



## *2007-2008 Safe Schools Plan Colorado Safe Schools Act*

*In 2000, the Colorado General Assembly passed Senate Bill 00-133, establishing provisions for safe school plans across the state. The bill set the requirements for the implementation of safe school plans and the reporting of data by schools and school districts. More recently, the federal "No Child Left Behind Act of 2001" addressed criteria for school safety and for data reporting. Following is the Safe School Plan adopted by Hope Online Learning Academy Co-Op.*

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**SAFE SCHOOLS ACT Policy: HA-011**

Hope Online recognizes that effective learning and teaching takes place in a safe, secure and welcoming environment. Safe schools are a priority in the mission of Hope Online and contribute to improved attendance, increased student achievement and community support. To that end and to the extent required by applicable law, Hope Online has adopted the following policies and procedures as part of the Hope Online Safe Schools plan:

- A student conduct and discipline code.
- Safe school reporting requirements.
- Employee security and safety.
- Crisis management.
- Procedures that address safety and security concerns within Hope Online.
- Procedures that address the sharing of student information with other agencies, in accordance with applicable state and federal law.
- Procedures that address persons visiting school buildings and attending school-sponsored activities.
- Procedures that address the screening of employees subsequent to employment for criminal offenses.

**SAFE SCHOOLS ACT REPORTING Policy: HA-012**

Hope Online shall submit annually a written report to the Vilas RE-5 School District Board of Education concerning the learning environment in Hope Online for the preceding school year. The report shall include, but may not be limited to, the following:

1. The total enrollment for Hope Online;
2. The average daily attendance rate;
3. Dropout rates for grades 7-12
4. The number of conduct and discipline code violations, each of which shall be reported only in the most serious category that is applicable to that violation, including but not limited to specific information on the number of and the action taken with respect to each of the following types of violations:
  - a. Carrying, bringing, using, or possessing a dangerous weapon on school grounds, in school vehicles, or at school activities or sanctioned events without the authorization of Hope Online;
  - b. Use or possession of alcohol on school grounds, in school vehicles, or at school activities or sanctioned events;
  - c. Use, possession, or sale of a drug or controlled substance on school grounds, in school vehicles, or at school activities or sanctioned events;
  - d. Use or possession of tobacco products on school grounds, in school vehicles, or at school activities or sanctioned events;
  - e. Being willfully disobedient or openly and persistently defiant or repeatedly interfering with the school's ability to provide educational opportunities to and a safe environment for other students;

- f. Commission of an act on school grounds that, if committed by an adult, would be considered first degree assault, as described in section [18-3-202](#), C.R.S., second degree assault, as described in section [18-3-203](#), C.R.S., or vehicular assault, as described in section [18-3-205](#), C.R.S.;
  - g. Behavior on school property that is detrimental to the welfare or safety of other students or of school personnel, including behavior that creates a threat of physical harm to the student or to other students;
  - h. Willful destruction or defacement of school property;
  - i. Commission of an act on school grounds that, if committed by an adult, would be considered third degree assault, as described in section [18-3-204](#), C.R.S., or disorderly conduct, as described in section [18-9-106](#) (1) (d), C.R.S., but not disorderly conduct involving firearms or other deadly weapons, as described in section [18-9-106](#) (1) (e) and (1) (f), C.R.S.;
  - j. Commission of an act on school grounds that, if committed by an adult, would be considered robbery; and
  - k. Other violations of the code of conduct and discipline that resulted in documentation of the conduct in a student's record;
5. "Action taken" means the specific type of discipline, including but not limited to the following categories of discipline:
- a. In-school suspension;
  - b. Out-of-school suspension;
  - c. Learning Center dismissal;
  - d. Expulsion;
  - e. Referral to a law enforcement agency; or
  - f. Any other form of discipline, which shall be officially identified as part of a Hope Online policy;
6. The conduct and discipline code violations required to be reported shall specifically identify each conduct and discipline code violation by a student with a disability and each action taken with respect to each violation by a student with a disability;
7. The average class size for each public elementary school, middle school or junior high school, and senior high school in the state calculated as the total number of students enrolled in the school divided by the number of full-time teachers in the school. "Full-time teacher" means a person who is licensed pursuant to article 60.5 of this title or is authorized pursuant to section 22-60.5-111 to teach, and is primarily engaged in teaching during a substantial majority of the instructional minutes per school day.
8. Hope Online's policy concerning bullying prevention and education, including information related to the development and implementation of any bullying prevention programs.

