



**Recognition: Palisade High School Marching Band
2nd place/2015 Colorado Bandmasters Association
State Marching Band Competition**

Board of Education Resolution: 15/16: 34

Presented: November 17, 2015

Palisade High School's marching band, directed by Jeff Mason, placed second in the state last month at the 3A marching band competition.

The band performed a show titled "The Road Not Taken" at the 2015 Colorado Bandmasters Association State Marching Band Championships on October 26, at Colorado State University-Pueblo. They achieved the score of 75.2 for the performance, which was Palisade High School's highest state championship score ever. Palisade's marching band has placed in the top three bands in the state in Class 3A every year since 2012.

This fall, the band earned first place in the Class 3A Parade and Field Show competitions at the Colorado West Invitational Marching Band Festival as well as earning the title Western Regional Champions when they qualified for State.

The PHS marching band has 111 members, led by drum major, Chance Davis, a senior at PHS.

Congratulations to this team of musicians and their director on such a great achievement at the state level. The Board and District 51 administration are proud of your accomplishments.



Mesa County Valley School District 51

**Recognition: *Scott Else and Melissa Gellerman,*
Coach and Player of the Year
*2015 SWL All-Conference Softball***

Board of Education Resolution: 15/16: 33

Presented: November 17, 2015

Being selected among a group of your peers and mentors as one of the best in your field is special recognition. That's just what occurred this fall for a student-athlete and coach in the sport of softball.

Melissa Gellerman, a junior at Central High School, was selected as the 2015 Southwest League All-Conference 5A/4A Softball Player of the Year. She was chosen from among players on six softball teams in the league.

Her coach, Scott Else, was chosen in the same league as the 2015 Coach of the Year. Central High School finished with 10-0 record in their league and 16-6 overall.

The Board of Education and Superintendent would like to congratulate Melissa and Scott for their dedication and performance both on the field and in the classroom.

**Recognition: Stephen Latta
Co-Coach of the Year
2015 SWL All-Conference Boys Soccer**

Board of Education Resolution: 15/16: 35

Presented: November 17, 2015

The Board would like to congratulate the Grand Junction High School Boys Soccer Coach Stephen Latta on his selection as the 2015 Southwestern League Boys Soccer Co-Coach of the year. It is a distinct honor to be chosen by your peers as one of the finest in your field.

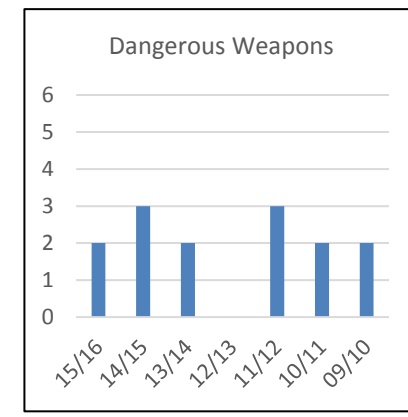
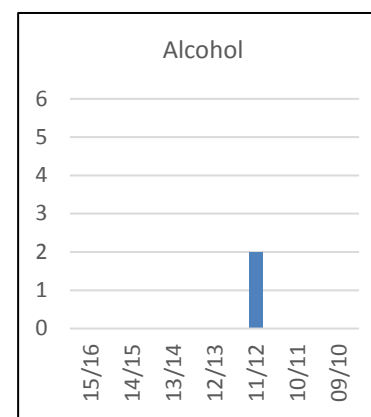
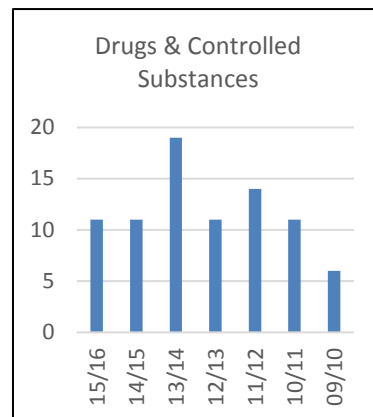
GJHS is among five soccer teams in the league. Under Stephen's leadership, the Tigers finished the season with a 5-2-1 record in their league and an 8-6-1 record overall. When Stephen is not coaching, he is an attendance advocate and progress monitor at Grand River Academy helping to ensure students stay on track with their learning and produce quality work.

The Board of Education and Superintendent would like to congratulate Stephen for his hard work and dedication to District 51 students, both on the field and in the classroom.

Category	High School				Middle School				Elementary School				Total		Total for previous years as of October 31 of:				
	15-16		14/15		15/16		14/15		15/16		14/15		15/16	14/15	13/14	12/13	11/12	10/11	09/10
	M	F	M	F	M	F	M	F	M	F	M	F							
100	8	3	4	2			1						11	11	19	11	14	11	6
200																	2		
300																			
400	1												1	1		1			
500	2		3										2	3	2		3	2	2
600																			
700																3			
DSP																			
VOO														3	4	1	2	2	3
Total	11	3	7	2			1						14	18	25	16	21	15	11

Category Description

100 - drug or controlled substance
 200 - alcohol
 300 - tobacco
 400 - felony assault
 500 - dangerous weapons
 600 - robbery
 700 - other felonies
 DSP - destruction / defacement of school property
 VOO - other violations





Mesa County Valley School District 51

Licensed Personnel Action

Board of Education Resolution: 15/16: 32

Presented: November 17, 2015

Name	School/Assignment	Effective Date
Retirements		
None at this time.		
Resignations/Termination		
Haifley, Natalie	Rim Rock/SPED SSN	November 13, 2015
Kerbs, Sarah	FMS/Reading Interventionist	December 18, 2015
McDonald, Jarrod	BMS/Social Studies/Language Arts	October 30, 2015
Schweitzer, Gail	Pomona/SPED Speech Lang K-12	October 26, 2015 (revised)
Warner, Elizabeth	MGMS/Language Arts	December 18, 2015
Leave of Absence		
None at this time.		
New Assignments		
None at this time.		

