

**TELLURIDE R-1 SCHOOL DISTRICT
MONTHLY BOARD MEETING**
Tuesday, September 11, 2018 5:15PM
Location: Bridal Veil Conference Room

AGENDA

1. **Call to Order**
2. **Roll Call**
3. **Approval of Agenda**
4. **Approval of Minutes:** Board Work Session of Meeting of August 23, 2018; and Minutes of Monthly Meeting of August 23, 2018; Minutes of Special Board Meeting of September 5th, 2018
5. **Hearing of visitors:** (3 minute limit)
6. **Student Report** – Justus Tudor
7. **Board of Education Committee Reports**
8. **Administrators Reports**
 - a) Mike Gass-Superintendent (PowerPoint)
 - b) Susan Altman, TES Principal Report
9. **Discussion Item(s)**
 - a) Memorandum of Understanding Between the Telluride School District R-1 and the Telluride Marshall's Department to provide a School resource Officer to the Schools (document included with Consent Agenda)
 - b) 4 A Mill Levy Override Update – Mike Gass
10. **Consent Agenda** (attachments)
 - a) Policy Governance EL 8; GP 1
 - b) Cash Summary
 - c) Memorandum of Understanding Between the Telluride School District R-1 and the Telluride Marshall's Department to provide a School Resource Officer to the Schools
11. **Action Items** (attachments)
 - a) Policy **JFABD-R** Homeless Students;
 - b) Policy **JFABE** Students in Foster Care, and **JFABE-R** Regulation
12. **Executive Session** Move into Executive Session for "Discussions regarding personnel matters as authorized by C.R.S. § 24-6-402 (4)(f)."
13. **Future Business**
 - Monday, October 15, 2018 Board Work Session (3:30PM) Bridal Veil
 - Tuesday, October 16, 2018 Regular Monthly Board Meeting (5:30PM) Bridal Veil
13. **Adjourn**

Visitors Please Note: Thank you for attending. The Board Of Education meeting is a board meeting that is open to the public. Your opinion is valued by the Board, however your speaking time will be limited by the Board, if necessary for the efficient conduct of the meeting

TELLURIDE SCHOOL BOARD
WORK SESSION – 3:30 PM
Thursday, August 23, 2018
Bridal Veil Conference Room

MINUTES

1. CALL TO ORDER

The Work Session was called to order at 3:30PM.

2. ROLL CALL

Present: Dylan Brooks, Jill O'dell, Stephanie A. Hatcher, and Jenni Ward. Paul Reich (attending intermittently via phone). Also attending: Superintendent Mike Gass, Finance Director Wendy Everett, TIS Principal Chad Terry (4:00PM), and MSHS Principal Sara Kimble (3:30-4:00).

The agenda was amended by unanimous motion(s) to review "Item d" with Calvin Hanson via phone as the first agenda item.

3. DISCUSSION ITEMS

a) Discussion with legal counsel re: Mill Levy Override Process and Resolution

Calvin Hanson, Atty., (Sherman and Howard), reviewed the draft language for the proposed Resolution for the upcoming ballot.

A discussion concerning the three options ensued with various opinions to consider. The Resolution is not an action item today.

The language for the resolution will be reviewed at a **Special Board meeting (Sept 5th at 2:00PM)**. Calvin recommended that the Board determine what the override funds will be used for and include specific uses before language finalized. Teacher retention, class size, and general purpose uses considered.

Dylan asked Paul what CASB thought of Amendment 93 (Funding for Public Schools) passing on the ballot – Paul stated that there doesn't seem to be a lot of confidence of it passing statewide. Dylan also asked if there will be information for the Board (Q & A) as to how to answer questions from the public concerning the school district ballot question.

Both Mike and Stephanie mentioned that there are several other statewide tax measures on the ballot, as well as other potential local initiatives being considered for placing on the November 2018 ballot.

b) Budget to Actual FY 2017

Wendy reviewed the documents and graphs (attachment). She reviewed the CPP Fund; Food Service Fund adding that a new food service manager has been hired (starting Monday). Stephanie asked if higher quality food will be served. Mike mentioned he'd like cafeteria staff to wear uniforms. Dylan asked which grades are currently allowed to go off campus for lunch (9-12).

c) Revised Policy(s)

- * **Policy GCQA** Instructional Staff Reduction in Force – Mike reviewed and stated that the edits are in compliance with the TEA Agreement and federal law.
- * **Policy JKA** – Use of Physical Intervention and Restraint (legal changes)
- * **Policy EEAEAA-R** –Drug and Alcohol testing for Bus Drivers (new legal requirements).