## **CODE OF CONDUCT**

Please refer to the complete "Student Rights and Responsibilities and Code of Conduct and Discipline."

**EMPLOYEE SECURITY & SAFETY Policy: HA-016**

Instances of assault upon, disorderly conduct toward, harassment of, threatening physical harm against, knowingly making a false allegation of child abuse against, or any alleged criminal offense by a student directed toward a Hope Online or Learning Center employee is strictly prohibited. Instances of damage by a student to the personal property of a Hope Online or Learning Center employee occurring on Hope Online or Learning Center premises or occurring off school premises where the misconduct is connected with school or interferes with or disrupts the educational program is strictly prohibited.

In the event of instances of assault upon, disorderly conduct toward, harassment of, threatening physical harm against, knowingly making a false allegation of child abuse against, or any alleged criminal offense by a student directed toward a Hope Online or Learning Center employee or instances of damage by a student to the personal property of a Hope Online or Learning Center employee occurring on Hope Online or Learning Center premises or occurring off school premises where the misconduct is connected with school or interferes with or disrupts the educational program, the following procedures shall apply:

1. The employee shall file a written complaint in the form of a report (attached) detailing the facts of the incident with the Learning Center Director and the Hope Online Compliance Office (via facsimile or electronic mail) as soon as practicable.
2. After receiving the complaint, the Learning Center Director and the Hope Online Compliance Office shall conduct an investigation. If proof deemed adequate to support the charges is obtained, the student shall be suspended for a minimum of three days in accordance with established procedures.
3. Hope Online shall initiate procedures for the further suspension or expulsion of the student when injury or property damage has occurred or when the student threatens physical harm to the employee.
4. If appropriate, Hope Online shall report the incident to the appropriate local law enforcement agency who shall then investigate the incident to determine the appropriateness of filing criminal charges or initiating delinquency proceedings.

**SECURITY AND ACCESS TO BUILDINGS Policy HA-017**

Security for Hope Online and Learning Center buildings and grounds (during regular school hours as well as non-school hours) contributes to the well being and safety of students and staff as well as to that of the sites themselves. Therefore, it is the policy of Hope Online that any buildings that house students shall be required to conform to this policy at any time that Hope Online students are present in the building.

Each Learning Center building shall be inspected annually to address removal of hazards and vandalism and any other barriers to safety and supervision.

During regular school hours, flow of traffic into and out of buildings shall be closely monitored and limited to certain doors. The procedures to be followed for visitors in school buildings shall be in accordance with Hope Online Policy HA-015 – “Visitors.”

Access to school buildings and grounds outside of regular school hours or when Hope Online students are not present, shall be at the discretion of the Learning Center.

An adequate key control system shall be established which will limit access to buildings to authorized personnel and will safeguard against entrance to buildings by persons unauthorized to have keys.

“Security” means not only keeping buildings locked and secure but also providing protection against physical hazards and acts of violence. It also includes having available floor plans of buildings and site plans showing campus boundaries and access points, which shall be maintained at the Hope Online administration office. Hope Online requires and encourages close cooperation with local police, fire and sheriff’s departments and insurance company inspectors. Funds and valuable records shall be kept in a secure place.

Alarm systems and other devices that protect buildings against illegal entry and vandalism shall be installed where appropriate.

**CRISIS MANAGEMENT** *Policy: HA-002*

Hope online recognizes the importance of appropriate crisis management procedures for the Hope Online community, including preparation, training and interventions. Therefore, Hope Online instructs each Learning Center Director or his/her designee to implement the following written crisis management procedures in the Learning Center. Hope Online further instructs each Learning Center Director or his/her designee to establish a crisis management training program for all Learning Center employees.

Each Learning Center location shall have a “land line” telephone installed on site to facilitate reverse 911 calls from local law enforcement agencies.

Each Learning Center shall designate an individual to receive emergency and disaster response communication from Hope Online or local emergency responders.

**Fire**

Fire drills are held randomly throughout the year. Fire exit routes are posted in each classroom. When the fire alarms sounds, students are to immediately proceed to the assigned area using the posted exit route, and observe the following rules:

- Walk quickly in single file. Do not run or push.

