

**DOLORES COUNTY SCHOOL DISTRICT RE-2(J)
DOVE CREEK, COLORADO**

MINUTES
REGULAR BOARD MEETING
DECEMBER 6, 2023
DOVE CREEK, COLORADO
BOARD ROOM

Vice President Chase Davis called the meeting to order at 6:00 p.m. The directors present included Kimberly Alexander, Chase Davis, Donella Fury, and Crystal Jarmon.

Guests present included Ty Gray, Roxie Guynes, Vernon Hall, Dealila Huskey, Crystal Proffitt, and Stacy Hankins.

Business Meeting - Call to Order.

Mr. Davis called for a Roll Call of the Board of Education.

Pledge of allegiance included all in attendance.

ADDITIONS/APPROVAL OF AGENDA: Additions to the agenda include Adam Warren, Zac Larimore, and Chris Beanland, Middle/High volunteer wrestling coaches. Resignation Megan-Horn-Beanland elementary paraprofessional. Crystal Jarmon moved to approve the agenda with additions. Kimberly Alexander and Donella Fury seconded, there was no further discussion, and the motion carried unanimously.

Oath of office was taken by Kimberly Alexander, Crystal Jarmon, and Donella Fury.

Reorganization of the board:

President: Donella Fury moved to nominate Kimberly Alexander to the office of board president. Crystal Jarmon seconded, there were no further nominations, and the motion passed unanimously.

Vice President: Crystal Jarmon moved to nominate Chase Davis to the office of vice president. Donella Fury seconded, there were no further nominations, and the motion carried unanimously.

Secretary: Chase Davis moved to nominate Crystal Jarmon to the office of secretary. Donella Fury seconded, there were no further nominations, and the motion carried unanimously.

Treasurer: Crystal Jarmon moved to nominate Donella Fury to the office of treasurer. Chase Davis seconded, there were no further nominations, and the motion carried unanimously.

Secretary to the board: Kimberly Alexander moved to appoint Stacy Hankins as secretary to the board. Chase Davis and Donella Fury seconded, there was no further discussion, and the motion carried unanimously.

President Kimberly Alexander proceeded to run the meeting.

APPROVAL OF MINUTES: Regular -- November 15, 2023. Crystal Jarmon moved to approve the minutes as presented. Chase Davis seconded, there was no further discussion, and the motion carried unanimously.

PUBLIC PARTICIPATION: No public participation.

REPORTS AND COMMUNICATION:

Board and Committee Reports:

New Elementary School update: Ty reported that all the steel is up, and there is some decking in place. It is starting to look like a building. They are hoping to have it dried in by the middle of January. Dealila has requested a network audit to make sure everything will work together. The district will be using some of the interest from the bond to cover some extra costs to get what is needed. Some examples are a reading tree in preschool, playground equipment that the kids would like to play on, some furniture that the teachers requested for their rooms, and new pots and pans for Food Service. Ty is also looking into some sort of shade or windbreak structure for the playground. He worries a lack of storage is going to be one complaint, and if there is money left over, he will look into ways to accommodate more storage. Some expenses that the district is going to have to incur are a new phone system for the middle/high school building. It will need to be able to communicate between buildings. A lock and key system that will work with the new elementary. Ty would like to secure the library by sealing off the commons doors and putting in a new entrance. However, after talking to Neenan, it is going to be a larger project than he had expected. A solution might be possibly alarming the door into the commons area so it is not wide open all the time. The fire alarm panel is old and at the point of needing to be replaced. Ty is talking with the company that is installing the panel in the new elementary, so they will work together. In 2025-26 we will have to install shot clocks in the gyms. The current scoreboards are set up for a shot clock, so we will just have to purchase the boxes. Ag shop drainage needs to be looked at to prevent flooding. Vernon is getting prices to fix the stucco on the library at the high school. The Memorial Hall building looks great! The parking lot and sidewalk will go in next spring. The roofing company that is doing the new elementary will move over to Memorial Hall when they are done at the elementary. They are hoping to begin on it in February, weather permitting. Also looking into new lighting, painting the walls, getting new wall pads, and having the gym floor refinished. Would like to get some signage honoring veterans and will have the building lettered "Memorial Hall Gymnasium." Vernon is talking to Comfort Air to get a quote on a new HVAC system. Possible new scoreboard and we need to redo some of the tiles on the stairs. Interest from the bond will be used to cover the extra expenses for Memorial Hall repairs.

Technology Review: Dealila Huskey, technology director, had a quote from Emery Tel Communication for a new phone system for the middle/high school building. They will need to be replaced when the new elementary is complete so the buildings can communicate. She will be adding a phone to Memorial Hall and the transportation department to the quote. She is checking to make sure the bell system will work through it. Roxie asked about a monthly charge. Dealila will look into what the monthly charge will be. She had been working on replacing security cameras throughout the district. She is ordering the same system the new elementary school will have and is installing cameras at Memorial Hall, the bus barn, and ring cameras for the front and back doors of the Ag shop. SAT and PSAT testing has gone digital. She is working with Jason and Ty to get these set-up. With CMAS testing, teachers have decided they would like the paper version of the math and the digital version of the English. She is finished with GT testing. She is working with Vernon and Ty to implement the work order program. Her day-to-day needs are more laptops, but she is working on getting more. The new lunch program, cashier side, will start on January 9th.