I hereby certify that the information contained in the above resolution is accurate and was adopted by the Mesa County Valley School District 51 Board of Education on November 17, 2015.

Terri N. Wells
Secretary, Board of Education



Mesa County Valley School District 51

GIFTS

Board of Education Resolution: 15/16: 31

Presented: November 17, 2015

Donor	David and Mardi Jacobson
Gift	Cash
Value	\$200.00
School/Department	West Middle School / \$100.00 each to band & orchestra

Donor	Zumiez
Gift	Thirty pairs of pink shoe laces
Value	\$22.50
School/Department	Grand Junction High School / Volleyball "Pink Out" game

Donor	Anita's Pantry and Produce
Gift	Twenty pumpkins
Value	\$40.00
School/Department	Taylor Elementary / 1 st grade math activity

Donor	Mesa County Migrant Thrift Shop
Gift	Cash
Value	\$100.00
School/Department	Palisade High School / Athletics

Donor	Encana Oil & Gas, Inc.
Gift	Cash
Value	\$100.00
School/Department	Mesa View Elementary School / Workshop and books

Donor	Grand Junction Police Officers Association
Gift	Cash
Value	\$200.00
School/Department	East Middle School / Reflective tape for students who walk

Donor	The Rotary Club of Grand Junction
Gift	Cash
Value	\$1000.00
School/Department	Dos Rios Elementary School / Watch DOGS Program

Donor	High Desert Trading Post
Gift	3112 I-70 Business Loop
Value	\$8,500.00
School/Department	Palisade High School / Lighting for football practices



Mesa County Valley School District 51

GIFTS

Board of Education Resolution: 15/16: 31

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NOW THEREFORE BE IT RESOLVED the Mesa County Valley School District 51 Board of Education, in accepting the donations listed above, extends their appreciation and acknowledges these important partnerships within the community which support learning for all students.

I hereby certify that the information contained in the above resolution is accurate and was adopted by the Mesa County Valley School District 51 Board of Education on November 17, 2015.

*Terri N. Wells
Secretary, Board of Education*

Mesa County Valley School District 51

AC

NONDISCRIMINATION

Related: AC-R

Adopted: Date of Manual Adoption

Revised: August 20, 1996, November 29, 2004

Revised and Adopted: January 20, 2009

Revised: July 11, 2011

Revised: August 21, 2013

Second Reading: November 17, 2015

Respect for the dignity and worth of each individual shall be paramount in the establishment of all policies by the Board and in the administration of those policies by the administration. No student or other person who is otherwise qualified shall be excluded from participation in, be denied the benefits of, or otherwise be subjected to unlawful discrimination under any district program or activity on the basis of race, color, national origin, ancestry, creed, religion, sex, marital status, sexual orientation, disability or need for special education services. Discrimination against employees and applicants for employment because of race, color, national origin, ancestry, creed, religion, sex, marital status, sexual orientation, disability, age or genetic information is also prohibited in accordance with state and/or federal law.

This policy and its implementing regulation shall be used to address all concerns regarding unlawful discrimination and harassment other than sexual harassment, which is addressed in policies GBAA and JBB.

In keeping with these statements, the following shall be 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 carefully consider, 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 he or she lives.
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 shall issue a written notice at 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 race, color, creed, sex, marital status, sexual orientation, religion, national origin, ancestry and disability or need for special education services. With respect to employment practices, the district shall also issue written notice that it does not discriminate on the basis of age and genetic information. The announcement shall also include the address, and telephone number of the person designated to coordinate nondiscrimination compliance activities pursuant to applicable laws.

Mesa County Valley School District 51

AC

NONDISCRIMINATION

Related: AC-R

Adopted: Date of Manual Adoption

Revised: August 20, 1996, November 29, 2004

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Revised: July 11, 2011

Revised: August 21, 2013

Second Reading: November 17, 2015

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

The notice shall appear on a continuing basis in all district media containing general information, including: the district's website, and student and parent handbooks.

Harassment is prohibited

Harassment based on a person's race, color, national origin, ancestry, creed, religion, sex, marital status, sexual orientation, disability or need for special education services is a form of discrimination prohibited by state and federal law. Preventing and remedying such harassment in schools or during school events or activities 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.

For purposes of this policy, harassment is any unwelcome, hostile and offensive verbal, written or physical conduct (which may include, but is not limited to, violence, threats of violence or malicious insults) based on or directed at a person's race, color, national origin, ancestry, creed, religion, sex, sexual orientation, disability or need for special education services that: (1) results in physical, emotional or mental harm, or damage to property; (2) is sufficiently severe, persistent, or pervasive that it interferes with an individual's ability to participate in or benefit from an educational program or activity or creates an intimidating, hostile or threatening school environment; or (3) substantially disrupts the orderly operation of the school. Board policy on sexual harassment (GBAA for employees and JBB for students) will apply to complaints alleging sexual harassment.

Harassing conduct may take many forms, including but not limited to:

1. verbal acts and name-calling;
2. graphic depictions and written statements, which may include use of cell phones or the Internet;
3. other conduct that may be physically threatening, harmful or humiliating.

Reporting unlawful discrimination and harassment

Any student who believes he or she has been a victim of unlawful discrimination, including harassment as defined above, or who has witnessed such unlawful discrimination or harassment, shall immediately report it to an administrator, counselor, teacher or the district's compliance officer.

Any employee, applicant for employment or member of the public who believes he or she has been a victim of unlawful discrimination or harassment, or who has witnessed such unlawful discrimination or harassment, shall report it to an immediate supervisor or the district's compliance officer.