- Remain with the mentor at all times.
- Form lines outside and away from the building.
- Remain quiet and listen for the mentor's directions.
- Do not return to the building until an administrator or bell signals that students may return to classrooms.

### **Tornado**

If a tornado warning is issued, the Civil Defense siren will sound. A tornado drill will be signaled by three intermittent bells. Students and mentors would then proceed quickly and quietly to designated "Safe Rooms" – the classrooms and hallways without windows. All students will observe the following rules:

- Walk quickly in single file. Do not run or push.
- Remain quiet and listen for the mentor's directions.
- Do not return to classroom until administrator signals that the danger has passed or the drill is complete.

### **Terrorist**

If a terrorist enters the building students will be instructed to leave the building as quickly, quietly, and safely as possible, and assemble in the designated "Safe Meeting Area." Police will be notified immediately by the administration. The following rules should be observed:

- Avoid any contact with the terrorist.
- Proceed quickly to the designated "Safe Meeting Area."
- Students and mentors held hostage by terrorist should cooperate fully with him.
- Mentors will take student roll at "Safe Meeting Area" and notify parents.

### **Bomb Threat**

Fire drill procedures will be followed, and the police will be notified in the following cases:

- A bomb threat being called into the learning center.
- A student bringing explosives to the learning center.
- A suspicious object being found on learning center property.

### **Lock-Downs**

In a potential emergency situation where the safety of students and mentors is a concern, the following lock-down procedure will be followed:

- All learning center doors and windows will be closed and locked.
- No one comes into or leaves the building except through the front (office) door.
- All mentors will be "on duty" and alert for suspicious activity.
- Classes will continue as usual unless otherwise instructed.

## **STUDENT EDUCATION RECORDS** *Policy: HS-020*

The Hope Online Director of Admissions is the official custodian of all student records.

Student education records may contain, but will not necessarily be limited to, the following information: identifying data; academic work completed; level of achievement (grades, standardized achievement test scores); attendance data; scores on standardized intelligence, aptitude, and psychological tests; interest inventory results; health data and medical information; family background information; teacher or counselor ratings and observations; and reports of serious or recurrent behavior patterns.

All requests for inspection and review of education records, and requests for copies of such records, as well as disclosure of personally identifiable information, shall be maintained as a part of each student's record, except as provided by law. (Such request/disclosure of records shall be made available to the parent/guardian or eligible student upon request, in accordance with the following requirements.)

### **Access to Records**

A parent or guardian shall be able to inspect and review the student's education records. However, if a student is 18 years old or older, the student may inspect his/her own records and, unless the student is claimed by a parent/guardian as a dependent for federal income tax purposes, his/her written permission shall be necessary in order for his/her parents or guardian to inspect them. Such student 18 years old or older shall be known as an "eligible student."

In case of doubt as to whether the records are open to inspection, the custodian shall confer with the Hope Online attorney.

The custodian of records shall provide such personnel as are necessary to give explanations and interpretations of the education records when requested by parents/guardians or the eligible student.

In all cases where access to education records is requested, except as provided in this policy, a written request to see the records must be made by the parent/guardian or eligible student. The custodian, upon receipt of the written request, shall provide access to inspect and review the records and set a date and time for such inspection and review. In the absence of extenuating circumstances, the date set will be within three working days after the request has been made. The person examining the records shall do so in the presence of the custodian and/or other person(s) designated by him or her.

The record itself shall not be taken from the Hope Online premises. However, upon request, one copy of the record shall be provided within a reasonable time

to the parent/guardian, eligible student, or properly designated third person at a cost not to exceed \$1.25 per page to be determined by Hope Online.

### **Requests to Amend Education Records**

Parents/guardians or eligible students who believe that information contained in the education records of a student is inaccurate or misleading, or violates the privacy or other rights of the student, may request that Hope Online amend the records, but grades cannot be challenged pursuant to this policy.