Mike reviewed each of the above policies with the Board.

d) Policy BCB – School Board Member Conflict of Interest

Mike and the Board reviewed the request from Jenni Ward concerning her request to work as a substitute teacher at the TSD, and the district policy concerning Board Member conflict of interest. After conversations with Jenni, Board members agree that the established policy should remain "as is" so no question ever arises over a conflict of interest with the district vs Board Member.

e) 2018-2019 Annual Board Meeting Calendar

The Board reviewed the Calendar and were in agreement as to the dates for meetings. Stephanie stated that she feels the dates and times should remain consistent as presented. The only change to schedule February and April for a Tuesday Meeting only (cancel Monday). The Board will discuss scheduling a retreat(s) when the next meet.

4. Other

Special Board Meeting scheduled for Sept 5th at 2:00PM-District Conf Rm.

5. **ADJOURN**

Stephanie asked for a motion to adjourn. Dylan Brooks made a motion to adjourn with Jenni Ward seconding the motion.

The Work Session adjourned at 5:15PM

Submitted by Barbara Kallas

Recording Secretary for the Board of Education

Stephanie A. Hatcher, Board President

Paul Reich, Secty/Treasurer

TELLURIDE R-1 SCHOOL DISTRICT
MONTHLY BOARD MEETING
Thursday, August 23, 2018 at 4:30PM
Bridal Veil Conference Room

MINUTES

1. Call to Order

Stephanie Hatcher called the Monthly Board Meeting together at 5:15PM

2. Roll Call

Present: Stephanie A. Hatcher, Dylan Brooks, Jill O'Dell, Paul Reich intermittently via phone, and Jenni Ward. Also attending was Superintendent Mike Gass, Dir. of Finance Wendy Everett, Principals Susan Altman (TES), and Chad Terry (TIS).

3. Approval of Agenda

Stephanie asked for a motion to approve the agenda as presented.

Dylan Brooke motioned to approve the agenda. Jenni Ward seconded the motion. The Agenda was approved unanimously and the motion passed. No additional discussion was needed.

4. Approval of Minutes: Minutes of Special Board Meeting of June 5, 2018; Monthly Board Meeting of June 13, 2018, and Special Board Meeting of June 15, 2018.

Stephanie asked for a motion to approve the Minutes of Special Board Meeting of June 5, 2018; Monthly Board Meeting of June 13, 2018, and Special Board Meeting of June 15, 2018 Minute as presented.

Stephanie Hatcher motioned to approve the Minutes as presented and Jill O'Dell seconded the motion. The Minutes were approved unanimously and the motion passed. No additional discussion was needed.

5. Hearing of visitors: (3 minute limit) – No visitors present.

6. Board of Education Reports

Paul mentioned that the November ballot will include a measure asking voters for funding for Mental Health in the region. There are several other potential ballot initiatives statewide and locally that are still in the signature stage. Stephanie

Hatcher attended the dedication for "The Bob" Saunders Theater. Paul Reich added that he hopes that the "Bob" petition signers who pledged to help fund and support "The Bob" will engage in fundraising for this theater as they stated they would.

7. Administrator's Report

- a) Mike Gass-Superintendent Update-PowerPoint
Mike provided a PowerPoint presentation for the Board (*attached*). He stated that the Inservice was successful and Lisa Escarcega (CASE) was the speaker for the Welcome Back for teachers.

Mike mentioned that discussions with Rico regarding the elementary school assets have ended for now. Dolores County plans to keep the assets.

8. Discussion Items

- a) Board Meeting Calendar – Schedule retreat/Randy Black.
Stephanie would like to wait until all Board members are present to schedule a retreat sometime this fall. A Special Board Meeting has been scheduled for Sept. 5th at 2:00PM to finalize the language for the ballot.
- b) Election/Mill Levy Override Process – Information was discussed at the prior Board Work Session.
- c) List of Possible Savings Re: District Budget – Mike reviewed a list of possible savings in various categories but recommended waiting until after the general election to see if ballot(s) pass.