Any person who believes he or she has been a victim of unlawful discrimination or harassment may file a complaint as set forth in the regulation that accompanies this policy. If the individual alleged to have engaged in

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Adopted: Date of Manual Adoption

Revised: August 20, 1996, November 29, 2004

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Revised: July 11, 2011

Revised: August 21, 2013

Second Reading: November 17, 2015

prohibited conduct is the person designated as the compliance officer, the complaint shall be made to the superintendent who shall designate an alternate compliance officer to investigate the matter.

District action

The district shall take appropriate action to promptly and impartially investigate allegations of unlawful discrimination and harassment, to end unlawful behavior, to prevent the recurrence of such behavior and to prevent retaliation against the individual(s) who files the report or complaint and/or any person who participates in the investigation. When appropriate, the district shall 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 statement in an investigation shall be subject to discipline, up to and including suspension/expulsion for students and termination of employment. No student, employee or member of the public shall be subject to adverse treatment in retaliation for any good faith report of harassment under this policy.

Upon determining that incidents of unlawful discrimination or harassment are occurring in particular district settings or activities, the district shall implement appropriate remedial measures.

Any student or employee who engages in unlawful discrimination or harassment shall be discipline according to applicable Board policies.

Notice

The administration is responsible for providing notice of this policy to all district schools and departments. This policy and the complaint process set forth in its accompanying regulation shall be referenced in student and parent handbooks and otherwise available to all students, staff and members of the public through the district's website.

Legal References:

42 U.S.C. §12101 *et seq.* (Title II of the Americans with Disabilities Act of 1990)

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 1964 Civil Rights Act)

20 U.S.C. §1701-1758 (Equal Employment Opportunity Act of 1972)

20 U.S.C. §1681 (Title VII, Education Amendments of 1972)

20 U.S.C. 1681 *et seq.* (Title IX of the Education Amendments of 1972)

29 U.S.C. §621 *et seq.* (Age Discrimination in Employment Act of 1967)

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C.R.S. §2-4-401(13.5) (Definition of sexual orientation)

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

C.R.S. §4-34-301 *et seq.* (Colorado Civil Rights Division procedures)

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

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)

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

29 U.S.C. §701 *et seq.* (Section 504 of the Rehabilitation Act of 1973)

34 C.F.R., Part 100-110 (civil rights regulations)

42 U.S.C. §2000ff *et seq.* (Genetic Information Nondiscrimination Act of 2008)

Cross References:

GBA, Equal Opportunity Employment

JB, Equal Educational Opportunities

JBB Sexual Harassment

GBAA Sexual Harassment

Mesa County Valley School District 51

AC-R

NONDISCRIMINATION

(Compliance and Complaint Procedures)

Adopted: April 16, 1991

Presented for Revision: September 3, 2002

Revised: July 11, 2011

Second Reading: November 17, 2015

In order to foster and enforce the District's policy of nondiscrimination, it shall be the practice of district administration to promptly investigate reports and complaints of unlawful discrimination and/or harassment; take action in response when unlawful discrimination and/or harassment is discovered; impose appropriate sanctions on offenders in a case-by-case manner; and protect the privacy of all those involved in unlawful discrimination and/or harassment complaints as required by state and federal law. When appropriate, the complaint shall be referred to law enforcement for investigation.

The district has adopted the following procedures to promptly and fairly address reports and complaints regarding alleged unlawful discrimination and/or harassment.

Definitions

- a. "Compliance officer" means a person or entity designated by the Board to receive reports and complaints concerning alleged unlawful discrimination and harassment. The compliance officer shall be identified by name, address, telephone number and email address. See exhibit AC-E. If the designated individual is not qualified or is unable to act as such, the superintendent shall designate an alternate compliance officer who shall serve until a successor is appointed by the Board.
- b. "Aggrieved individual" shall mean a student, the parents or guardians of a student under the age of 18 acting on behalf of a student, an employee of the district, or member of the public who is directly affected by an alleged violation of Board policies prohibiting unlawful discrimination or harassment.

Compliance officer's duties

The compliance officer shall be responsible for coordinating all complaint and investigatory procedures and processes regarding any alleged violation of federal or state statute or Board policy prohibiting unlawful discrimination or harassment. The compliance officer's duties shall include providing notice to students, parents/guardians of students, employees and the general public concerning the compliance process, providing training for district staff regarding the prohibition of discrimination/harassment in all district programs, activities and employment practices, disseminating information concerning the forms and procedures for the filing of complaints, ensuring the prompt investigation of all reports and complaints, coordinating hearing procedures, and identifying and addressing any patterns or systemic problems that arise during the review of complaints. The compliance officer may delegate any or all of the foregoing responsibilities as necessary and/or appropriate under the circumstances.

The compliance officer shall present a written report to the Board and Superintendent each year containing a summary of each such incident involving an allegation of unlawful discrimination or harassment that occurred in the preceding 12 months. The report shall identify the actions and discipline taken in regard to each incident and shall contain the compliance officer's recommendations concerning actions which might be taken to prevent recurrence of similar incidents.

Notice

Students, parent(s)/guardian(s) of students and employees shall be notified annually by Student and Parent Handbook, by communication through the District website or by other appropriate means concerning the complaint procedures available under this Regulation. Such notice shall include the name/title, address and telephone number of the compliance officer.

Intake and investigation procedure

District staff and students, and other members of the public are encouraged to promptly report any incident believed to involve unlawful discrimination or harassment as provided in Board policy and this regulation. Reports may be made orally or in writing. All reports or complaints received by teachers, counselors, principals or other

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AC-R

NONDISCRIMINATION

(Compliance and Complaint Procedures)

Adopted: April 16, 1991

Presented for Revision: September 3, 2002

Revised: July 11, 2011

Second Reading: November 17, 2015

district employees shall be promptly forwarded to the compliance officer. If the compliance officer is the individual alleged to have engaged in the prohibited conduct, the report or complaint shall be forwarded to the superintendent.