Parents/guardians or eligible students shall make such requests in writing to the custodian or, in the case of evaluation data resulting from assessment related to identification of a disability, to the Hope Online Special Education Consultant. The request to amend a student's education records must be made in writing within ten school days of the date the records were first examined. If the custodian or Special Education Consultant denies the request to amend, the parent/guardian or eligible student may request a formal hearing. A request for a formal hearing must be made in writing within ten school days of the denial and be addressed to the Chief Operating Officer of Hope Online. The hearing will be held in accordance with the procedures set forth in the procedures contained in this policy.

### **Disclosure Without Written Consent**

Hope Online may disclose student education records and/or personally identifiable information contained therein without written consent of the parent/guardian or eligible student only if the disclosure meets one of the following conditions:

1. The disclosure is to a Learning Center official within Hope Online having a legitimate educational interest in the education record or the personally identifiable information contained therein.
  - a. For purposes of this policy, a Learning Center official is determined to have a "legitimate educational interest" if disclosure to the official is: (1) necessary for that official to perform appropriate tasks that are specified in his or her position description or by a contract agreement; (2) used within the context of official school business and not for purposes extraneous to the official's areas of responsibility; (3) relevant to the accomplishment of some task or to a determination about the student; and (4) consistent with the purposes for which the data are maintained.
2. The disclosure is to officials of another school or school system or institution of postsecondary education, to which the student moves, transfers, makes application to transfer, or otherwise seeks to enroll. Copies of such records shall be provided to the parent/guardian or eligible student upon their request. The records may include data concerning standardized tests; scholastic achievement; disciplinary information; or medical, psychological, or sociological information.
3. The disclosure is to authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, and state educational authorities.

4. The disclosure is to state and local officials and concerns the juvenile justice system's ability to effectively serve, prior to adjudication, the student whose records are disclosed as provided under the Colorado Open Records Act and Colorado Children's Code. Such records and personally identifiable information shall only be disclosed upon written certification by the officials that the records and information will not be disclosed to any other party, except as specifically authorized or required by law, without the prior written consent of the parent/guardian or eligible student.
  5. The disclosure is to representatives of entities to which a student has applied for or has received financial aid when the disclosure is for the purpose of determining the amount, conditions, eligibility, or enforcement of the terms of the aid.
  6. The disclosure is to accrediting organizations for accrediting functions.
  7. The disclosure is to organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate or administer predictive tests; to administer student aid programs; or to improve instruction.
  8. The disclosure is to comply with a judicial order or lawfully issued subpoena. Unless otherwise specified in the order or subpoena, Hope Online shall make a reasonable effort to notify the parent/guardian or eligible student prior to complying with the subpoena or order.
  9. The disclosure is in connection with an emergency, if knowledge of the information disclosed is necessary to protect the health or safety of the student or other persons.
  10. The disclosure is of information designated by this policy to be directory information.
- Nothing in this policy shall prevent school officials from disclosing information derived from personal knowledge or observation.

### **Disclosure of Directory Information**

Hope Online may disclose directory information from a student's education record without written consent of the parent/guardian or eligible student in accordance with the following provisions:

1. "Directory information" is information contained in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. "Directory information" includes, but is not limited to, the student's name, e-mail address, photograph, gender, date and place of birth, grade level, participation in officially recognized sports and activities, height and weight of athletic team members, dates of attendance, and degrees, awards, honors, and other distinctions received. The addresses and telephone numbers of students in elementary or secondary schools shall not be disclosed without the express written permission of the parent/guardian, except to law enforcement agents conducting an investigation of a student if the agents show that it is necessary for the investigation to have access to that information.
2. The parent of a student or an eligible student may, while the student is in attendance in a Hope Online program, refuse to permit the designation of any and all personally identifiable information as directory information, with respect to

that student, by informing the custodian of records in writing of such refusal, utilizing the appropriate form, at least 20 days in advance of disclosure.

### **Limitation of Disclosure**

Personally identifiable information from a student's education records shall be disclosed only on the condition that the party to whom disclosure is made will not disclose the information to any other party without the prior written consent of the parent/guardian or the eligible student.

### **Disclosure to Other Parties**

The Hope Online shall not disclose student education records to individuals or parties other than those listed above without prior written consent of the parent/guardian or eligible student. Such written consent shall be signed and dated and shall specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made.

### **Disclosure to Military Recruiting Officers**

Names, addresses, and home telephone numbers of secondary school students shall be released to military recruiting officers for any branch of the United States Armed Forces within 90 days of the request unless the student submits a request, in writing, that such information not be released. Reasonable and customary actual expenses directly incurred by the Hope Online in furnishing this information shall be paid by the requesting service.

