



# Monument Academ

## *Board of Directors Governance and Policy*

<b>Policy Area:</b> Administration	<b>Policy #:</b> 1530
<b>Title:</b> Parent Notification of Alleged Criminal Conduct by a School Employee	<b>Adopted:</b> October 11, 2018 <b>Revised:</b> <b>Revised:</b>

### **Issue Statement**

Monument Academy feels that an essential role of parents in ensuring the safety and quality of their children's education is to remain active, engaged, and fully informed about what is occurring in their children's classrooms and within the school environment.

Ensuring the safety of school children is one of the primary responsibilities of Monument Academy and in order to ensure a safe school environment that is conducive to learning, students and parents must be assured that criminal behavior that is harmful to children is reported and dealt with appropriately and in a manner that is transparent to parents and the school community.

### **Colorado Revised Statutes (CRS) Requirements**

As stated in CRS 22-1-130, local education providers routinely receive reports from the Colorado bureau of investigation relating to employees who have previously been subject to a background check. If a local education provider receives a report from the Colorado bureau of investigation that includes information that an employee has been arrested for an offense described in subsection (3)(b) of this section, the local education provider shall monitor the criminal proceedings to determine whether the employee is charged with an offense described in subsection (3)(b) of this section and whether a preliminary hearing has been held if the charge is eligible for a preliminary hearing.

The local education provider shall notify parents, as provided in subsection (4) of this section, if an employee is charged, as that term is defined in section 16-1-104 (6).

### **Policy Statement**

#### **Duty to Monitor:**

Whenever Monument Academy receives a report from the Colorado Bureau of Investigation regarding a school employee indicating that the employee has been arrested for an offense described in this policy, Monument Academy will monitor the criminal proceedings to

determine whether the employee is charged with an offense described in this policy and whether a preliminary hearing has been held if the charge is eligible for a preliminary hearing.

“Employee,” as used in this policy, means an employee of Monument Academy whose employment requires or required the employee to be in contact with students or whose work area gives or gave the employee access to students. “Employee” includes a former employee if the employee was employed by Monument Academy at any time within twelve months before an offense is charged.

**Eligible Offenses:**

- Felony child abuse;
- A crime of violence, not including assault in the second degree unless the victim is a child;
- A felony offense involving unlawful sexual behavior;
- A felony, where it is alleged that the underlying factual basis of which includes an act of domestic violence;
- Felony indecent exposure; and
- A level 1 or 2 felony drug offense.

**Notification:**

Unless a delay in parent notification is requested by the appropriate law enforcement agency, Monument Academy will provide notice to parents pursuant to this policy in one of the following time periods:

1. Within two school days after the preliminary hearing is held or is waived or deemed waived by the employee, or
2. Within two school days after the date on which the employee is charged, if the charged offense is not eligible for a preliminary hearing.

Monument Academy will provide notice to the parents of a student:

1. Enrolled in the school in which the employee is employed or was employed at the time of the alleged offense; or
2. With whom Monument Academy has reason to believe the employee may have had contact as part of his or her employment with Monument Academy.

Monument Academy will provide notice to parents in the same manner by which Monument Academy notifies parents of other important school business, which may include e-mail notification or other electronic communication sent directly to parents or by first-class mail. Within two school days after confirming the disposition of the charge, Monument Academy shall provide notice to parents of the disposition of the charge using the same notification method used in the original notice to parents.

Monument Academy will comply with the monitoring and notification duties as described in this policy regardless of whether school is currently in session.

Monument Academy will notify parents pursuant to this policy regardless of whether the actions giving rise to the charge occurred while the employee was on duty.

**Notification Requirements:**

Monument Academy notification to parents of a charge brought against an employee will include the following:

1. The name of the employee;
2. The employee's position;
3. Whether the employee continues to be employed by Monument Academy;
4. The length of employment with Monument Academy;
5. The alleged offense as set forth in the charging document, including the violation of statute or code; and
6. A statement that, under state and federal law, a person is presumed innocent until proven guilty

Monument Academy may provide additional information to parents regarding the underlying facts or circumstances relating to the charge, but will not disclose the identity of the alleged victim.

The Monument Academy will implement this policy in good faith, but will not be liable for any failure to notify as outlined herein.

**Related Documents**

- C.R.S. 22-1-130
- C.R.S. 18-6-401
- C.R.S. 18-1.3-406
- C.R.S. 16-22-102(9)
- C.R.S. 18-6-800.3
- C.R.S. 18-7-302
- C.R.S. 22-32-109.1

**Points of Contact**

The following positions shall serve as points of contact for the enforcement of this policy: President of the Board of Directors and the Executive Director.