ~~d~~District. ~~Such calendar(s) shall include the dates for all staff in-service programs scheduled for the school year. The Board shall allow for public input from parents and teachers prior to scheduling the dates for staff in-service programs.~~ Any change in the calendar(s), excluding changes resulting from emergency closings or other unforeseen circumstances, shall be preceded by adequate and timely notice from the ~~Board-District~~ of not less than thirty days.

The Board may approve tentative multiple-year school calendars, provided that each school calendar for an ensuing school year shall be presented for Board approval in the spring of each year.

# Mesa County Valley School District 51

IC/ICA

## SCHOOL YEAR/SCHOOL CALENDAR

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~~If a school day is lost due to an emergency, the Board at its next regular meeting shall ratify the administrative action in closing the school.~~

### Legal References:

C.R.S. 22-1-112 (school year and national holidays)

C.R.S. 22-32-109 (1)(n)(~~l~~)(~~B~~) (duty to determine school year and instruction hours)

C.R.S. 22-33-102 (1) (definition of academic year)

C.R.S. 22-33-104 (1) (compulsory attendance law)

C.R.S. 22-44-115.5 (fiscal emergency)

1 C.C.R. 301-~~1239~~, Section 4.02 Rules 2254-R-2.06 (school year and instruction hours; definition of contact/instruction time)

### Cross Reference:

EBCE, Emergency Closings

JH, Student Absences and Excuses

### Contract Reference:

MVEA Agreement

### Informational Attachment – Not Part of Policy

#### 1993 amendment to §22-32-109(1)(n), C.R.S.

~~“(B) Prior to the beginning of the school year, each district shall provide for the adoption of a district calendar which is applicable to all schools within the district or shall provide for the adoption of a school calendar for each individual school within the district. The district calendar or individual school calendars may be adopted by the board of education, the district administration, the school administration, or any combination thereof. A copy of the calendar shall be provided to the parents or guardians of all children enrolled in schools within the district. Such calendar shall include the dates for all staff in-service programs scheduled for the school year. The board, district administration, or school administration shall allow for public input from parents and teachers prior to scheduling the dates for staff in-service programs. Any change in the calendar, excluding changes resulting from emergency closings or other unforeseen circumstances, shall be preceded by adequate and timely notice from the board, district administration, or school administration of not less than thirty days.”~~

# **Mesa County Valley School District 51**

**KFA**

## **PUBLIC CONDUCT ON SCHOOL PROPERTY OR AT SCHOOL ACTIVITIES**

Related: KFA-R

Adopted: August 18, 1992

Revised: April 19, 1994

Policy Manual Review: September 17, 2002

Adopted: March 28, 2017

Adopted: March 26, 2019

Adopted: January 19, 2021

Policy Revisions First Reading: November 1, 2022

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The school district hosts or participates in many curricular and extracurricular activities attended by parents and the general public. These include, for example but not by way of limitation, interscholastic athletic contests, proms and other social events, dramatic or musical performances, field trips, fund-raisers and meetings for parents, patrons and the public and are referred to herein as "events". Events occur on school district property as well as at other locations or on property (such as school vehicles) leased or licensed to the school district for a particular purpose, all such property being referred herein to as "school district owned or controlled property." Groups and members of the public also use school district owned or controlled property under the district's facilities use policy. (See Policy KF)

All persons using or appearing at events conducted upon school district owned or controlled property will observe, at a minimum, those standards of behavior and conduct expected of school district staff and students. Specifically, whether they appear as users, participants or observers of an event, such persons shall not:

1. Obstruct, disrupt or interfere with, or threaten to obstruct disrupt or interfere with, teaching, research, service, administration, control, discipline, coaching, officiating or any other district operations sponsored or approved by the district;
2. Physically abuse or threaten to harm any persons or school district owned or controlled property;
3. Damage or threaten to damage school district owned or controlled property of the school district, regardless of location, or property leased or licensed in connection with an event or property of a member of the community when such property is located on district property;
4. Force or make unauthorized entry to school district owned or controlled property, or occupy district facilities, including both buildings and grounds;
5. Use, possess, distribute or sell drugs, other controlled substances, alcohol or other illegal contraband on or in school district owned or controlled property, at district or school-sponsored functions or while using or being in any district vehicle. For purposes of this policy, "controlled substances" means drugs identified and regulated under federal law, including but not limited to marijuana, cocaine, opiates, phencyclidine (PCP) and amphetamines (including methamphetamine). (Persons known to be under the influence of alcohol or a controlled substance shall not be permitted to enter school district owned or controlled property, or school sponsored activities or events.) If, however, the administration of medical marijuana is in accordance with state law regarding the administration of medical marijuana to qualified students, pursuant to a written health plan in place for the student at that school, such possession shall not be considered a violation of this policy.
6. Distribute, manufacture or sell controlled substances or possess controlled substances with intent to distribute them within 1,000 feet of the perimeter of school grounds.
7. Enter District buildings or grounds under the influence of alcohol or a controlled substance.
8. Unlawfully use any tobacco product.