### **Annual Notification of Rights**

Hope Online, at the beginning of each academic year, will notify all parents/guardians and eligible students of their rights under this policy. Copies of this policy, and related forms, may be obtained from the office of the superintendent at any time during normal business hours. Complaints regarding violations of rights accorded parents/guardians and eligible students pursuant to the Family Educational Rights and Privacy Act may be submitted to the Family Policy Compliance Office, United States Department of Education, 400 Maryland Ave., S.W., Washington, D.C. 20202-4605.

### **Special Education Records**

The parents of a student with disabilities must be informed when student records related to special education assessments and services are no longer needed to provide educational services to the student. If the parent of a student with disabilities requests that the personally identifiable information contained in records no longer needed to provide education services be destroyed, the request should be granted by removing all personal identifiers from the information. Nevertheless, the student's name, address, phone number, grades, attendance record, classes attended, grade level completed, and year completed may be retained even when all other personal identifiers have been removed

from a student's records. No record will be destroyed by the removal of personal identifiers while still needed to provide educational services to a student.

All regulations incorporated in the Hope Online policy on student education records must be observed by school personnel. The following are procedures to be used in carrying out policy requirements. Eligible students are those students or former students over the age of 18 years. Either parent is presumed to have authority to inspect education records unless the school has been provided with a court order denying that parent access to the minor student's records.

**1. Requests to review education records by parents, guardians, or eligible students.**

- a. A request to see a student's education records must be submitted on an official form (Attached) by the parent, guardian, or student, to the custodian of records of Hope Online.
- b. The custodian, upon receiving the request, will set a date and time for inspection and review of the records.
- c. The parent/guardian or eligible student shall examine the student's education records in the presence of the Custodian. Parents/guardians and eligible students shall not be permitted to take records from the building.

**2. Challenges to content of records.**

- a. If the parent/guardian or eligible student challenges any part of the student's education record, the Custodian (or, in the case of psychological test data, the Special Education Consultant) should review the part of the record being challenged and may, by mutual agreement with the person making the challenge, destroy, delete, or add the information in question.
- b. If the Custodian (or Special Education Consultant) does not agree with the challenge, the parent/guardian or eligible student may request a hearing. In all instances where challenges are made, the custodian is to notify the Hope Online Chief Operating Officer.
- c. Challenges of education records must be in writing.
- d. Hearings on challenges will be held in accordance with the following procedures:
  - i. The hearing shall be held within 25 calendar days after receipt of the request. Notice of the date, place, and time of the hearing will be forwarded to the parent/guardian or eligible student by hand-delivery or certified mail.
  - ii. The hearing will be conducted by a the Hope Online Chief operating Officer who shall not have a direct interest in the outcome of the hearing.
  - iii. Parents/guardians or eligible students shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of their choice at their own expense, including an attorney.
  - iv. The Chief Operating Officer shall issue a decision in writing within 20 calendar days following the conclusion of the hearing and shall notify the parent/guardian or eligible student of that decision by certified mail.

v. The decision of the Chief Operating Officer shall be based upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

vi. The Chief Operating Officer's decision shall include a statement informing the parents/guardians or eligible student of their right to place in the student's records a statement commenting upon the information in the records and/or setting forth any reason for disagreement. Any explanation placed in the records shall be maintained as a part of the records as long as the record itself is maintained by Hope Online. If the education record is disclosed by Hope Online to any other party, the explanation shall also be disclosed to that party.

### **3. Release of information to other schools/agencies.**

a. Information from records may be released to officials of other school systems in which the student intends to enroll.

b. In cases where a student has applied for financial aid, records may be made available to an educational institution, government agency, or organization offering such aid in accordance with the procedure above.

c. Except at the written request and authorization of the parent or eligible student, records will not be released to prospective employers, F.B.I., or any person or agency not specifically named in the Family Educational Rights and Privacy Act and the accompanying federal regulations (refer to policy coded JRA/JRC specifics).