9. Consent Agenda (attachments)

- a) Personnel Report
- b) Policy Governance: EL 9
- c) Cash Summary
- d) Quarterly Report

Stephanie asked for a Motion to approve the Consent Agenda as presented.

Jill O'Dell motioned to approve the Consent Agenda as presented. The Motion was seconded by Jenni Ward. No additional discussion was necessary. The motion passed.

10. Action Items (attachments) – All the Action Items below were previously discussed at the prior Work Session.

a) 2018-2019 Annual Board Meeting Calendar

Stephanie asked for a motion to approve the above Annual Board Meeting Calendar as presented.

Dylan Brooks motioned to approve the calendar as presented. The Motion was seconded by Jenni Ward. Upon Roll Call the motion passed. No other discussion was required.

b) **Policy GCQA-Instructional Staff Reduction in Force; Policy JKA – Use of Physical Intervention and Restraint; Policy EEAEAA-R Drug and Alcohol Testing for Bus Drivers**

Stephanie asked for a motion to approve the Policies above as presented.

Jenni Ward motioned to approve the policies above as presented. The Motion was seconded by Dylan Brooks. Upon Roll Call the motion passed. No other discussion was required.

11. **Future Business**

- ✓ **Wednesday, Sept. 5th - Special Board Meeting at 2:00PM - District Conf room**
- ✓ **Monday, September 10, 2018 Work Session (3:30); and Sept. 11, 2018 Regular Monthly Meeting (5:15) both in Bridal Veil Conf. Rm.**

12. **Adjournment**

Stephanie asked for a motion to adjourn. Jill O'Dell made a motion to adjourn with Dylan Brooks seconding the motion. The Monthly Meeting adjourned at 6:05PM

Submitted by Barbara Kallas
Recording Secretary for the Board of Education

Stephanie Hatcher, Board President

Paul Reich, Secty/Treasurer

SPECIAL BOARD MEETING

September 5, 2018

2:00PM

Re: FY 2017/2018 Budget

District Conference Room

1. Call to Order

Stephanie called the Special Board meeting to order at 2:05 PM

2. Roll Call

Present upon roll call: Dylan Brooks, Jill O'Dell, Stephanie Hatcher and Jenni Ward. Paul Reich was absent.

Also in attendance was Superintendent Mike Gass and Dir. Of Finance Wendy Everett.

3. Discussion

- a. Resolution in Support of Amendment 73 – The Board discussed the Resolution supporting Amendment 73. An edit was made to paragraph seven adding the word “maintaining” class size. Conversation included whether or not this amendment would pass statewide as there is apparently a lot of uncertainty of it passing. There are numerous measures on the ballot statewide and locally.
- b. Discussion to Finalize Ballot Language for Tabor Resolution – A discussion ensued as to the language on this ballot - A minor edit was made indicating supporting the cost “of” (added) general operations.

Mike and Stephanie Hatcher reviewed the text in the ballot and a conversation with Calvin Hanson and Todd Snidow (Sherman and Howard) ensued. Jenny asked if the district is legally bound to use the funds if 4 A passes. Mike stated that if the statewide ballot were to pass the school districts ballot (4 A) has language that state the tax increase would not be imposed. Mike also reviewed his slide presentation which can also be used as talking points for Board members.

4. Action Items

- a. Resolution in Support of Amendment 73

Stephanie asked for a motion to approve the Resolution in Support of Amendment 73 with a minor edit as presented.

Jenni Ward motioned to approve the Resolution in Support of Amendment 73 as presented and Jill O'Dell seconded the motion. Upon roll call the motion passed. No additional discussion was needed.

b. Board Approval of Ballot Language Resolution

Stephanie asked for a motion to approve the Ballot Language with a minor edit in the Resolution as presented.

Dylan Brooks motioned to approve the Ballot Language for the Resolution as presented and Jill O'Dell seconded the motion. Upon roll call the motion was passed. No additional discussion was needed.

5. Other – Stephanie Hatcher asked the Board to hash out how the board will market and disseminate the information to the community. A discussion ensued.