ESS Review: Crystal Proffitt updated the board on the middle/high school ESS program. She currently has 24 students in 6th grade - transition that are being served under the ESS program. There is also one student who is currently receiving Tier 3 support and is undergoing an evaluation for an IEP. Her current staff includes one ESS teacher, a 1:1 para to serve a significant needs student, three full-time para's, and one half-time para. Curriculum needs and/or requests would be teacher books/resources to help student's complete work outside of the general education setting. A Life Skills/Significant Needs curriculum. We currently don't have this; we need to review and purchase a curriculum. Budget for each program, not just an overall budget. We need to ensure that we have a certificate of completion and a certificate of attendance for graduation. Space is always an issue. In the afternoon, the ESS staff is using up to 3 classrooms to support/meet with students. She would like BOCES to communicate more about grant opportunities and have programming to support the life skills/significant needs program. She would like BOCES to offer more training for general education teachers around ESS.

BOCES UPDATE: The State has said Cortez cannot leave BOCES. Ty will be attending a retreat in January with other superintendents. They will be focusing on how to work together to help BOCES succeed.

Administration Reports

Superintendent's report: The mill levy certification was supposed to be done by the 10th of December but has been moved to January. The board will need to have a special meeting to approve the mill levy. He will leave the date open. It will depend on when we get the information from the county assessor. Ty provided the board with a packet of information on Studer Education. He would like to go ahead with this program. It is an annual cost of \$51,400, with a 3-year commitment. It aligns with the strategic plan, and we could do surveys through them, which will save the district money. It offers integrated leadership development for all department heads, which will help make the district run smoother. The strategic plan review can be a part of the program, and they will provide guidance. He feels this will help us continue to move in a positive direction. Roxie is working on a health and safety grant. Hoping to get cameras for buses, help Lacey Larimore, school nurse, to get some equipment and supplies she needs, money to implement the PBIS program in both buildings, and the rest will go to the Studer program. The board is in support of Ty joining the Studer program.

DISCUSSION ITEMS - INFORMATION

Facility/Maintenance Equipment needs: Vernon Hall, maintenance director, brought to the board some equipment the maintenance department will need. He had three quotes for tractors. He would like to put some money in the budget for a new mower. The board would like to see how this works in the revised budget.

District boundaries: District boundaries need to be redrawn. Ty checked with the attorney, and the board's duty is to make sure there is equal representation in each district. So, if there is a discrepancy with the census, we don't have to use it. After some discussion, the board supported the idea of staying with districts instead of going at-large.

Declare a Vacancy in Director District E: Due to the fact that there was no one who ran for director district E this election year, the board declared a vacancy in this district.

Board Meeting Dates: The board discussed board meeting dates. By policy, board meetings are to be on the third Wednesday of each month except July. We need to move the April meeting to the 24th and the December meeting to the 11th.

Policy Review: BDA Board organization meeting: The board reviewed this policy.

CONSENT AGENDA (opportunity to consent):

Roxie asked the board if they were ok with their signatures being printed directly on the checks and not having a stamp. After some discussion, the board is ok with it. Donella Fury moved to consent all action items, along with the consent agenda, as discussed. Chase Davis seconded, there was no further discussion, and the motion carried unanimously.

Crystal Jarmon moved to approve the consent items as discussed. Chase Davis seconded, there was no further discussion, and the motion carried unanimously.

PLAN FOR FUTURE MEETINGS

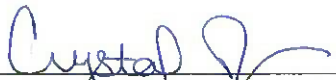
Next Meeting: The board will need to have a special meeting by January 8, 2024, for mill levy certification. Ty will stay in contact with the board, and when the numbers are ready, a special meeting will be scheduled. The next regular meeting is January 17, 2024.

ADJOURNMENT: Chase Davis moved to adjourn the meeting as presented. Donella Fury and Crystal Jarmon seconded, there was no further discussion, and the motion carried unanimously. The meeting adjourned at 8:27 p.m.

Minutes recorded by Stacy Hankins.



President - Kimberly Alexander



Secretary - Crystal Jarmon

STATE OF COLORADO)
) ss.
COUNTY OF DOLORES)

AFFIDAVIT

I, Crystal Jarmon, being first duly sworn, do state and affirm the following:

1. I am a member of the Board of Education of Dolores County RE-2J School District.
2. I am aware of and will comply with the confidentiality requirements and restrictions applicable to executive sessions of the Board, as described in C.R.S. § 24-6-402.
3. I will comply with these confidentiality requirements regardless of whether I participate in executive session in person or electronically in accordance with board policy adopted pursuant to C.R.S. § 22-32-108 (7) [for BOCES: C.R.S. 22-5-104].

By: Crystal Jarmon
Crystal Jarmon

Subscribed and sworn to before me this 6th day of December, 2023, by Crystal Jarmon Witness my hand and official seal.

By: Stacy Hankins
Notary Public

My commission expires: 10-8-2024.

(Seal)

STACY HANKINS
Notary Public
State of Colorado
Notary ID # 20124050972
My Commission Expires 10-08-2024

Note: This document shall be maintained with the minutes of board meetings and other board documents.

STATE OF
COLORADO



Dolores County RE-2J

School District
In

Dolores
County

I, Crystal Jarmon, do solemnly swear that I will faithfully perform the duties of the office of school director as required by law and will support the Constitution of the United States, the Constitution of the State of Colorado, and the laws made pursuant thereto.

Crystal Jarmon
Signature

Subscribed and sworn to before me this 6th day
of December, 2023.

Stacy Hankins
Official administering oath

Admin Assistant
Title

457 N Main, Dove Creek CO 81324
Address

My commission expires: 10-08-2024

STACY HANKINS
Notary Public
State of Colorado
Notary ID # 20124050972
My Commission Expires 10-08-2024

STATE OF COLORADO)
) ss.
COUNTY OF DOLORES)

AFFIDAVIT

I, Donella Fury, being first duly sworn, do state and affirm the following:

1. I am a member of the Board of Education of Dolores County RE-2J School District.
2. I am aware of and will comply with the confidentiality requirements and restrictions applicable to executive sessions of the Board, as described in C.R.S. § 24-6-402.
3. I will comply with these confidentiality requirements regardless of whether I participate in executive session in person or electronically in accordance with board policy adopted pursuant to C.R.S. § 22-32-108 (7) [for BOCES: C.R.S. 22-5-104].