# Mesa County Valley School District 51

KFA

## PUBLIC CONDUCT ON SCHOOL PROPERTY OR AT SCHOOL ACTIVITIES

Related: KFA-R

Adopted: August 18, 1992

Revised: April 19, 1994

Policy Manual Review: September 17, 2002

Adopted: March 28, 2017

Adopted: March 26, 2019

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9. Possess a concealed or dangerous weapon, on school district owned or controlled property unless such possession is in accordance with C.R.S. 18-12-105.5 or 18-12-214(3). For the purpose of this policy, "deadly weapons" means:
    - a. a firearm, whether loaded or unloaded;
    - b. a fixed blade knife with a blade that exceeds three inches in length;
    - c. a spring-loaded knife or pocket knife with a blade exceeding three and one-half inches in length; or
    - d. 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 BB gun, a slingshot, bludgeon, nunchucks, brass knuckles or artificial knuckles of any kind..
  10. Use or display of profanity or ~~verbally~~ abusive language.
  11. Engage in any conduct constituting a breach of any federal, state or city law or duly adopted policy and/or regulation of the Board.

Persons determined, by the superintendent, his/her designee or the principal, or his/~~or~~ her designee of a ~~host school~~ District owned or controlled property, to be in violation of this policy may be instructed to leave the school district owned or controlled property. Where repeated violations occur or where a person threatens or appears likely to violate this policy in the future, the superintendent or his/her designee or the principal of a ~~host~~ school may ban or restrict the person's access to events and to the use of school district owned or controlled property. The principal of a host school's authority, however, shall extend only to events and school district owned or controlled property of his/her school.

In appropriate cases, persons violating this policy may be referred to law enforcement authorities for criminal prosecution.

### Legal References:

- 21 U.S.C. 860 (crime to distribute or manufacture controlled substances within 1,000 feet of a school)
- C.R.S. 12-47-901 (1)(h) (prohibits consumption of alcohol in any public place without a license or permit)
- C.R.S. 18-9-106 (disorderly conduct)
- C.R.S. 18-9-108 through 110 (disrupting lawful assembly, interference with staff, faculty or students of educational institutions, public buildings – trespass, interference)
- C.R.S. 18-9-117 (unlawful conduct on public property)
- C.R.S. 18-12-105.5 (unlawful carrying/possession of weapons on school grounds)
- C.R.S. 18-12-214 (3)(a) (person with valid concealed handgun permit may have a handgun on school property as long as hand gun remains in his or her vehicle and if, while the person is not in vehicle, the gun is kept in a compartment and the vehicle is locked)

# **Mesa County Valley School District 51**

**KFA**

## **PUBLIC CONDUCT ON SCHOOL PROPERTY OR AT SCHOOL ACTIVITIES**

Related: KFA-R

Adopted: August 18, 1992

Revised: April 19, 1994

Policy Manual Review: September 17, 2002

Adopted: March 28, 2017

Adopted: March 26, 2019

Adopted: January 19, 2021

Policy Revisions First Reading: November 1, 2022

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- C.R.S. 18-18-407 (2) (crime to sell, distribute or possess with intent to distribute any controlled substance on or near school grounds or school vehicles)
  - C.R.S. 22-1-119.3 (3)(c), (d) (no student possession or self-administration of medical marijuana, but school districts must permit the student's primary caregiver to administer medical marijuana to the student on school grounds, on a school bus or at a school-sponsored event)
  - C.R.S. 25-1.5-106(12)(b) (possession or use of medical marijuana in or on school grounds or in a school bus is prohibited)
  - C.R.S. 25-14-103.5 (boards of education must adopt policies prohibiting tobacco and retail marijuana use on school property)
  - C.R.S. 25-14-301 (Teen Tobacco Use Prevention Act)

### Cross References:

- ADC, Tobacco-Free Schools
- GBEB, Staff Conduct (and Responsibilities)/ Conflicts of Interest
- GBEC, Drugs, Alcohol and Controlled Substances (Drug-Free Workplace)
- JICH, Alcohol Use/Drug Abuse by Students
- JICI, Dangerous Weapons in the Schools
- JLCDB, Administration of Medical Marijuana to Qualified Students
- KF, Community Use of School Facilities
- KI, Visitors to the Schools