The compliance officer shall confer with the aggrieved individual(s) and/or the alleged victim of the unlawful discrimination or harassment as soon as is reasonably possible following the compliance officer's receipt of the report or complaint. At such conference, the compliance officer shall explain the avenues for formal and informal action, and provide a description of the complaint process. The compliance officer shall also explain that whether or not the individual files a written complaint or otherwise requests action, the district is required by law to take steps to correct any unlawful discrimination or harassment and to prevent recurring unlawful discrimination, harassment or retaliation against anyone who makes a report or participates in an investigation. The compliance officer shall also explain that (a) any request for confidentiality shall be honored so long as doing so does not preclude the district from responding effectively to prohibited conduct and preventing future prohibited conduct, and (b) privacy laws and district practice will prevent disclosure of specific actions or disciplinary measures taken as a result of any complaint or investigation.

All reports or complaints of unlawful discrimination or harassment shall be reasonably investigated and resolved by formal or informal action as provided below. Insofar as practicable and consistent with the objectives (1) of obtaining full disclosure of all pertinent facts, and (2) of seeking to achieve a resolution of disputes in an informal fashion, the investigation shall be conducted in a confidential manner so as not to disclose the identity of the complaining party and witnesses. The person(s) whose conduct is in question shall not be considered a party at the investigation stage. Such person(s) shall be informed only of those facts that, in the compliance officer's judgment, are necessary to achieve a full and accurate disclosure of material facts or to obtain an informal resolution.

Informal action

If an aggrieved individual who reports or complains of unlawful discrimination or harassment declines to file a written complaint or requests that the matter be resolved in an informal manner without formal filing of a written complaint as provided below, the compliance officer shall determine whether such matter may be appropriately resolved through informal action. Informal action may include, but shall not be limited to, mediation, counseling or other non-disciplinary action, decision or process. If a resolution is attempted through informal action, then the compliance officer shall document the informal action taken and the resolution or other outcome achieved or determined. No further compliance action shall be required. No aggrieved individual shall be compelled to accept informal resolution of a complaint of unlawful discrimination or harassment and such individual may exit the informal resolution process at any time by filing a written complaint. Informal resolution shall not be used to process written complaints filed with the compliance officer and shall not be used where the underlying offense involves allegations of sexual assault or other act of violence.

Formal action—complaint procedure

a. Any aggrieved individual may file with the compliance officer a written complaint charging the district, another student or any district employee with unlawful discrimination or harassment. Persons who wish to file a complaint shall be encouraged to use the district's complaint form.

b. All complaints shall include a detailed description of the alleged events, the dates the alleged events occurred and names of the parties involved, including any witnesses, and identify with reasonable specificity the nature of the complaint and the Board policy or state or federal law violated. The complaint shall be filed as soon as possible after the incident. No complaints shall be received and processed by the compliance officer if filed more than 30 calendar days after the alleged conduct without permission from the superintendent of schools.

Mesa County Valley School District 51

AC-R

NONDISCRIMINATION

(Compliance and Complaint Procedures)

Adopted: April 16, 1991

Presented for Revision: September 3, 2002

Revised: July 11, 2011

Second Reading: November 17, 2015

c. Within a reasonable period of time following receipt of the complaint, the compliance officer or the compliance officer's designee shall complete an investigation regarding the complaint and render a written report containing findings and recommendations as appropriate to the superintendent of schools.

d. The compliance officer's report shall be advisory and shall not bind the superintendent or the district to any particular course of action or remedial measure. However, the report may be used by the superintendent or other district administration officials as a basis for disciplinary or other appropriate action. A copy of the report shall be given to the complainant on condition that he/she agrees in writing not to disclose its contents.

e. If the complainant is not satisfied with the findings of the report of investigation or with the recommendations contained therein, he/she may within five (5) working days after receiving the report of investigation file with the compliance officer a written request for a hearing. The compliance officer shall immediately forward a copy of the complaint, the compliance officer's findings and recommendation and the request for hearing to the person(s) whose conduct is the object of the complaint.

f. Hearing. A hearing shall be held within 20 working days after the filing of a request for hearing. The hearing shall be conducted by a hearing officer designated by the superintendent. In no event shall the hearing officer be the individual alleged to be responsible for or directly involved in the alleged violation or conduct.

(1) The hearing shall be informal (see Policy GBKA, Guidelines for Informal Hearings). A student shall be entitled to be represented by his parent or by an attorney. An employee shall be entitled to be represented by an attorney or other representative of his/her choice. The complainant shall appear at the hearing and shall be entitled to present testimony and other evidence. Formal rules of evidence shall not apply to the hearing. The compliance officer or the compliance officer's designee may represent the district at the hearing and shall likewise be entitled to present testimony and other evidence. The hearing shall be closed to the public.

(2) Within ten (10) working days after the conclusion of the hearing, the hearing officer shall issue a written decision containing findings and recommendations based upon evidence presented at the hearing, including any remedial or corrective action deemed appropriate. Remedial actions may include measures designed to stop the unlawful discrimination or harassment, correct its negative impact on the affected individual, ensure that the conduct does not recur, and/or restore lost educational opportunities. The hearing officer's decision shall be advisory and shall not bind the superintendent or the district to any particular course of action or remedial measure. However, the decision may be used by the superintendent or other district administration officials as a basis for disciplinary or other appropriate action. Copies of the decision shall also be transmitted to the compliance officer, the person(s) whose conduct is in question, and the superintendent. Copies of the decision shall also be transmitted to the complainant and to the person(s) whose conduct is in question on condition that each agrees in writing not to disclose its contents.