By: Donella Fury
Donella Fury

Subscribed and sworn to before me this 6th day of December, 2023, by Donella Fury Witness my hand and official seal.

By: Stacy Hankins
Notary Public

My commission expires: 10-8-2024.

(Seal)

STACY HANKINS
Notary Public
State of Colorado
Notary ID # 20124050972
My Commission Expires 10-08-2024

Note: This document shall be maintained with the minutes of board meetings and other board documents.

STATE OF
COLORADO



Dolores County RE-2J

School District
In

Dolores
County

I, Donella Fury, do solemnly swear that I will faithfully perform the duties of the office of school director as required by law and will support the Constitution of the United States, the Constitution of the State of Colorado, and the laws made pursuant thereto.

Donella Fury
Signature

Subscribed and sworn to before me this 6th day
of December, 2023.

Stacy Hankins
Official administering oath

Admin Assistant
Title

457 N. main, Dove Creek Co 81324
Address

My commission expires: 10-8-2024

STACY HANKINS
Notary Public
State of Colorado
Notary ID # 20124050972
My Commission Expires 10-08-2024

STATE OF COLORADO)
) ss.
COUNTY OF DOLORES)

AFFIDAVIT

I, Kimberly Marie Alexander, being first duly sworn, do state and affirm the following:

1. I am a member of the Board of Education of Dolores County RE-2J School District.
2. I am aware of and will comply with the confidentiality requirements and restrictions applicable to executive sessions of the Board, as described in C.R.S. § 24-6-402.
3. I will comply with these confidentiality requirements regardless of whether I participate in executive session in person or electronically in accordance with board policy adopted pursuant to C.R.S. § 22-32-108 (7) [for BOCES: C.R.S. 22-5-104].

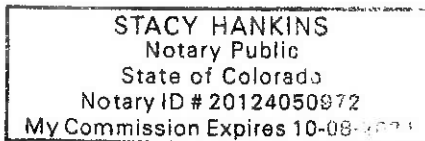
By: *Kimberly Marie Alexander*
Kimberly Marie Alexander

Subscribed and sworn to before me this 6th day of December, 2023, by Kimberly Marie Alexander
Witness my hand and official seal.

By: *Stacy Hankins*
Notary Public

My commission expires: 10-08-2024.

(Seal)



Note: This document shall be maintained with the minutes of board meetings and other board documents.

STATE OF
COLORADO



Dolores County RE-2J

School District
In

Dolores
County

I, Kimberly Marie Alexander, do solemnly swear that I will faithfully perform the duties of the office of school director as required by law and will support the Constitution of the United States, the Constitution of the State of Colorado, and the laws made pursuant thereto.

Kimberly Marie Alexander
Signature

Subscribed and sworn to before me this 6th day
of December, 2023.

Stacy Hankins
Official administering oath

Admin. Assistant
Title

457 N. Main, Dove Creek CO 81324
Address

My commission expires: 10-8-2024

STACY HANKINS
Notary Public
State of Colorado
Notary ID # 20124050972
My Commission Expires 10-08-2024



DOLORES COUNTY RE-2J

New, Consolidated Dolores County RE-2J Replacement School Project

Project Update: December 2023

Dolores County School District (DCSD)

Executive Committee: Ty Gray | Charlotte Forst | Chase Davis | Vernon Hall | Roxie Guynes

Owner’s Representative: Artaic Group – Sarah Lara | Chris Guarino | Matt Prinster

Design-Builder: Neenan Archistruction

Cx Agent: Iconergy

Third-Party Materials Testing: Jones & DeMille Engineering

Environmental Consultant: Foothills Environmental

Sustainability Consultant: Iconergy

STATUS SUMMARY

❖ UPCOMING DATES

12/13/23	OAC – IN PERSON
12/21/23	DCSD start of Winter Break
01/09/24	DCSD back to school

❖ DESIGN STATUS

- I. DFPC has issued a building permit and the fire permit. TNC is working on deferred submittal comments with the engineers.

❖ BUDGET & CHANGE ORDERS

- I. BEST Grant Approved Project Budget \$22,997,623.
- II. The GMP contract with Neenan has been executed for a total value of \$18,698,789.00.
- III. Neenan has completed and stored \$7,022,360 to date, which equates to about 33% of their total GMP contract amount.
- IV. The owner has bought back a number of project alternates that will be incorporated into the first Change Order under the GMP. Neenan is working on finalizing costs for the added scope.

❖ CONSTRUCTION UPDATE

- I. Slab on grade pours are now complete.
- II. Neenan is working on setting steel, framing, MEP coordination and rough-in, procurement of finish materials.
- III. Memorial Hall stucco is nearly complete.

❖ The following subcontractors completed work on the project over the past month:

C&R Construction Services

Metal Solutions Inc

Jones and DeMille Engineering

5R Haul Off

Roseberry's Plumbing

Durango Electrical Services/Nice Electric

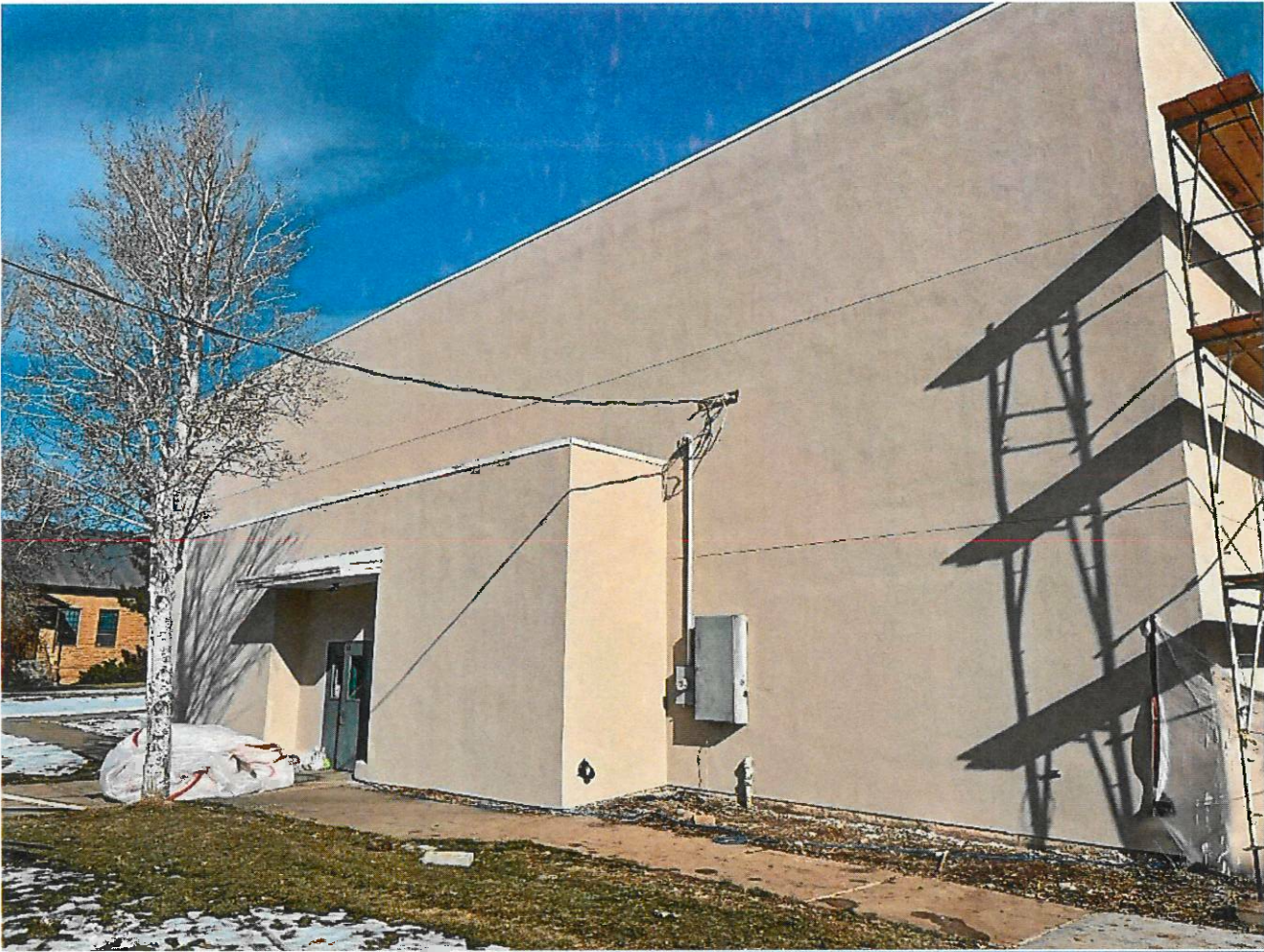
Comfort Air Mechanical Inc

Williams Construction

❖ PROCUREMENT

- I. OS Schools continues to work with DCSD and AG to finalize budgetary pricing and design for the school furniture package.
- II. DCSD finalized the color selections for the playground equipment. The playground equipment has been ordered.
- III. AG is working with multiple subcontractors to obtain pricing for the make-safe of electrical, plumbing, phone lines, and other utilities prior to demolition of the elementary school in 2024.
- IV. Appliances are in the process of being bought-out.
- V. DCSD and AG are working together to identify other procurement items such as laptops, interactive panels (TV's) and network equipment.

PROGRESS PHOTOS



New stucco on Memorial Hall.