### **4. Records of access and of requests.**

a. All completed request, authorization, and permission forms to view and receive student education records will be filed in the student's file.

b. The custodian shall keep a composite of all requests for inspection and copies of education records.

c. Written authorization is not required to be included in a student's education records when the request is made by a parent/guardian, eligible student, or school official within Hope Online having a legitimate educational interest in the records.

### **5. Requesting records from other schools.**

When a student transfers to this Hope Online from another school, Hope Online will ask the parent (or student if the student is of age) to sign an authorization for release of education records which will be completed by the Custodian and forwarded to the school of previous attendance.

### **6. Transfer of records to other schools.**

Hope Online may transfer education records, including data concerning standardized tests; scholastic achievement; disciplinary information; or medical, psychological, or sociological information of any student to the records custodian in any other school or School District where the student moves, transfers, or applies for transfer.

### **7. Copies of law/ policy on student records.**

A copy of the Family Educational Rights and Privacy Act and the Hope Online policy on student records should be on file in the office of each Learning Center and of each individual who carries out procedures relative to the act or policy.

**VISITORS** *Policy: HA-015*

It is the policy of Hope Online to encourage parents and other interested citizens to visit Learning Center classrooms as long as such visits do not interfere with the educational process. Hope Online believes that there is no better way for the public to learn what we as a school are actually doing than to visit a Learning Center. Parents and citizens shall have reasonable access to observe classes, activities, and functions at the schools upon advance notice to, and authorization by, the Learning Center Director.

In order to ensure that no unauthorized persons enter buildings with wrongful intent and that the educational process is not disrupted, all visitors to the schools shall report to the Learning Center office when entering, and must receive authorization before visiting other parts of the building. This requirement does not apply when visitors are attending a school program or when parents are attending activities clearly for the purpose of parent involvement such as an open house or parent teacher conferences. Learning Center Directors may adopt additional building regulations pertaining to school visitors in order to preserve a proper learning environment. All visitors are expected to abide by this policy and the Learning Center building regulations.

If in the judgment of the Learning Center Director a visitor's presence may have or is having a disruptive effect on the educational process, the visitor may be denied access to the site, the visitor's access may be restricted as to time or place, and/or the visitor may be directed to leave the Learning Center. Unauthorized persons shall not loiter on Learning Center property at any time.

Law enforcement authorities may be called if necessary to enforce the provisions of this paragraph.

**FINGERPRINTING/COMPREHENSIVE BACKGROUND CHECKS** *Policy: HA-003*

In accordance with state law, it is the policy of Hope Online that all Hope Online and Learning Center employees undergo a comprehensive background check.

**1. Mandatory Rejection of Employment Application/Mandatory Termination—any Learning Center or Hope staff member with access to children, including but not limited to mentors/teachers.**

Hope Online and all Hope Online Learning Centers will not hire or retain in employment any person that has:

- A. Obtained employment, attempted to obtain employment, or is attempting to obtain employment, through misrepresentation, fraud, the provision of misleading information, or an untruthful statement submitted or offered with the intent to misrepresent or mislead or to conceal the truth.

- B. Failed to submit the subject person's fingerprints for purposes of a background check by the Colorado Bureau of Investigation.
- C. Not provided a form under oath certifying all prior felony or misdemeanor convictions, as well as other information necessary to determine the subject person's moral fitness.
- D. Been convicted, pled guilty, pled nolo contendere (no contest), received a deferred sentence, received a deferred prosecution or any other type of disposition or adjudication (other than an acquittal), including payment of a fine, for any crime or offense when:
  - 1. The victim of the offense was a child;
  - 2. The offense constitutes a violent crime within the meaning of C.R.S. 18-1.3-406;
  - 3. The offense is unlawful sexual behavior proscribed by Colorado Revised Statutes Title 18, Article III, Part 4;
  - 4. The offense is a felony and the underlying factual basis of the offense is found by the court on the record to include an act of domestic violence;
  - 5. The offense is a misdemeanor, and the underlying factual basis of the offense is found by the court on the record to include an act of domestic violence, and the conviction is a second or subsequent conviction for the same offense;
  - 6. The offense involves the sale of controlled substances;
  - 7. The offense is indecent exposure;
  - 8. The offense is contributing to the delinquency of a minor;
  - 9. The offense would constitute a physical assault, a battery, or a drug-related offense if committed by an adult, and the offense was committed within ten years prior to the subject person's application or commencement of employment.
- E. Been convicted, pled guilty, pled nolo contendere (no contest), received a deferred sentence, received a deferred prosecution, or any other type of disposition or adjudication (other than an acquittal) for any crime or offense that is a misdemeanor or felony offense in another state of the United States, or territory under the jurisdiction of the United States, under the Uniform Code of Military Justice, under the laws of the United States, or under the laws of a municipality in any state of the United States, the elements of which are substantially similar to the elements of one of the offenses described above in (1)-(9) of Section IA, above, and the disposition of such an offense would disqualify the subject person for employment or the continuation of employment under Section ID above.