(3) After the hearing officer has issued his or her decision, the recording of the hearing, all physical and documentary evidence and all other items comprising the record of the hearing shall be returned to the district.

g. Appeal. Either the complainant, the person(s) whose conduct is in question, or the compliance officer may appeal the decision of the hearing officer to the superintendent of schools. The superintendent shall

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NONDISCRIMINATION

(Compliance and Complaint Procedures)

Adopted: April 16, 1991

Presented for Revision: September 3, 2002

Revised: July 11, 2011

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review the documents tendered to the hearing officer together with the hearing officer's findings and recommendations and shall within 20 working days after receipt thereof either affirm, reverse or amend the findings and recommendations or hold a *de novo* hearing using the procedures outlined above and render an independent decision based thereon. The decision of the superintendent or the superintendent's independent findings and recommendations shall be subject to the above conditions regarding confidentiality and shall be final.

h. Any time period prescribed herein may be enlarged at the discretion of the superintendent of schools for good cause shown. Time periods may also be enlarged by mutual agreement of all affected parties and the compliance officer.

Nothing contained herein shall be interpreted to confer upon any person the right to a hearing independent of a Board policy, administrative procedure, statute, rule, regulation or agreement expressly conferring such right. This process shall apply, unless the context otherwise requires and unless the requirements of another policy, procedure, statute, rule, regulation or agreement expressly contradicts with this process, in which event the terms of the contrary policy, procedure, law, rule, regulation or agreement shall govern.

Outside agencies

In addition to, or as an alternative to, filing a complaint pursuant to this regulation, a person may file a discrimination complaint with the U.S. Department of Education, Office for Civil Rights (OCR); the Federal Office of Equal Employment Opportunity Commission (EEOC); or the Colorado Civil Rights Division (CCRD). The addresses of these agencies are listed below.

Denver Office for Civil Rights (OCR), U.S. Department of Education, 1244 Speer Blvd., Suite 310, Denver, CO 80204-3582. Toll Free: 800-262-4845 English/Spanish. Telephone: 303-844-5695. Fax: 303-844-4303. TTY: 303-844-3417. Email: OCR Denver @ed.gov

Federal Office of Equal Employment Opportunity Commission (EEOC), 303 E. 17th Avenue, Denver, CO 80203. Toll Free: 800-669-4000. Fax: 303-866-1085. TTY: 800-669-6820. Email: egov.eeoc.gov.eas

Colorado Civil Rights Division (CCRD), 1560 Broadway, Suite 1050, Denver, CO 80202. Toll Free: 800-262-4845. Telephone: 303-894-2997. Fax: 303-894-7830. Email: dora_CCRD@state.co.us

Mesa County Valley School District 51

GCE/GCF

LICENSED STAFF RECRUITING/HIRING

Adopted: April 22, 1975

Revised: April 16, 1991

Second Reading: November 17, 2015

Page 1 of 2

It is the responsibility of the superintendent, with the assistance of other administrators, to determine the licensed staff needs of the district in general and of each individual school and program, and to locate suitable candidates to recommend to the Board for employment to fill such needs. Final approval by the Board of Education shall be required in order for the District to hire any teacher or other licensed staff. "Licensed staff," as used in this policy, refers to employees in professional positions for which possession of a valid license issued by the Colorado Department of Education is a prerequisite qualification, including teachers, administrators and special service providers.

Recruiting

Recruitment and selection of candidates for licensed staff positions or vacancies within the District shall be the responsibility of the superintendent of schools, and shall be carried out under the superintendent's direction by the human resources department.

The executive director of human resources or designee shall develop recruitment procedures and interview techniques that will facilitate making the best choices of available candidates for licensed staff positions or vacancies within the District. The search for effective teachers and other licensed personnel shall extend to a wide variety of educational institutions and geographical areas, and take into consideration the diverse characteristics of the school system and the need for staff members of various backgrounds.

Background Checks

Prior to employing of any person in a licensed staff position, in accordance with state law the human resources department shall Conduct background checks with the Colorado Department of Education and With previous employers of the applicant for the purpose of obtaining information or recommendations which may be relevant to such applicant's fitness for employment.

Any information received by the District pursuant to such inquiries to the Department of Education or previous employers shall be confidential information and not subject to disclosure under the Colorado Open Records Law. No disclosure shall be made within the school district except to those persons whose functions legitimately require such information.

Hiring

All candidates shall be considered on the basis of their merits, qualifications and the needs of the District. No candidate for a vacancy shall be employed by the District unless the candidate first has been interviewed. The executive director of human resources should seek the input and assistance of principals, supervisors and/or applicable licensed staff when interviewing candidates for licensed positions in the district, and shall, when required by law regarding a teacher, include a process for obtaining consent of the appropriate school principal and input from teachers chosen by the school's faculty.

In selecting and recommending appointment of licensed teachers, preference shall be given to candidates who are highly qualified, pursuant to applicable state and federal laws.

Except for a substitute teacher, the employment of every licensed staff employee shall be in writing. Contracts may be issued to satisfactory candidates prior to Board approval, provided that such contracts shall not be effective until their employment has been approved by the Board of Education, as stated above.

Upon the hiring of any licensed staff employee, the District shall timely forward the employee information required by federal and state child support laws to the appropriate state agency.

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GCE/GCF

LICENSED STAFF RECRUITING/HIRING

Adopted: April 22, 1975

Revised: April 16, 1991

Second Reading: November 17, 2015

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Felony/Misdemeanor Convictions

If the District has good cause to believe that any licensed staff employee employed on or after January 1, 1991, has been convicted of any felony or misdemeanor (not including misdemeanor traffic offenses or infractions) subsequent to employment, the District may ask the person to provide information about the offense. In addition or as an alternative, the District may require the employee to submit a complete set of fingerprints taken by a qualified law enforcement agency within 20 days of receipt of written notification. The fingerprints shall be released to the Colorado Bureau of Investigation (CBI) for processing. Disciplinary action may be taken against a licensed staff member if the results of fingerprint processing provide information about a conviction.