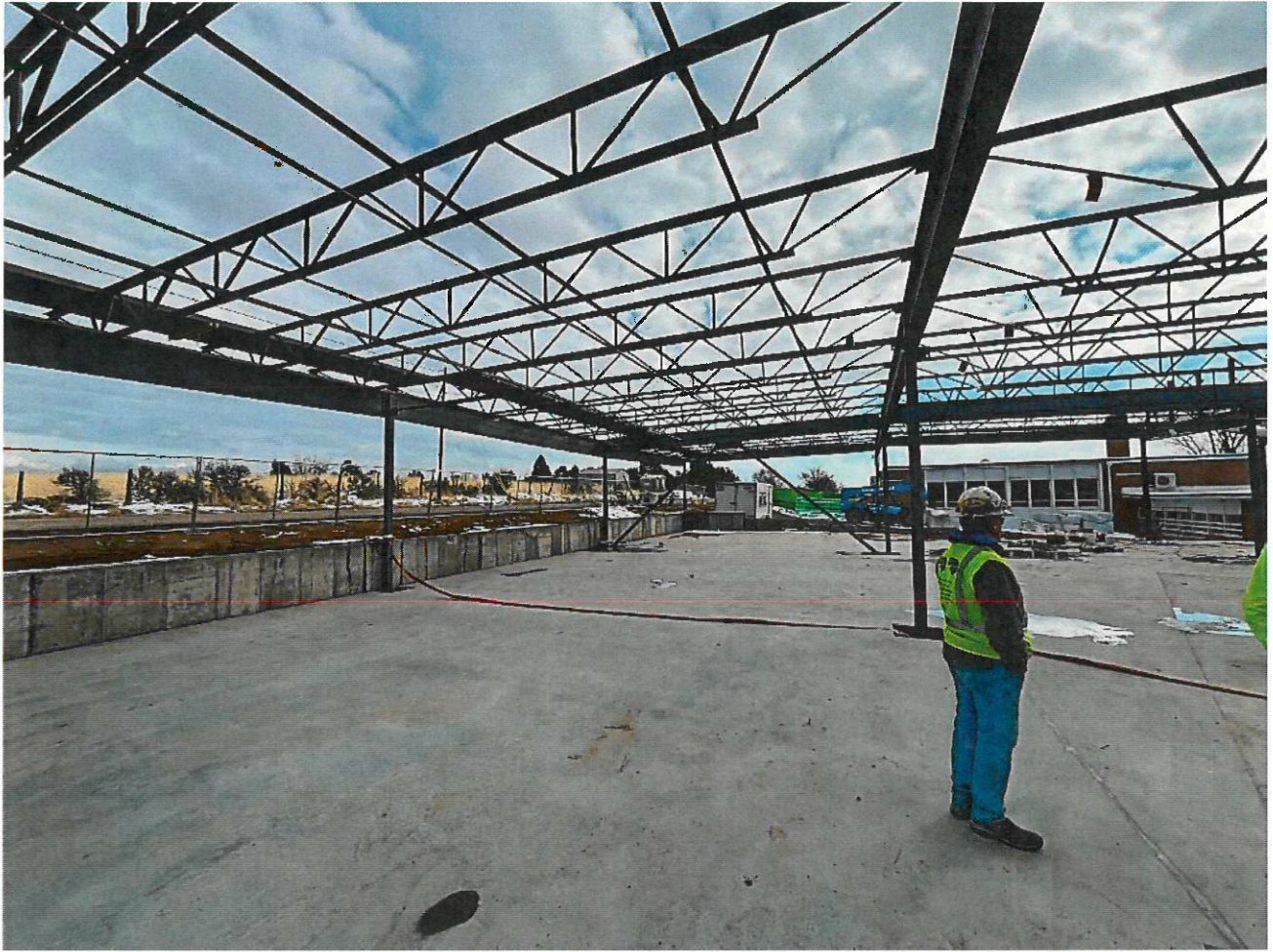
Most of the steel for the building has been set.



The special beam has been signed by students and staff and will be set into place.



Looking West to the elementary administration area.



Looking South in the classroom areas.



The future gym area.

Resolution 2024-03 to Declare Board Vacancy

WHEREAS, Colorado Revised Statute section 22-31-129(1)(a) provides that a vacancy occurs in a school director office if for any reason a school director is not elected at the regular biennial election; and

WHEREAS, on November 7, 20 23, the Dolores County RE-2J School District held a coordinated election, which included an open seat on the board of education for director district "E", and did not receive any nomination petitions for the office of school director district "E" or any affidavits of intent to be a candidate for the office of school director district "E" and therefore no person was elected for the school director district "E".

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE DOLORES COUNTY RE-2J SCHOOL DISTRICT AS FOLLOWS:

That a vacancy in the school director district "E" is hereby declared; that the Board will take reasonable steps to notify the community of the vacancy and seek interested persons to appoint to fill the vacancy; and that the Board shall appoint a person to fill the vacancy, if possible within sixty days.


BOARD PRESIDENT

December 6th, 2023
Date

DOLORES COUNTY SCHOOL DISTRICT RE-2(J)
DOVE CREEK, COLORADO
BOARD OF EDUCATION MEETING DATES
JANUARY 2024 – DECEMBER 2024

DATE	TIME	MEETING TYPE
JANUARY 17, 2024	6:00 P.M.	REGULAR MEETING
FEBRUARY 21, 2024	6:00 P.M.	REGULAR MEETING
MARCH 13, 2024	6:00 P.M.	REGULAR MEETING
APRIL 17, 2024	6:00 P.M.	REGULAR MEETING
MAY 15, 2024	6:00 PM	REGULAR MEETING
JUNE 19, 2024	6:00 P.M.	REGULAR MEETING
AUGUST 21, 2024	6:00 P.M.	REGULAR MEETING
SEPTEMBER 18, 2024	6:00 P.M.	REGULAR MEETING
OCTOBER 16, 2024	6:00 P.M.	REGULAR MEETING
NOVEMBER 20, 2024	6:00 P.M.	REGULAR MEETING
DECEMBER 18, 2024	6:00 P.M.	REGULAR MEETING

SPECIAL BOARD MEETINGS/BOARD WORK SESSIONS ARE TO BE SCHEDULED AS NEEDED

THE BOARD OF EDUCATION RESERVES THE RIGHT TO CHANGE THIS SCHEDULE BASED ON THE NUMBER OF AGENDA ITEMS AND BUSINESS TO BE DISCUSSED.

Board Organizational Meeting

Within 15 days after the school district receives the official abstract of votes, the Board shall meet in an organizational session at a regular or special meeting for the purpose of selecting officers.

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

Following the swearing in of the newly-elected Board member or members, the following officers, in order, shall be elected or appointed: president, vice president, secretary and treasurer.

Nominations for president and vice president shall be made from the floor and voting shall be by roll call or secret ballot. Should no nominee receive a majority vote of Board members, the election shall be declared null and void, further nominations may be made and the roll call or secret ballot vote shall be retaken.

The president and vice president shall serve two-year terms and shall hold office until their successors are elected.

The Board shall then appoint a secretary and treasurer who may or may not be members of the Board. The secretary and treasurer shall hold their offices for terms at the pleasure of the Board.

Following election and appointment of the officers, the Board shall appoint the staff member who will fill the office of secretary to the Board.

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

Officer resignation

Should one or more officers of the Board resign, the Board shall select another member or members to fill the vacant office or offices as provided by law, using the procedures described above. A newly selected officer shall assume the duties immediately upon selection. Inasmuch as the selection of a new officer on a four-officer, ~~five~~seven-member board frequently requires a shifting of officers it shall be permissible for a member to be nominated for another office without resigning the current office. Upon acceptance of the nomination and election to the new office, the former office shall be declared vacant and another member elected to fill that position.