Upcoming: September 10, 2018 - Board Work Session (3:30); and Monthly Board Meeting September 11, 2018 (5:15) – Bridal Veil Conf Room

6. Adjourn Special Board Meeting

Stephanie asked for a motion to adjourn. Jill O'Dell made a motion to adjourn with Dylan Brooks seconding the motion. The Monthly Meeting adjourned at 3:05PM
Submitted by Barbara Kallas

Recording Secretary for the Board of Education

Stephanie Hatcher, Board President

Jenni Ward, Vice President

CONSENT AGENDA

Tuesday, September 11, 2018

The Consent Agenda contains those items about which the Board has no questions and about which there is no controversy. Any member of the Board may ask that an item be removed from the Consent Agenda for discussion. Also, if a member of the public wishes to address the Board on a Consent Agenda item, it should be removed from the blanket vote. In either case, the Chair will remove that item(s) upon request and ask for a motion, a second, and a vote on the remaining items. Then, the Board Chairman will accept a motion and a second on the excluded item(s) for a discussion and a vote.

Recommendations:

It is recommended that the Board of Education adopt the following Consent Agenda items:

- a) Policy Governance EL8; GP 1
- b) Cash Summary
- c) Memorandum of Understanding Between the Telluride School District R-1 and the Telluride Marshall's Department to provide a School Resource Officer to the Schools

Policy Type: Executive Limitations**Financial Administration**

With respect to the actual, ongoing condition of the district's financial health, the CEO shall not cause or allow a material deviation from the annual budget or budget policy adopted by the Board, cause or allow any fiscal condition that is inconsistent with achieving the Board's Ends, that disregards the Board's ultimate authority to determine financial matters of the district or places the long term financial health of the district in jeopardy.

Accordingly, the CEO may not:

1. Expend more funds than have been received in the fiscal year to date unless authorized by the Board through use of reserve transfer or unless revenues are made available through other legal means
2. Incur debt for the organization unless authorized by the budget and state law.
3. Expend more than \$5,000 during the fiscal year from the operating reserve fund unless authorized by the Board
4. Transfer unencumbered moneys from one fund to another unless authorized by the Board
5. Fail to settle payroll and debts in a timely manner
6. Allow reports or filings required by any state or federal agency to be overdue or inaccurately filed
7. Fail to arrange for the annual audit of all district funds and accounts following the close of the fiscal year
8. Fail to aggressively pursue receivables after a reasonable grace period
9. Fail to keep complete and accurate financial records by funds and accounts in accordance with generally recognized principles of governmental accounting
10. Fail to publish and post a financial condition statement

Adopted: JUNE 2000

Monitoring frequency: September of each year

Telluride School District
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Policy Type: Governance Process

Governance Commitment

The Board, supporting the work of the staff, the welfare of the students and the interest of the community, holds itself accountable to the citizens of the district by ensuring that all action it takes is consistent with the Board's policies and community beliefs.

In the fulfillment of this charge, the Board is committed to rigorous, continual improvement of its capacity to govern effectively through policy by defining its concerns in terms of values and its vision in terms of expectations.

Governing Community Beliefs:

- Children are our most valuable resource.
- Excellence in public education is a team effort
- A successful learning environment is safe, disciplined, inspirational, and nurturing
- Each person needs acceptance, appreciation, and attention.
- Learning requires individual responsibility.
- Families provide key values and motivation.
- Participation in decisions creates ownership and responsibility.
- Telluride education strongly relates to and reflects the extraordinary place and region in which we live.
- Good education fully addresses the range of learning styles and abilities
- High expectations raise performance.
- Diversity enriches our lives.
- Optimal learning occurs when children have stability in their lives.
- Knowledge builds confidence and self-sufficiency.
- Education has no boundaries.
- Mutual respect is essential for a productive learning community
- A good education develops skills, habits, and attitudes for lifelong learning.
- Only your best is good enough.
- People learn what is modeled.
- Skilled, passionate, resourceful, creative educators are critical to successful education.
- An effective learning community addresses the needs of the whole child.
- A rewarding life is a balance of hard work, recreation, and community service.