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

Legal References:

- 20 U.S.C. 6319 (teacher requirements under No Child Left Behind Act of 2001)
- 42 U.S.C. 653 (a) (Personal Responsibility and Work Opportunity Reconciliation Act)
- 34 C.F.R. 200.55 (federal regulations regarding highly qualified teachers)
- C.R.S. 8-2-126 (limits employers' use of consumer credit information)
- C.R.S. 13-80-103.9 (liability for failure to perform an education employment required background check)
- C.R.S. 14-14-111.5 (Child Support Enforcement procedures)
- C.R.S. 22-2-119 (inquiries prior to hiring)
- C.R.S. 22-32-109 (1)(f) (Board duty to employ personnel)
- C.R.S. 22-32-109.7 (duty to make inquiries prior to hiring)
- C.R.S. 22-32-126 (principal's role in hiring and assignment)
- C.R.S. 22-60.5-114 (3) (State Board can waive some requirements for initial license applicants upon request of school district)
- C.R.S. 22-60.5-201 (types of teacher licenses issued)
- C.R.S. 22-61-101 (prohibiting discrimination)
- C.R.S. 22-61-103 (requirement for teacher's oath)
- C.R.S. 22-63-201 (licensure required)
- C.R.S. 22-63-202 (employment contracts and mutual consent placement)
- C.R.S. 22-63-206 (transfers)
- C.R.S. 22-5-101 (effect of criminal conviction on employment)
- C.R.S. 24-34-402(1) (discriminatory and unfair employment practices)
- C.R.S. 24-72-202 (4.5) (definition of personnel file in open records law)

Cross Reference: GBA, Equal Opportunity Employment

STAFF CONDUCT (AND RESPONSIBILITIES)/CONFLICTS OF INTEREST

Related: GBEA, GBEA (1), GBEA (1)-E

Adopted as GBEA (2): April 22, 1975

Revised: June 17, 1997

Amended Document Presented/Revised and Renamed: December 13, 2011

Adopted: January 24, 2012

First Reading November 17, 2015

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Staff Conflicts of Interest

No employee of the Board shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the school system.

Employees shall not engage in work of any type where information concerning customer, client or employer originates from any information available to them through school sources.

An employee shall not take or receive any part or portion of moneys from the sale, proceeds, profit, or items in lieu thereof of any book, musical instrument, school supplies, school apparatus, or other materials, including custodial, office, and athletic supplies, sold to a minor, or the parent or guardian of a minor, enrolled in the school where the employee is performing services, or which may be sold to the school district unless prior approval has been obtained from the board.

Moreover, as there should be no conflict of interest in the supervision and evaluation of employees, at no time may any employee responsible for the supervision and/or evaluation of any other employee be directly related to him/her.

Staff Conduct (And Responsibilities)

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

As representatives of the District and role models for students, all staff shall demonstrate and uphold high professional, ethical and moral standards and conduct themselves in a manner that is consistent with the educational mission of the District. Interactions between staff members must be based on mutual respect, and any conflicts must be resolved in a professional manner. The Superintendent is authorized to develop and promulgate by regulation a code of conduct applicable to all employees that is consistent with this policy. Such code of conduct shall set forth ethical and moral standards for behavior and core principles of professionalism to guide day-to-day staff behavior, interaction and decision-making.

Prohibited Conduct

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

1. Disclose or use confidential information acquired in the course of his/her employment to further substantially his/her personal financial interests.
2. Accept a gift of substantial value or substantial economic benefit tantamount to a gift of substantial value which would tend to improperly influence a reasonable person in his/her position or which he/she knows or should know is primarily for the purpose of rewarding him/her for action taken in which he/she exercised discretionary authority.
3. Engage in a substantial financial transaction for his/her private business purposes with a person whom he/she supervises.
4. Perform any action in which he/she has discretionary authority which directly and substantially confers an economic benefit on a business or other undertaking in which he/she has a substantial financial interest or in which he/she is engaged as a counsel, consultant, representative or agent.

STAFF CONDUCT (AND RESPONSIBILITIES)/CONFLICTS OF INTEREST

The phrase "economic benefit tantamount to a gift of substantial value" includes a loan at a rate of interest substantially lower than the prevailing commercial rate and compensation received for private services rendered at a rate substantially exceeding the fair market value.

It is permissible for an employee to receive:

1. An occasional nonpecuniary gift which is insignificant in value.
2. A nonpecuniary award publicly presented by a nonprofit organization in recognition of public service.
3. Payment or reimbursement for actual and necessary expenditures for travel and subsistence for attendance at a convention or other meeting at which he/she is scheduled to participate.
4. Reimbursement for or acceptance of an opportunity to participate in a social function or meeting which is not extraordinary when viewed in light of his/her position.
5. Items of perishable or nonpermanent value including but not limited to meals, lodging, travel expenses or tickets to sporting, recreational, educational or cultural events.
6. Payment for speeches, debates or other public events reported as honorariums.

All staff members shall be expected to carry out their assigned responsibilities with conscientious concern. A staff member may request an advisory opinion from the secretary of state concerning issues relating to conduct that is proscribed by state law.

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

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

Staff Responsibilities

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

1. Faithfulness and promptness in attendance at work.
2. Support and enforcement of policies of the Board and regulations of the school administration in regard to students.
3. Diligence in submitting required reports promptly at the times specified.
4. Care and protection of school property.
5. Concern and attention toward their own and the school system's legal responsibility for the safety and welfare of students including the need to insure that students are supervised at all times.
6. Maintenance of proper professional boundaries with students at all times.

