

Staff Personal Security and Safety

The Board of Education of the Eagle County School District Re50J believes that it is very important to protect all employees from physical and/or psychological abuse or frivolous or false allegations of wrong doing or inappropriate activities.

REGULATIONS:

1. The School District shall protect its employees through a comprehensive liability insurance program, and the School District shall defend any District employee from claims for damages caused or alleged to have been caused in whole or in part by that employee while performing assigned duties as an employee of the District under the provisions of the District's liability policy, whether or not that person is employed by the District at the time the claim is made, provided that the District shall not be obligated to assume any costs or judgments entered against the employee when such damages are proved to be due to the employee's willful negligence, violation of law, or criminal act as determined by a court of law. This Administrative policy is not intended to supersede other policies regarding staff selection and/or dismissal.
2. The following procedures shall be followed in instances of assault upon, disorderly conduct toward, harassment of, the making knowingly of a false allegation of child abuse against, or any alleged offense under the "Colorado Criminal Code" by a student or other employee directed toward a teacher or school employee. These same procedures shall be followed in instances of damage by a student or another employee to the personal property of a teacher or school employee occurring on School District premises. These also apply to the employee's reputation and ability to carry out one's responsibilities effectively.
 - a. The teacher or employee shall file a written complaint with the building principal/supervisor and the Superintendent.
 - b. The principal/supervisor or Superintendent, after receipt both of the complaint and adequate proof of the charges, shall suspend the student for three days in accordance with established procedures or shall investigate the allegation against the employee and take appropriate disciplinary action.
 - c. The Superintendent shall initiate procedures for the further suspension or expulsion of the student when injury, property damage, or defamation of character has occurred and follow up accordingly any similar alleged criminal activity by another employee.
 - d. The Superintendent (*or his/her designee*) shall report the incident to the district attorney or the appropriate local law enforcement agency or officer who shall then investigate the student's actions to determine the appropriateness of filing criminal charges or initiating delinquency proceedings.

- e. Principals/supervisors and staff members are to be made aware of this policy, and a written copy of this policy shall be distributed to each student and posted in each school building.

Immunity for enforcement of discipline code

An act of a teacher or other employee shall not be considered child abuse if the act was performed in good faith and in compliance with Board policy and procedures.

A teacher or any other person acting in good faith and in compliance with the discipline code adopted by the Board shall be immune from civil liability unless the person is acting willfully or wantonly. It is an affirmative defense in any criminal action that a person is acting in good faith and in compliance with the discipline code.

A teacher shall not be subject to any disciplinary proceeding including dismissal for actions that were taken in good faith and in compliance with the District's discipline code, nor shall a contract non-renewal be based on such lawful actions.

Communication of disciplinary information

In accordance with state law, the principal or designee is required to communicate disciplinary information concerning any student enrolled in the school to any teacher who has direct contact with the student in the classroom and to any counselor who has direct contact with the student. The purpose of this requirement is to keep school personnel apprised of situations that could pose a risk to the safety and welfare of others.

For purposes of this policy, "disciplinary information" means confidential records maintained by or in possession of the principal or designee on an individual student which indicate the student has committed an overt and willful act which constitutes a violation of the District's code of student conduct and/or there is reasonable cause to believe, through information provided to the principal from another credible source, that the student could pose a threat to the health and safety of other students and school personnel based on prior misbehavior.

"Disciplinary information" is intended to include only that information of a serious nature that is not otherwise available to teachers and counselors as part of the education records maintained on students or other reports of disciplinary actions. It is appropriate for instructional staff members to request disciplinary information from the principal or designee on students in their classrooms if there is concern that the student poses a threat to the safety of other students or school officials.

Any teacher or counselor to whom disciplinary information is reported shall maintain the confidentiality of the information and shall not communicate it to any other person. The principal or designee is required to inform the student and the student's parent/guardian when disciplinary information is communicated and to provide a copy of the disciplinary information. The student and/or the student's parent/ guardian may challenge the accuracy of disciplinary

information through the administrative regulations that accompany this policy.

Any teacher or counselor who is provided this information shall maintain its confidentiality and shall not communicate it to any other person.

LEGAL REFS.: C.R.S. 22-32-109.1 (3) (*policy required as part of safe schools plan*)
 C.R.S. 22-32-109.1 (9) (*immunity provisions in safe schools law*)
 C.R.S. 22-32-126 (5)(a) (*communication of disciplinary information*)

CROSS REFS.: ECAC, Vandalism
 JK, Student Discipline
 JKD/JKE, Suspension/Expulsion of Students