Adopted: JUNE 2000

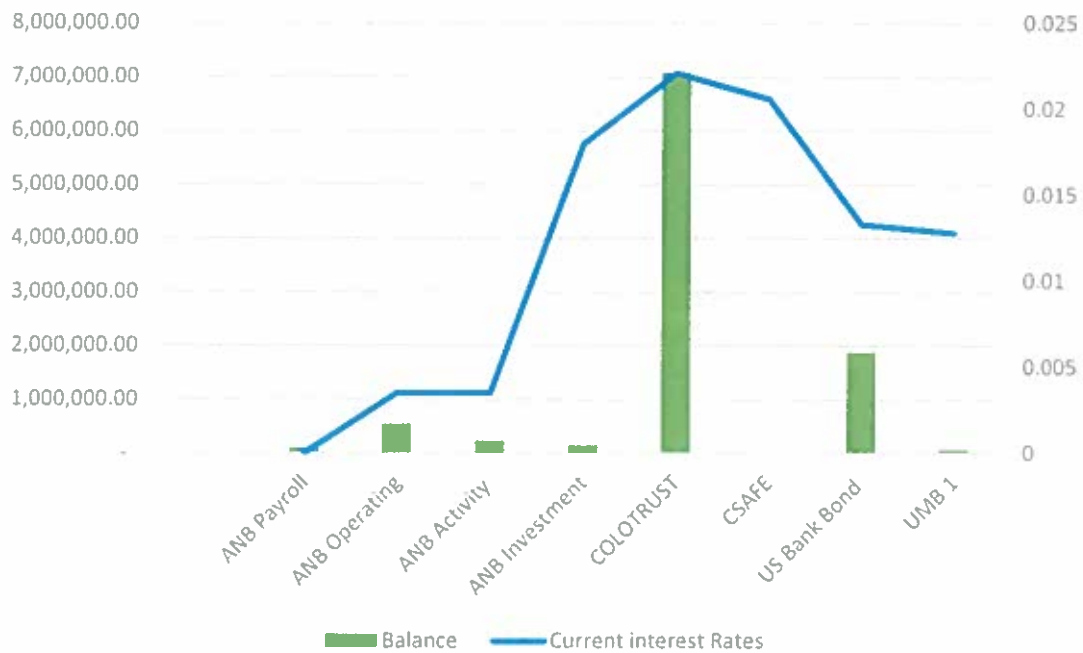
Monitoring Method: Board self-assessment

Monitoring Frequency: Annually in September

Telluride School District R-1
August 31, 2018
Cash Balances

Account	Balance	Current interest Rates
ANB Payroll	95,731	0.00%
ANB Operating	533,878	0.35%
ANB Activity	235,266	0.35%
ANB Investment	151,393	1.80%
COLOTRUST	7,081,371	2.21%
CSAFE	8,350	2.06%
US Bank Bond	1,875,861	1.33%
UMB 1	62,965	1.28%
Total Cash Deposits	<u>10,044,815</u>	

Cash Balances June 30, 2018



Memorandum of Understanding

School Resource Officer Program

This agreement made and entered into this ____ day of _____, 2018 by and between the Telluride Marshal's Department and the Telluride School District.

It is the intention of the Telluride Marshal's Department and the Telluride School District to maintain collaborative efforts to provide a safe and healthy school environment for students, staff, faculty, and visitors.

Goals and Objectives

- Establish a positive working relationship in a cooperative effort to prevent juvenile delinquency and assist in student development
- Maintain a safe and secure environment on a school campuses which will be conducive to learning
- Promote positive attitudes regarding the police role in society

Assignment of School Resource Officer

The Telluride Marshal's Department agrees to provide a School Resource Officer to the following schools within the Telluride School District:

- High School
- Middle School
- Intermediate School
- Elementary School

The Telluride Marshal's Department, in conjunction with the superintendent of the Telluride School District (and any other school personnel determined by the superintendent) will determine which Telluride Marshal's Department officer will assume the roles and responsibilities of a school resource officer.

It is the responsibility of the school resource officer to notify the superintendent and school principals of his or her work schedule each month. This is a part time assignment and it is understood by all parties that there may be times when service demands made upon the Marshal's department will preclude fulfillment of the intended work schedule at school facilities.

School resource officer(s) shall remain employees of the Telluride Marshal's Department and shall not be employees of the Telluride School District. The Telluride schools acknowledge that the school resource officer will remain responsive to the command of the Telluride Marshal's Department.