The superintendent shall develop and promulgate by regulation a non-exclusive list of actions or conduct that are not in keeping with reasonably expected standards of interaction between a staff member and students and that, in the absence

STAFF CONDUCT (AND RESPONSIBILITIES)/CONFLICTS OF INTEREST

of a legitimate educational purpose, may be regarded as a violation of professional boundaries. Failure to maintain or observe professional boundaries with a student or students or engaging in a pattern of conduct with one or more students that is outside proper professional boundaries in violation of this policy shall be grounds for discipline, including dismissal.

Felony/Misdemeanor Convictions

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

In addition, the District shall require the employee to submit a complete set of fingerprints taken by a qualified law enforcement agency. Fingerprints must be submitted within 20 days after receipt of written notification. The fingerprints shall be forwarded to the Colorado Bureau of Investigation for the purpose of conducting a state and national fingerprint-based criminal history record check utilizing the records of the Colorado Bureau of Investigation and the Federal Bureau of Investigation.

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

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

Child Abuse

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

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

Unlawful Behavior Involving Children

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

Personnel addressing health care treatment for behavior issues

School personnel are prohibited under state law from recommending or requiring the use of psychotropic drugs for students. They are also prohibited from testing or requiring testing for a student's behavior without giving notice to the parent/guardian describing the recommended testing and how any test results will be used. Prior to the conducting any such testing, school personnel shall obtain written permission from the parent/guardian or eligible student in accordance with applicable law. School personnel are encouraged to discuss concerns about a student's behavior with parent/guardian and such discussions may include a suggestion that the parent/guardian speak with an appropriate health care professional regarding any behavior concerns school personnel may have. Only those persons appropriately certified or licensed may expose a student to any psychiatric or psychological method or procedure for the purpose of diagnosis, assessment or treatment of any emotional, behavioral or mental disorder or disability. Such methods or procedures may only be performed after acquiring written permission from a student's parent or guardian, or from the student in those

STAFF CONDUCT (AND RESPONSIBILITIES)/CONFLICTS OF INTEREST

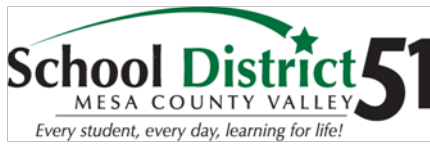
circumstances in which federal or state law allows the student to obtain such services in confidence or without prior notice to the parent/guardian.

Possession of Dangerous Weapons

The provisions of the policy regarding public possession of dangerous weapons on school property or in school buildings also shall apply to employees of the District. However, the restrictions shall not apply to employees who are required to carry or use dangerous weapons in order to perform their necessary duties and functions.

Legal References: C.R.S. [18-12-105.5 \(unlawful carrying/possession of weapons on school grounds\)](#)
C.R.S. [18-12-214 \(3\) \(b\) \(school security officers may carry concealed handgun pursuant to valid permit\)](#)
C.R.S. [19-3-308 \(5.7\) \(child abuse reporting\)](#)
[C.R.S. 22-32-109 \(1\) \(ee\) \(duty to adopt policy prohibiting personnel from recommending certain drugs for students or ordering behavior tests without parent permission\)](#)
C.R.S. [22-32-109.1 \(8\) \(policy requiring inquiries upon good cause to department of education for purpose of ongoing screening of employees\)](#)
C.R.S. [22-32-109.7 \(duty to make inquiries prior to hiring\)](#)
C.R.S. [22-32-109.8 \(6\) \(requirement to terminate non-licensed employees for certain felony offenses\)](#)
C.R.S. [22-32-109.9 \(licensed personnel-submittal of fingerprints\)](#)
C.R.S. [22-32-110 \(1\) \(k\) \(power to adopt conduct rules\)](#)
C.R.S. [24-18-104 \(government employee rules of conduct\)](#)
C.R.S. [24-18-109 \(local government employee rules of conduct\)](#)

Cross Reference: [JLC, Student Health Services and Records](#)
[JLDAC, Testing of Students](#)
[JLF, Reporting Child Abuse/Child Protection](#)
[KFA, Public Conduct on District Property](#)



Revision of Nondiscrimination Policies

Board of Education Resolution: 15/16: 28

Presented: October 27, 2015

WHEREAS, the administration has revised and updated the District's nondiscrimination policy AC to conform to changes in state and federal law, and recommends that the Board approve the revised version attached hereto; and

WHEREAS, the administration has also promulgated a new regulation AC-R (copy also attached) which contains updated nondiscrimination complaint procedures to conform to current District practice, and which meets the requirements of certain federal nondiscrimination laws and regulations requiring the District to have procedures in place for receiving and addressing complaints alleging unlawful discrimination or harassment; and

WHEREAS, promulgation of the attached regulation AC-R renders the District's existing policy ACA Nondiscrimination – Complaint and Grievance Process unnecessary, and the administration recommends that such policy be repealed; and

WHEREAS, notice of the proposed changes to Policy AC and of the proposed repeal of Policy ACA has been given at the Board's prior meeting on October 27, 2015 as required by Policy BGB.

NOW, THEREFORE, RESOLVED that the Board adopts and approves the attached Policy AC and AC-R for inclusion with and in the policies and regulations of the District, and hereby repeals existing Policy ACA.

I certify that the information contained herein is accurate and was adopted by the Mesa County Valley School District No. 51 Board of Education on November 17, 2015.