- F. Been determined by a court of competent jurisdiction to be mentally incompetent and an order has been issued specifically finding that the mental incompetence is of such a degree that the subject person is unable to perform the tasks that the subject person performs or would perform at the learning center.
- G. Been determined in an administrative proceeding to have committed conduct the underlying facts of which would constitute a criminal offense described above in Section ID.
- H. Had an educator's license, issued by any state in the United States, branch or agency of the United States, or territory controlled by the United States, revoked, suspended, annulled, or denied, for cause.
- I. Forfeits or has ever forfeited any bail, bond, or other security deposited to secure the appearance of the subject person after the subject person has been charged with having committed a felony or misdemeanor.
- J. Has been determined, within the discretion of the learning center, to be guilty of unethical behavior. Unethical behavior shall be when the subject person:
  - 1. Fails or has ever failed to make reasonable efforts to protect a student from conditions harmful to health and safety;
  - 2. Provides or has ever provided professional services in a discriminatory manner regarding age, gender, national origin, race, ethnicity, color, creed, religion, language, disability, socio-economic status, or status with regard to marriage;
  - 3. Fails or has ever failed to keep confidential information obtained in the course of providing professional services unless disclosure serves to protect a student, other children, or school personnel, as required by law;
  - 4. Directs or has ever directed a person to carry out professional responsibilities knowing that such person is not qualified for the responsibility given, except for assignments of short duration in emergency situations;
  - 5. Deliberately distorts or suppresses or has ever deliberately distorted or suppressed curricular materials or educational information in order to promote personal views, interests, or goals of the subject person;
  - 6. Falsifies or misrepresents, or has ever falsified or misrepresented records or facts relating to the subject person's qualifications, another educators' qualifications, or a student's educational records;

7. Makes or has ever made false or malicious statements about students or school personnel;
8. Solicits, accepts, agrees to accept, or has ever solicited, accepted, or agreed to accept anything of substantial value from any person when the license holder or applicant knows, or a reasonable person could construe, that the conferment of the thing of value is for the purpose of influencing the subject person's professional judgment or performance of professional duties;
9. Fails or has ever failed to conduct financial transactions relating to the school program in a manner consistent with applicable law, rule, or regulations;
10. Engages or has ever engaged in immoral conduct that affects the health, safety, or welfare of children, conduct that offends the morals of the community, or conduct that sets and inappropriate example for children or youth whose ideals the subject person is expected to foster and elevate; or
11. Engages or has ever engaged in unlawful distribution or sale of dangerous or unauthorized prescription drugs, or other dangerous nonprescription substances, alcohol, or tobacco.

**II. Discretionary Rejection of Employment Application/Discretionary Termination—any Hope Online employee or learning center staff member with access to children, including but not limited to mentors/teachers.**

At the discretion of the learning center, with input from Hope Online, or if the person is seeking employment or has employment with Hope Online, in the discretion of Hope Online, the applicant or employee may not be hired or retained in employment if the following conditions are present. In making a determination of fitness under this Section II, factors to be considered include, but are not limited to, whether the conduct at issue was a one-time occurrence, or chronic, the date of the conduct, whether the subject person has been completely honest and candid about the conduct, and the subject person's personal view of the conduct.

- A. Been convicted, pled guilty, pled nolo contendere (no contest), received a deferred sentence, received a deferred prosecution, or any other type of disposition or adjudication (other than an acquittal) for any crime or offense, other than those described above in Section IA, which the commission of said crime or offense, in the judgment of the Hope Online or the Learning Center, renders the applicant or holder unfit to perform services for Hope Online, or the Learning Center, whichever the case may be.