Hours and Special Events

The chief of police or another designated scheduling officer will assign the school resource officer(s) workdays and shifts. During this shift / hours, the school resource officer(s) may be off campus to conduct such tasks as may be required by their assignment, or other assignments designated by supervisors of the Telluride Marshal's Department.

Duties of the School Resource Officer

- Assist the superintendent, principals, faculty, and staff in developing plans and strategies to prevent and / or minimize dangerous situations that may occur on school grounds
- Present topics to students on various law enforcement / safety issues
- Contact the principal of the school about any juvenile delinquency, incidents, charges, and arrests within a timely manner
- Take law enforcement action when necessary
- Conduct investigations of crimes that occur at any school and use other resources if needed for follow up investigations
- Follow the guidelines of case law, school board policy, and the Telluride Marshal's Department general orders in regards to investigations, interviews and searches relating to juveniles
- Assist the superintendent, principals, faculty, and staff in enforcing the campus code of conduct and other school rules in order to maintain a safe learning environment.

Rights and Duties of the School Board

The school board shall provide to the SRO the following materials and facilities, which are deemed necessary to the performance of their duties:

- Access to an air-conditioned and properly lighted private office containing a telephone line to be used for general business purposes.
- A desk with drawers, a chair and filing drawers
- Access to a computer terminal or computer hookup

The Telluride Marshal's Department will supply the SRO with the usual and customary office supplies and forms required in performance of their duty.

Reassignment of a School Resource Officer

In the event a principal of a school to which the school resource officer is assigned feels that he / she is not effectively performing his or her duties and responsibilities, the principal shall contact the superintendent. Within a reasonable amount of time after the superintendent receives this information, the superintendent shall notify the chief of police or their designee. A meeting shall be conducted with the school resource officer to mediate or resolve any problems. The chief of police may remove or reassign a school

resource officer based up on the Telluride Marshal's Department's rules, regulations, and general orders.

The Telluride Marshal's Department and the Telluride school district agree to provide their employees with training relative to this agreement and its purpose. The parties also agree to maintain regular and open communication to evaluate the effect of this agreement and suggest improvements and adjustments that may be necessary.

This agreement constitutes a final written expression of all terms of this agreement and is a complete and exclusive statement of those terms. Either party may withdraw from the agreement upon 30 day written notice.

IN WITNESS WHEREOF, the parties have caused this agreement to be signed by their duly authorized officers.

Signed, sealed, and delivered in the presence of:

Superintendent, Telluride School District

Chief of Police, Telluride Marshal's Department

Homeless Students

Local liaison

The local liaison(s) shall work to identify homeless children and youth and facilitate each homeless student's access to and success in school.

The primary functions of the local liaison shall be to mediate disputes concerning school enrollment, assist in making transportation arrangements, assist in requesting the student's records, provide information and give referrals on services and opportunities, and assist any unaccompanied youth with enrollment, credit accrual and college readiness decisions.

Enrollment and school stability

Enrollment shall be immediate even if the homeless student lacks records routinely required prior to enrollment or has missed application or enrollment deadlines. The district shall make arrangements to obtain any necessary records and to have the student receive any necessary immunizations. When feasible the district shall seek immunization through no- or low-cost health care providers. If an expense is incurred, the district shall seek reimbursement through Medicaid if possible.

If a homeless student becomes permanently housed outside the district during the school year, the student shall no longer be considered homeless and may only continue enrollment in the district for the remainder of the school year.

Tuition

A student defined in state and federal law as a homeless child or youth shall be admitted without payment of tuition.

Enrollment determinations

In making enrollment determinations, the local liaison shall consider relevant factors, including but not limited to:

- the best interests of the homeless student;
- to the extent feasible, keeping the homeless student in the school of origin;
- the wishes of the student and of the student's parent or guardian;
- which school can best meet the student's educational and other needs; and
- the student's transportation needs related to the school options.

Dispute resolution

When a dispute arises over eligibility, school selection or enrollment, the district shall provide a written explanation of the district's decision and of the right to appeal, in a manner and form understandable to the student's parent, guardian or unaccompanied youth. The homeless student shall be immediately enrolled in the school in which the parent/guardian or unaccompanied youth seeks to enroll, pending resolution of the dispute.