Terri N. Wells
Secretary, Board of Education

**Agreements with Real Time Networks, Inc. and IBM Credit, LLC
(District-Wide Shoretel IP-PBX telephone system)**

Board of Education Resolution 15/16: 38

Presented November 17, 2015

WHEREAS, On or about February 20, 2015, Real Time Networks, Inc., P.O. Box 1880, Durango, CO. 81302 (“RTN”) timely submitted a proposal to provide the District with telephone equipment and services in response to the District’s Request for Proposal No. 1415/041 “IP Telephony/VOIP phone system” issued on or about January 7, 2015, (the “RFP”); and

WHEREAS, At the District’s request, RTN submitted an updated proposal to the District on September 21, 2015, for VoIP services (the “Updated Proposal”) and a lease quotation #055827059L (supplement # 008931), dated October 1, 2015, from IBM Credit LLC, for the related telephone equipment, (the Quotation”); and

WHEREAS, the administration has negotiated an Agreement with RTN whereby the latter will provide the District with a new Shoretel IP-PBX telephone system (“System”), including all telephone equipment, appliances, hardware, software, and software licenses necessary to deploy the System District-wide, which the District will acquire pursuant to a lease-purchase financing from IBM Credit LLC (“IBMC”); and

WHEREAS, a copy of the Agreement, with its attached exhibits, is attached hereto; and

WHEREAS, the Agreement provides that:

a. the District will lease the System for a 66 month term, with annual lease payment installments due and payable on July 31 of each year during the lease term, and the District will own the System upon conclusion of the lease; and

b. there will be five (5) annual lease payments of Three Hundred Thirty-three Thousand Nine Hundred Fifty-one Dollars and Twenty-One Cents (\$333,951.21) during the term of the lease, resulting in a total aggregate lease obligation for the term of the lease of One Million Six Hundred Sixty-nine Thousand Seven Hundred Fifty-six Dollars and five cents (\$1,669,756.05); and

c. RTN will, at no additional cost to the District, order, deliver, deploy, install, connect, configure and implement the System (and component parts and equipment) at District facilities in accordance with the schedule provided in the Statement of Work (Exhibit A to the Contract), which implementation will be completed by July 1, 2016; and

d. Upon completion of the System implementation, RTN shall provide the District with 24/7 telephone technical support, downloadable software patches, fixes and upgrades, web access, hardware replacement, CenturyLink

coordination, training and other support as specified in the Agreement during remainder of the term of the lease; and

WHEREAS, although the lease agreement requires the District to notify the Board during the budgeting process for each budget year regarding the lease payment that will be due during such year to meet its obligations and to continue the lease in force, the parties have agreed that the District's lease obligations are subject to annual appropriation by the Board, and that the District's obligation to pay rent for the Systems shall not in any way be construed to be a District debt in contravention of any applicable constitutional or statutory limitation or requirement concerning the creation of indebtedness by the District, and shall not constitute a pledge of the District's faith or credit or taxing power beyond the fiscal period for which sufficient funds have been appropriated to pay rent under the lease agreement; and

WHEREAS, it is in the interest of the District to obtain and lease the System in accordance with the Agreement.

NOW, THEREFORE, RESOLVED that the Board approves said Agreement and the President and Secretary of the Board are hereby authorized and directed to enter into the attached Agreement on behalf of the Board, including the Lease/Purchase Master Agreement No. 055827059L, IBM Credit LLC Lease/Purchase Supplement No. 008931 and Addendum to Lease/Purchase Supplement – Colorado Counties, Municipalities and School Districts in form substantially similar to the attached copies, after such documents are finalized and complete, and any changes or corrections as may be recommended by District legal counsel have been made. The Superintendent is further authorized to execute and deliver to IBMC such other and further documents and agreements as may be reasonable and necessary to comply with and fully effectuate the terms of the Agreement.

I certify that the information contained herein is accurate and was adopted by the Mesa County Valley School District 51 Board of Education on November 17, 2015.

Terri N. Wells
Secretary, Board of Education



Mesa County Valley School District No. 51

**Resolution Approving Guaranteed Maximum Price Amendment
(Alternative High School Project FCI Constructors, Inc.)**

Board of Education Resolution: 15/16: 37

Presented: November 17, 2015

WHEREAS, pursuant to the Board of Education's Resolution 14/15:15 dated September 1, 2015, the District and FCI Constructors, Inc., a Colorado corporation ("FCI") entered into an AIA Document A133-2009 Standard Form of Agreement Between Owner and Construction Manager as Constructor where basis of payment is the Cost of the Work Plus a Fee with a Guaranteed Maximum Price (the "Construction Contract") for construction of a New Alternative High School and Opportunity Center at 2150 Grand Avenue, Grand Junction, Colorado (the "Project");

WHEREAS, pursuant to the Construction Contract, FCI has prepared the attached Guaranteed Maximum Price Amendment to the Construction Contract, together with its attached Bid Pack #1 dated October 30, 2015, Classroom Addition Alternate #3, Clarifications & Assumptions dated October 30, 2015, and Schedule dated November 12, 2015, (collectively, the "Amendment"); and

WHEREAS, the Amendment sets forth a Guaranteed Maximum Price ("GMP") for construction of the Project in the amount Seven Million Three Hundred Forty-nine Thousand Nine Hundred Eleven Dollars (\$7,349,911.00), and includes the information and assumptions upon which it is based; and

WHEREAS, the GMP includes 2 additional classrooms (1,360 square feet) to be added to the Opportunity Center portion of the Project, but does not include certain construction-related costs designated as Owner's Costs set forth in Paragraph 2 of the Clarifications & Assumptions dated October 30, 2015, or the cost of FCI's payment and performance bond required by the Construction Contract and state law, the cost of which shall be borne by or passed through to the District;

WHEREAS, the administration estimates that the construction-related Project costs not included in the GMP, but which will be part of the total cost to the District for the Project, including bond premiums and the amounts paid or payable to Blythe Group + Co. for architectural/engineering services, will not exceed \$9,050,000.

WHEREAS, the administration recommends that the Board approve the Amendment.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education hereby approves the Amendment, and authorizes the Superintendent to execute the same on its behalf.

I hereby certify that the information contained in the above resolution is accurate and was adopted by the Mesa County Valley School District No. 51 Board of Education on November 17, 2015.

*Terri N. Wells
Secretary, Board of Education*