- B. Been arrested or indicted for any offense described in Section IA, which the arrest or indictment, in the judgment of Hope Online or the Learning Center, renders the applicant or holder unfit to perform services for Hope Online, or the Learning Center, whichever the case may be.
- C. Been discharged from any branch of the United States military, Coast Guard, or Merchant Marine, with a discharge that is characterized as less than honorable, and the facts underlying the discharge, in the judgment of Hope Online or the Learning Center, render the applicant or employee unfit to perform services for Hope Online, or the Learning Center, whichever the case may be.
- D. Any other circumstance, the facts of which cause Hope Online or the Learning Center to determine that the applicant or employee is unfit to perform services for Hope Online, or the Learning Center, whichever the case may be.

**III. Mandatory Rejection of Employment Application/Mandatory Termination—Hope Online personnel and Learning Center personnel with access to PPR funds.**

Hope Online and all Hope Online Learning Centers will not hire or retain in employment any person that:

- A. Would not be accepted for employment, or retained for employment under the standards set forth in Sections I and II of this background check policy.
- B. Has been convicted, pled guilty, pled nolo contendere (no contest), received a deferred sentence, received a deferred prosecution, or any other type of disposition or adjudication (other than an acquittal), including payment of a fine, for any crime or offense when:
  - 1. The offense is a fraud offense proscribed by Title 18, Article 5, of the Colorado Revised Statutes;
  - 2. The offense is a limited gaming offense proscribed by Title 18, Article 20, of the Colorado Revised Statutes;
  - 3. The offense is a burglary or theft offense proscribed by Title 18, Article 4, Parts 2, 4, 6, 7 and 8, of the Colorado Revised Statutes;
  - 4. The offense is proscribed by Title 18, Article 15, of the Colorado Revised Statutes;
  - 5. The offense is proscribed by Title 18, Article 17, of the Colorado Revised Statutes.
- C. Been convicted, pled guilty, pled nolo contendere (no contest), received a deferred sentence, received a deferred prosecution, or any other type of disposition or adjudication (other than an acquittal) for any crime or

offense that is a misdemeanor or felony offense in another state of the United States, or territory under the jurisdiction of the United States, under the Uniform Code of Military Justice, under the laws of the United States, or under the laws of a municipality in any state of the United States, the elements of which are substantially similar to the elements of one of the offenses described above in (1)-(5) of Section IIIB, above, and the disposition of such an offense would disqualify the subject person for employment or the continuation of employment under Section IIIB above.

- D. Been determined in an administrative proceeding to have committed conduct the underlying facts of which would constitute a criminal offense described above in Section IIIB.

Any suspicious or negative results from the background check will be shared with the supervisor or employing Learning Center immediately.

The procedure for completing the process is as follows:

**For every Learning Center Employee:**

1. Complete an Employee Experience Form and Criminal History Certification.
2. Return completed Employee Experience Form and Criminal History Certification to the Hope Online Compliance Office.
3. Obtain fingerprint form. Forms are available at the Hope Online office or from:
  - CCI State Forms Center
  - 4200 Garfield St.
  - Denver, CO 80216
  - 303-370-2165
4. With the exception of fingerprints, completely fill out the fingerprint form (see example attached).
  - a. The box labeled Employer and Address should be completed as follows:  
**Hope Online Learning Academy Co-Op**  
**2001 E. Easter Ave. #202**  
**Centennial, CO 80122**
  - b. The box labeled Reason Fingerprinted should be completed as follows:  
**Educator Licensing Section 22-32-109.8**
  - c. The box labeled Your No. OCA should be completed as follows:  
**CONCJ 0294.**
5. Visit a local Police Department for fingerprinting (List of fingerprinting locations in the Denver Metro area is attached). The CCI State Forms Center also offers fingerprinting for \$10.00. Be sure to take a valid photo I.D.
6. Make two photo copies of the completed fingerprint form; keep one copy for the Learning Center.
7. Send the second photo copy of fingerprints to the Hope Online Compliance Office.

Hope Online Learning Academy Co-Op  
Compliance Office  
2001 E. Easter Ave., #202  
Centennial, CO 80122

8. Mail the original fingerprint form to the:  
Colorado Bureau of Investigation  
690 Kipling St., Suite 3000  
Denver, CO 80215  
303-239-4680