The local liaison shall attempt to resolve the dispute as expeditiously as possible. If the local liaison is unable to resolve it, the district shall follow the Colorado Department of Education's McKinney-Vento homeless education dispute resolution procedure.

Transportation

Subsequent to a determination that the student shall attend a school in the district, a request for transportation may be made by the unaccompanied youth , or by the student's parent/guardian.

If the student is located in the district and attending the attendance area school, the district shall provide or arrange for the student's transportation to and from school in accordance with district transportation policies.

If the student is located outside of district boundaries but a determination has been made that the student shall remain in the school of origin within the district, the district and the district where the student is located shall agree on a method to apportion cost and responsibility for the student's transportation or share the cost and responsibility equally.

(Approval date)

[Revised January 2018]

NEW POLICY**File: JFABE***

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

Students in Foster Care

It is the Board's intent to promote educational stability for students in foster care in accordance with state and federal law. Terms used in this policy and its accompanying regulation, such as "foster care," "school of origin," "child's best interest" and "child welfare agency" shall be as defined by applicable federal law.

The district shall coordinate with other districts and with local child welfare agencies and other agencies or programs providing services to students in foster care as needed.

At least one staff member shall be designated to serve as the child welfare education liaison and fulfill the duties set forth in state and federal law.

Duties of the child welfare liaison and procedures for enrollment and transportation for students in foster care shall be made in accordance with the accompanying regulation and applicable law.

(Adoption date)

LEGAL REFS.: 20 U.S.C. 1232g (*Family Educational Rights and Privacy Act*)

20 U.S.C. 6311 (g)(1)(E) and 6312(c)(5) (*provisions in Every Student Succeeds Act (ESSA) regarding obligations to students in foster care*)

42 U.S.C. 671 (a)(10) and 675(1)(G) (*child welfare agency requirements related to supporting normalcy for children in foster care and ensuring educational stability of children in foster care*)

34 C.F.R. 200.30 (f)(1)(iii) (*ESSA's definition of "foster care"*)

C.R.S. 22-32-138 (*enrollment of students in out-of-home placements*)

C.R.S. 22-33-103 through 22-33-110 (*school attendance law*)

CROSS REFS.: JF, Admission and Denial of Admission

JH, Student Absences and Excuses

JJJ, Extracurricular Activity Eligibility

JLCB, Immunization of Students

JQ, Student Fees, Fines and Charges

NOTE 1: The term "foster care" is defined in federal law as follows:

Foster care means 24-hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions and pre-adoptive homes. A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed and payments are made by the state, tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is federal matching of any payments that are made. A child in foster care also includes a child who is awaiting foster care placement. 34 C.F.R. 200.30 (f)(1)(iii).

NOTE 2: While the definition of "student in out-of-home placement" in state law closely tracks the federal law's definition of a student in foster care, state law contains the following language which is NOT found in federal law:

- *a child or youth who transfers school enrollment as a result of being returned to his or her home at the conclusion of an out-of-home placement.*

C.R.S. 22-32-138 (1)(e). Colorado school districts that receive federal funds are required to follow the more stringent federal law requirements for students in foster care. All Colorado school districts must follow the requirements of state law regarding "students in out-of-home placements." The biggest difference between the two is that the federal law requires "immediate" enrollment and provision of transportation, in coordination with the child welfare agency. State law requires enrollment of a "student in out-of-home placement" within five days of the school's receipt of the student's education records and does not address transportation.

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

This regulation is intended to replace former regulation JF-R, Admission and Denial of Admission (Procedures for Students in Out-of-Home Placements).

Students in Foster Care

Child welfare education liaison

At least one district staff member shall be designated to serve as the child welfare education liaison. In lieu of designating a district employee, the district may contract with an individual or request that the district's Board of Cooperative Services (BOCES) designate a BOCES employee to serve as the district's child welfare education liaison. By August 15 of each year, the district shall report the name and contact information of the district's child welfare education liaison to the Colorado Department of Education.