Adopted: May 1982
Revised: October 2, 2013

C.R.S. 22-32-104 (1),(2),(3),(4) *(organization of the board)*
C.R.S. 22-32-108 (6) *(meetings of the board – voting procedure)*

State Program Assessments

The district shall participate in statewide performance assessment programs and in the Colorado Student Assessment Program if schools, classes or students from the district are selected for a statewide sample and when students within a grade or grades are being assessed.

Students who have participated in the English Language Proficiency Program pursuant to state law for more than three years shall be ineligible to take state assessments in a language other than English.

Pursuant to state law, statewide assessments will be administered during the period between the second Monday in March through the third Monday in April each year.

The Colorado Department of Education is required to provide diagnostic academic growth information for each student enrolled in the district and for each public school in the district based on the state assessment results for the preceding school years. This information shall be included in each student's individual student record. Appropriate school personnel, including those who work directly with the student, shall have access to the student's statewide assessment results and longitudinal academic growth information and shall explain that information to the student's parent/guardian.

Except for the college entrance exam, results of the assessment shall be included on each student's final report card for that school year and made part of the student's permanent academic record. Results of the college entrance exam shall be included on each student's transcript. However, if a student retakes the exam at a later time at the student's expense, the student may request that the later results be placed on the transcript in place of the earlier results.

Approved: September 8, 1988

Revised: October 2, 2013

LEGAL REFS.: C.R.S. 18-1.3-407 (3.4)(c) (*students receiving educational services or diplomas from the district under an agreement between the Colorado Department of Corrections and the district shall not be included in computing the district's performance on statewide assessments or the district's levels of attainment on the performance indicators*)
C.R.S. 22-7-406 (*state assessment development schedule*)
C.R.S. 22-7-409 (*state assessment implementation schedule*)
C.R.S. 22-7-409 (1.2)(d)(II) (*assignment of scores on statewide assessments for students with disabilities*)
C.R.S. 22-11-101 *et seq.* (*Education Accountability Act of 2009*)
C.R.S. 22-11-203 (2)(a) (*principal required to provide educators access to their students' academic growth information "upon receipt" of that information*)
C.R.S. 22-11-504 (3) (*policy required to ensure explanation of student assessment results and longitudinal growth information*)

CROSS REFS.: AE, Accountability/Commitment to Accomplishment
AEA, Standards Based Education

AED*, Accreditation
ILBA, District Program Assessments
JLDAC, Screening/Testing of Students
LC, Relations with Education Research Agencies

Public's Right to Know/Freedom of Information

The Board is a public servant, and its meetings and records shall be matters of public information, subject to such restrictions as are set by federal law or regulation, by state statute or by pertinent court rulings.

The official minutes of the Board, its written policies and its financial records shall be open for inspection at the office of the superintendent by any citizen desiring to examine them during hours when the office of the superintendent is open. However, no records shall be released for inspection by the public or any unauthorized persons—either by the superintendent or any other person designated as custodian for school district records—if such disclosure would be contrary to the public interest as described in state law or otherwise prohibited by law. The district's financial information shall be posted online in accordance with the Public School Financial Transparency Act.

In responding to a request for the district's public records, the district may charge a fee for staff time spent in excess of one hour for the following: researching and retrieving the requested records; conducting searches for requested records; reviewing records to determine whether they are responsive to the request; and identifying and separating those records that are not public and/or are privileged or confidential. Such fee shall be \$33.58 per hour, which may be increased from time to time as permitted by applicable state law. The district may also charge other reasonable fees in responding to a request for the district's public records, in accordance with the accompanying regulation.

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The Board wishes to support the right of the people to know about the programs and services of their schools and shall make every reasonable effort to disseminate information. Each principal is authorized to use all means available to keep parents/guardians and others of that particular school's community informed about the school's program and activities.

The district may charge reasonable fees for furnishing copies of such public records in accordance with the accompanying regulations.

Adopted: October 2, 2013

LEGAL REFS.: C.R.S. 22-9-109 (*exemption from public inspection*)
C.R.S. 22-32-109 (1)(c) (*documents available for public inspection*)
C.R.S. 22-44-301 *et seq.* (*Public School Financial Transparency Act*)
C.R.S. 24-72-201 *et seq.* (*access to public records*)

CROSS REFS.: BEDA, Notification of School Board Meetings
BEDG, Minutes

File: KDB

DAB*, Financial Administration
EGAEA, Electronic Communication
GBJ, Personnel Records and Files
JRA/JRC, Student Records/Release of Information on Students

Dolores County School District Re-2(J), Dove Creek, Colorado

Public's Right to Know/Freedom of Information

1. A person who has the right to inspect a public record also has the right to request to be furnished a copy of the record.
2. The fee for copying public records will be \$0.25 per page unless actual costs exceed that amount.
3. If the district in response to a specific request manipulates data to generate a record in a form not used by the district, it may charge a reasonable fee not to exceed the actual cost of manipulating the data and generating the record. Fulfilling such a request will be at the option of the district.
4. If a requested record is a result of computer output other than word processing, the fee for a copy will be based on recovery of the actual costs of providing the electronic service and product together with a reasonable portion of the costs associated with building and maintaining the information system. This fee may be reduced or waived by the superintendent or designee if the electronic service or product is used for a public purpose.
5. If the district does not have facilities for making a copy of a record that a person has the right to inspect, the person shall be granted access to the record for the purpose of making a copy. The copy shall be made under the supervision of the custodian of records. When practical, the copy shall be made in the place where the record is kept but if it is impractical to do so, the custodian may allow arrangements for the copy to be made at another facility. If another facility is necessary, the costs of providing them shall be paid by the person requesting the copy. The custodian may establish a reasonable schedule of times for making a copy and may charge the same fee for services rendered in supervising the copy as the custodian may charge for furnishing a copy.

