

# Windsor



## CHARTER ACADEMY

GROWING LIFE-LONG LEARNERS

**November Regular Session**  
November 18, 2021

**Elementary  
School**

*680 Academy Ct.  
Windsor, CO 80550*

**Middle  
School**

*810 Automation Dr.  
Windsor, CO 80550*

**Early  
College  
High School**

*810 Automation Dr.  
Windsor, CO 80550*

November 18, 2021  
Regular Session @ 6:00 p.m.

## Executive Board

**John Feyen, President**  
**Sherry Bartmann, Vice President**  
**Donna James, Treasurer**  
**Elaine Hungenberg, Secretary**  
**Carolyn Mader, Member**  
**Jenny Ojala, Member**

*The Executive Board would like to welcome all WCA community members, citizens, and staff. The meeting time is dedicated to the mission and vision of Windsor Charter Academy. There is an opportunity during Member, Citizen and Staff Communications to address the Executive Board. Discussions of agenda items during the course of the meeting are limited to the board members unless otherwise requested by a board member.*

## Agenda

- 1.0 Opening of the Meeting**
- 2.0 Citizen Communication**
- 3.0 Reports**
- 4.0 Items for Information**
- 5.0 Items for Action**
- 6.0 Consent Agenda**
- 7.0 Executive Session**
- 8.0 Adjournment**

## VISION STATEMENT

Where students are educated, empowered, and equipped to reach their highest potential.

## MISSION STATEMENT

Windsor Charter Academy provides our students with a solid academic foundation through our K-8 Core Knowledge and our rigorous 9-12 early college high school curricula. Our culture empowers our students to achieve academic excellence through critical thinking, character development, and a love for lifelong learning.



## MINUTES TO BE APPROVED AT THE DECEMBER 2021 REGULAR SESSION

### Executive Board Minutes November 18, 2021

#### 1.0 Opening of the Meeting

##### 1.1 Call to Order

The meeting was called to order at 6:00 p.m.

##### 1.2 Roll Call

###### **Executive Board Members Present**

John Feyen, Executive Board President  
Sherry Bartmann, Executive Board Vice-President  
Donna James, Executive Board Treasurer  
Elaine Hungenberg, Executive Board Secretary  
Jenny Ojala, Executive Board Member (6:04 p.m.)  
Carolyn Mader, Executive Board Member

###### **Staff Present**

Rebecca Teeples, Executive Director  
Kelly Seilbach, Director of Middle School Education

##### 1.3 Pledge of Allegiance

##### 1.4 Mission Statement

Windsor Charter Academy provides our students with a solid academic foundation through our K-8 Core Knowledge and our rigorous 9-12 early college high school curricula. Our culture empowers our students to achieve academic excellence through critical thinking, character development, and a love for lifelong learning.

##### 1.5 Adoption of Agenda

The motion was made to approve the November 18, 2021 Regular Session agenda by Donna James and seconded by Elaine Hungenberg. Members voted the following: Bartmann, aye; Hungenberg, aye; James, aye; Mader, aye; Feyen, aye. The motion passed unanimously.

##### 1.6 Adoption of the Minutes

A motion to approve the minutes for the October 28, 2021 Regular Session was made by Elaine Hungenberg and seconded by Donna James. Members voted the following: Bartmann, aye; Hungenberg, aye; James, aye; Mader, aye; Feyen, aye. The motion passed unanimously.

## 2.0 Citizen Communication

0 stakeholders spoke during citizen communication at the Executive Board Regular Session.

## 3.0 Reports

### 3.1 Executive Director's Report

#### Professional Development

On November 1st, all elementary, middle and high school teachers, as well as specials teachers, interventionists, and elective teachers participated in our very first in-house K-12 AVID professional development session. The topic of the training was how to implement inquiry-based teaching and learning into all K-12 classrooms. As one of our AVID goals this year, this professional development was designed to support our teachers in increasing their understanding of inquiry-based teaching in order to make progress towards their professional goals. Teachers engaged in collaborative discussions focused on Essential Questions & learning targets, Costa's Levels of Thinking & Questioning, scaffolding instruction, critical thinking & problem solving, and student self-reflection & feedback. On January 3rd, we will host our second K-12 AVID training with the focus being on fostering collaborative classrooms.

#### Website Updates

In October, our elementary school was named as a top elementary and charter school by the U.S. News and World Report. We wanted to make sure to celebrate that accomplishment and showcase that on our website. The digital rights to the U.S. News and World Report logos were purchased so we can legally use them on our site to promote our school.

In addition, we split out our academic advising web pages so we now have one page for the middle school and one page for the high school. There is also a new page dedicated to college and career planning.

#### Booster Club

The Booster Club now has its own dedicated web page! In addition, there is also another page with an online store so membership fees can be processed. The team worked together to develop a QR code, and associated posters, to help recruit new members for their membership drive.