The child welfare education liaison shall be responsible for working with child placement agencies, county departments of human services, and the state department of human services to facilitate the prompt and appropriate placement, transfer, and enrollment of students in foster care. The specific duties of the child welfare education liaison shall include, but are not limited to:

- working with social workers from county departments of human services, juvenile probation officers, and foster care parents to ensure the immediate school enrollment and prompt transfer of students' education information and records when students are required to change school enrollment due to changes in placement;
- ensuring that the education information and records of a student in foster care are delivered to the student's new school within five school days after receiving a request for the transfer of the student's education information and records from a county department of human services;
- participating and collaborating on best interest determinations with the local county department of human services; and
- providing training to district staff on the Title I provisions and educational needs of students in foster care.

In addition to the liaison's duties pertaining to students in foster care, the district's child welfare education liaison is designated to receive notice of a student who is transitioning to public school from a state-licensed day treatment facility, facility school or hospital

providing inpatient acute care or psychiatric services and who has been determined by that facility, facility school, hospital, or a court to be a risk to himself or herself or the community within the 12 months prior to the proposed transfer to a public school. Under certain circumstances, the child welfare education liaison may receive an invitation to participate in the development of a transition plan for such student.

Enrollment determinations

In making enrollment determinations, the child welfare education liaison shall assist appropriate county department of human services representatives in making "best interest of the child" education decisions, particularly the determination of whether or not it is in the best interest of the student in foster care to remain in his/her school of origin or to enroll in a new school.

Transfer of education records

If a student in foster care transfers to another school, the sending district shall transfer the student's education information and records to the receiving school within five school days after receiving a transfer request from the county department of human services that has legal custody of the student.

The sending district may release the student's education information and records to an employee of the county department of human services for the sole purpose of transferring the education information and records to the student's new school. Such release shall be in accordance with applicable state and federal law, including the Family Educational Rights and Privacy Act.

If the request for a records transfer involves a student who is receiving special education services pursuant to an individualized education plan, the sending district shall notify its special education director of the records request.

The sending district shall not delay the transfer of education information and records of a student in foster care for any reason, including but not limited to the existence of any unpaid fines or fees.

Enrollment in a new school

If it is determined that it is not in the student's best interests to remain in his/her school of origin and unless otherwise permitted by state law to deny enrollment, the district or new school shall immediately enroll a student in foster care in the new school, regardless of whether:

- the district or school has received the student's education records or certificate of immunization;

- the student can comply with any requirements pertaining to the use of school uniforms or other clothing restrictions; or
- the student can comply with any other pre-enrollment restrictions or requirements imposed by the district or new school.

If the district or new school enrolls a student in foster care without receiving the student's certificate of immunization, the district or school shall notify the student's legal guardian that, unless the district or school receives the student's certificate of immunization or a written authorization for administration of immunizations within fourteen (14) days after the student enrolls, the student in foster care shall be suspended until such time as the district or school receives the certificate of immunization or authorization.

Transfer of credits

When a student in foster care transfers from one school to another school, the sending school shall certify to the receiving school or district the coursework that the student fully or partially completed while enrolled. The receiving school or district shall accept the student's certified coursework as if it had been completed at the receiving school.

The receiving school or district shall apply all of the student's certified coursework toward completion of the student's requirements for the grade level in which the student is enrolled at the receiving school or for graduation from the receiving school if the student is enrolled in 12th grade. The receiving school or district may award elective credit for any portion of the student's certified coursework that is not aligned with the curriculum of the receiving school or district.

Transportation

Applicable federal law requires the district to develop procedures to ensure that students in foster care who need transportation to their respective schools of origin promptly receive that transportation, and to ensure that such transportation is arranged and provided in a cost-effective manner. Accordingly, when the district is notified that a student in foster care needs, or may need, transportation to a district school, the child welfare education liaison will take steps to establish an individualized plan that addresses how transportation to maintain the student in his/her school of origin will be arranged, provided and funded for the duration of time that the student is in foster care and attending his/her school of origin.

In establishing such a plan, the child welfare education liaison and other district staff shall follow any existing transportation procedures that the district, acting in collaboration with one or more relevant departments of human services, has adopted or otherwise expressly agreed to implement for the cost-effective transportation of the student in foster care. If there are additional costs in providing transportation to the school of origin, the district will provide such transportation if:

- the local county department of human services agrees to reimburse the district for the cost of such transportation;
- the district agrees to pay for the cost; or
- the district and local county department of human services agree to share the cost.

(Adoption date)

[Revised and recoded January 2018]

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