Approved: October 2, 2013

LEGAL REF.: C.R.S. 24-72-205 (*reasonable fee for copies*)

NOTE: While Colorado school districts are not required by law to adopt a regulation on this subject, some content in this sample reflects legal requirements school districts must follow. 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.

Public's Right to Know/Freedom of Information

The following procedure applies to requests by members of the public, including parents, community members, media organizations and other third parties, for inspection of public records maintained by the district. A person who has the right to inspect a public record also has the right to request to be furnished a copy of the record.

Process for requesting records

1. All requests for public record(s) maintained by the district shall be specific enough to allow the district to efficiently identify the requested record and respond to the request. To clarify and facilitate the processing of a request to inspect and/or obtain copies of records, the district may require that the request be made in writing. The district may not require a person to provide any form of identification to request or inspect records, unless the identification is required by law in order to release confidential information.
2. If the requested public record is in active use, in storage, or otherwise not readily available at the time of the person's request, the person requesting the record shall be informed of that fact. The custodian of records will then make the record available within a reasonable time of the person's request.

—A reasonable time shall not exceed three working days, but may be extended by an additional seven working days if certain extenuating circumstances exist, in accordance with state law.

3. If the person seeking the record requests transmission of the record, the custodian of records shall notify the person once the record is available that it will only be transmitted when the custodian receives payment or makes arrangements for receiving payment for all costs associated with the record transmission and for all other fees lawfully allowed, unless the custodian waives all or any portion of such costs or fees.

—Upon receipt of payment of any applicable copy costs and/or other fees or upon making payment arrangements with the person requesting the record, the custodian of records will transmit a copy of the record by United States mail, other delivery service, facsimile or electronic mail. Transmission will occur as soon as practicable but no more than three business days after the district's receipt of payment, or making arrangements to receive such payment.

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File: KDB-R

4. Inspection of any public record shall take place in an area designated by the district's custodian of records and shall occur in a manner that will not be disruptive to district operations. District employees may be assigned to monitor any inspection of public records.
5. If the district does not have facilities for making a copy of a record that a person has the right to inspect, the person shall be granted access to the record for the purpose of making a copy. The copy shall be made under the supervision of the custodian of records or designee. When practical, the copy shall be made in the place where the record is kept but if it is impractical to do so, the custodian may allow arrangements for the copy to be made at another facility.

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District responsibilities

The district has no duty to create a public record that does not already exist.

If the district stores the public record in a digital format, the district must provide a copy of the record in a digital format unless otherwise requested by the requestor, and must transmit the record by electronic mail if possible. Public records stored in a searchable format must be provided in a searchable format and public records stored in a sortable format must be provided in a sortable format, and a digital public record must not be converted into a non-searchable or non-sortable format before transmission. However, public records do not need to be provided in a searchable or sortable format if any of the following exceptions apply:

- a. producing the record in the requested format would violate the terms of a copyright or licensing agreement;
- b. producing the record in the requested format would result in the release of third party proprietary information;
- c. after making reasonable inquiries, the records custodian determines that:
 - (1) it is not technologically or practically feasible to permanently remove information that the district is required or permitted to withhold;
 - (2) it is not technologically or practically feasible to provide a copy of the record in a searchable or sortable format;
 - (3) producing the record in a searchable or sortable format would require the purchase of software, or the creation of additional programming or functionality in existing software, to remove information the district is required or permitted to withhold.

Fees

1. The fee for copying printed public records will be \$ _____ per page. *[NOTE: This amount may not exceed \$.25 per page.]* No per-page fee will be charged for copying digital records.
2. No transmission fee will be charged for transmission via electronic mail.
3. If the district in response to a specific request manipulates data to generate a record in a form not used by the district, it may charge a reasonable fee not to

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exceed the actual cost of manipulating the data and generating the record. Fulfilling such a request will be at the option of the district.

4. If a requested record is a result of computer output other than word processing, the fee for a copy will be based on recovery of the actual costs of providing the electronic service and product together with a reasonable portion of the costs associated with building and maintaining the information system. This fee may be reduced or waived by the superintendent or designee if the electronic service or product is used for a public purpose.
5. If another facility is necessary, the costs of providing them shall be paid by the person requesting the copy. The custodian may establish a reasonable schedule of times for making a copy and may charge the same fee for services rendered in supervising the copy as the custodian may charge for furnishing a copy.

Denial of access and dispute resolution

1. If the district denies a request for access to district records and the person requesting the records asks for a written statement of the grounds for denial, the district shall provide a written statement to the person, citing the law or regulation under which the district denied access.
2. A person denied access to district records may seek a court order compelling disclosure.
3. Before seeking a court order, the person must provide written notice to the records custodian at least 14 days before filing an application in court.
4. During the 14-day period, the records custodian shall meet in person or communicate on the telephone with the person denied access to district records to determine if the dispute may be resolved without court involvement.
5. Any common expense necessary to resolve the dispute shall be apportioned equally between the person requesting the records and the district, unless the district and person agree to a different method of allocating the costs.

In addition to the procedures contained in this regulation, the district may develop further procedures governing the inspection, copying and transmission of its records as it deems necessary to protect its records and prevent unnecessary interference with district staff responsibilities and district operations.

(Approval date)

File: KDB-R

[Revised ~~June 2018~~ July 2023]
COLORADO SAMPLE REGULATION 1992©

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, 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, marital status, national origin, religion or need for special education services. Discrimination against employees and applicants for employment based on age and genetic information is also prohibited in accordance with state and/or federal law.

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.
- “Protective Hairstyle” includes such hairstyles as braids, locs, twists, tight coils or curls, cornrows, bantu knots, afros, and head wraps.
- “Sexual Orientation” means 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 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 district 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, marital status, religion, national origin, 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 or genetic information. The announcement will also include the name/title, address, email address and telephone number of the person designated to coordinate Title IX, Section 504 and ADA compliance activities. The district's Title IX coordinator is Charlotte Forst, PO Box 459, Dove Creek CO 81324, 970-677-2522, cforst@dc2j.org.

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, 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 in person, by phone, email, or online form, or any other method 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, the Board will designate another employee or individual to serve as the compliance officer.

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 provide regular updates to all parties regarding the investigation, 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 by a preponderance of the evidence 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. All communications regarding this policy must be written in simple and age-appropriate language. The policy and complaint process must be prominently posted on the district's website, referenced in

File: AC

student and employee handbooks, described in hard-copy notices 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

File: AC

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.

Adopted: May 1982

Revised: December 14, 2006

Revised: October 2, 2013

Revised: August 5, 2020 (Emergency)

Revised: October 7, 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

C.R.S. 2-4-401(13.5) (*definition of sexual orientation*)

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

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

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

C.R.S. 24-34-301(7) (*definition of sexual orientation*)

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

C.R.S. 24-34-401 *et seq.* (*discriminatory or unfair employment practices*)

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

Dolores County School District RE-2J

Sexual ~~Discrimination and~~ Harassment

The district is committed to a learning and working environment that is free from sexual ~~discrimination and harassment~~. Sexual harassment is recognized as a form of sex discrimination and thus a violation of the laws which prohibit sex discrimination.

It shall be a violation of policy for any member of the district staff to ~~discriminate against another on the basis of sex or harass~~ another staff member or student through conduct or communications of a sexual nature.

~~Sexual harassment is recognized as a form of sex discrimination and thus a violation of the laws which prohibit sex discrimination.~~

~~Sexual harassment committed by an employee of the district in the course of employment shall be deemed a breach of duty, and as such, shall subject the offending employee to disciplinary action. This policy similarly applies to non-employee volunteers or any other persons who work subject to the control of school authorities.~~

Any conduct or communication of a sexual nature directed toward students by teachers or others to whom this policy applies, shall be presumed to be unwelcome. Sexual harassment committed by an employee of the district in the course of employment shall be deemed a breach of duty, and as such, shall subject the offending employee to disciplinary action. This policy similarly applies to non-employee volunteers or any other persons who work subject to the control of school authorities.

Sexual harassment prohibited

For purposes of this policy, unwelcome sexual advances, requests for sexual favors, or other unwelcome physical or verbal conduct or communication of a sexual nature constitutes sexual harassment if, under the totality of the circumstances:

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

The prohibition against sexual harassment applies whether the harassment is between people of the same or different gender.

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

1. Sex-oriented verbal "kidding," abuse or harassment.

2. Pressure for sexual activity.
3. Repeated remarks to a person with sexual implications.
4. Unwelcome touching, such as patting, pinching or constant brushing against another's body.
5. Suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, employment status or similar personal concerns.

5.6. Sexual violence

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Reporting, investigation and sanctions

Sexual harassment cannot be investigated or corrected by the district until the district is made aware of such harassment. Therefore, it is the express desire of the Board to encourage victims of sexual harassment to report such claims. This may be done through the complaint process (AC-R).

Employees who feel that their superiors are conditioning promotions, increases in wages, continuation of employment, or other terms or conditions of employment upon agreement to unwelcome conduct of a sexual nature, are encouraged to report these conditions to the appropriate administrator or to the district's compliance officer. ~~If the employee's direct administrator or supervisor is the offending person, the report shall be made to the next higher level of authority.~~

~~No reprisals or retaliation shall be allowed to occur as a result of the good faith reporting of charges of sexual harassment. Requests for confidentiality shall be honored so long as doing so does not preclude the district from responding effectively to the harassment and preventing future harassment.~~

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

All reports of sexual harassment received by any district employee shall be promptly forwarded to the compliance officer (AC-E-1). The compliance officer shall ensure that every complaint is promptly investigated and responded to as set forth in the district's complaint and compliance process (AC-R). No reprisals or retaliation shall be allowed to occur as a result of the good faith reporting of charges of sexual harassment or participation in an investigation. Requests for confidentiality shall be honored so long as doing so does not preclude the district from responding effectively to the harassment and preventing such conduct in the future.

Any employee found to have engaged in sexual harassment shall be subject to sanctions, including, but not limited to, warning or reprimand, suspension, or termination, subject to applicable procedural requirements. Conduct of a sexual nature directed toward students shall, in appropriate circumstances, be reported as child abuse for investigation by appropriate authorities in conformity with policy JLF.

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Filing of a ~~complaint grievance~~ or otherwise reporting sexual ~~discrimination or~~ harassment shall not reflect upon the individual's status or affect future employment or work assignments. All matters involving sexual discrimination or harassment complaints shall remain confidential to the extent possible.

Notice of policy

Notice of this policy shall be circulated to all district schools and departments and incorporated in employee handbooks.

Adopted: December 14, 2006
Revised: October 2, 2013

LEGAL REFS.: 20 U.S.C. 1681 *et seq.* (Title IX of the Education Amendments of 1972)
42 U.S.C. 2000e *et seq.* (Title VII of the Civil Rights Act of 1964)
C.R.S. 24-34-401 *et seq.* (discrimination or unfair employment practices)
C.R.S. 24-34-301 *et seq.* (Colorado Civil Rights Division procedures)

CROSS REFS.: AC, Nondiscrimination/Equal Opportunity
JLF, Reporting Child Abuse/Child Protection