#### Facilities Department Work

In October the Facilities Department supported many school activities that included spirit weeks, spooky celebrations and Halloween parade and parties, fall festival, VEX tournament, and other smaller weekend events. The team supported the many school-wide events while delivering a high standard of professional cleaning to mitigate the spread of viruses.

#### School Security

The Security Department provided daily security and security for fall festival, Halloween parade & parties, honor roll assembly, 4th grade Medieval Festival, 2nd grade Pioneer Day, and the middle school dance. The security department has also distributed over 700 Fast Passes to ensure that parents can easily attend events while ensuring the safety of our schools.

#### Elementary School

A wide variety of work and activities occurred during the last month. The following outline highlights of this work:

- **ELA Curriculum Adoption**  
The elementary school site ELA adoption committee of teachers across grade levels came together to present their recommendation to the education committee for a new curriculum for next school year. For the past year teachers have reviewed the program by piloting lessons through the use of the digital and print resources.
- **1st Grade Core Knowledge Ancient Egypt Celebration**  
After a unit on the ancient civilization of Egypt, 1st graders and their families participated in a celebration of different activities that supported and enrich the Core Knowledge curriculum. Students constructed pyramids, wrote in hieroglyphics, and learned about sphinxes and pharaohs by watching videos and making interactive crafts.
- **3rd Grade Core Knowledge Roman Day Celebration**  
In celebration of their Core Knowledge Rome Unit, parents were invited to join students and teachers in 3rd Grade Roman Day Celebration in order to engage in a deeper understanding of Roman times. This fun festival included Roman costumes, food, as well as hands on learning, games, and activities.
- **Honor Roll Assembly**  
The elementary school 1st quarter Honor Roll Assembly for 3rd through 5th graders welcomed in parents of students who earned an honor roll or high honor roll recognition.
- **Kindergarten Core Knowledge Five Senses Spooky Celebration**  
Kindergarten students took part in a hands-on Halloween celebration centered around the study of the human body. With the help of parent volunteers they were able to explore the five senses, the five food groups, play games, and create crafts.
- **Halloween Parade and Celebrations**  
Many families joined in our outdoor Halloween parade where students got to show off their costumes. Volunteers helped to create fun and engaging Halloween parties in the classroom following the parade.
- **4th Grade Medieval Core Knowledge Festival**  
4th grade students were excited to share all they had learned during their medieval unit at their Core Knowledge Celebration. Fourth grade students dressed up in medieval clothing and experienced games and food of the time period.

### **Middle School**

A wide variety of work and activities occurred during the last month. The following outline highlights of this work:

- **ELA Curriculum Adoption**  
The middle school English team finalized their recommendation to the education committee for a new curriculum for next year after spending almost a year piloting some of the lessons and digging into the digital and print resources.
- **Fall Festival**  
Families across our schools attended the Fall Festival. Children were able to trick-or-treat at booths in the gym and enjoy playing on the inflatables outside. Windsor Charter Academy is thankful for the many volunteers who made this event possible.
- **Middle School Dance**  
Students enjoyed dancing the night away at the middle school dance. AVID student leaders did a tremendous job organizing the event. A big thank you goes out to DJ Coop! We are so proud of our very own Cooper Logan who is a very talented DJ.

### **High School**

A wide variety of work and activities occurred during the last month. The following outline highlights of this work:

- **ELA Curriculum Adoption**  
The high school English team finalized their recommendation to the education committee for a new curriculum for next year after spending almost a year piloting some of the lessons and digging into the digital and print resources.

- High School Athletics**  
 Fall sports came to a close with several highlights. The high school volleyball team finished their season with a league tournament, and the soccer team were the league champions. They defeated Loveland Classical in the finals who were ranked #8 in the state. The high school cross country team ended on a strong note with all runners continuing to beat their personal records. Finally, cheer team hosted a clinic for 32 elementary school students and they cheered at one of our middle school basketball games. It was such a success that the cheer team is planning several more clinics!
- College Week**  
 The high school hosted our annual College Week. Students made college pennants for their lockers and dressed in spirit wear to support post-secondary options. One of the highlights of the week was meeting with many military recruiters and having pull-up and push-up contests in the hallways!
- Trick or Treating**  
 Student Council hosted a classroom trick-or-treating event for the students. They were able to visit all of the classrooms in their costumes.

### Upcoming Board Work

- December 2021: Student Fees

### Executive Board Calendar

CALENDAR PREVIEW OF THE MONTH AHEAD			
Date	Time	Event	Location
November 19 <sup>th</sup>	8:15 a.m.	Coffee with Leadership	MS Media Center
December 2 <sup>nd</sup>	5:00 p.m.	Senior Capstone Night	MSSH Gym
December 3 <sup>rd</sup>	5:30 p.m.	Sweets with Santa	Elementary School
December 4 <sup>th</sup>	2:30 & 6:30 p.m.	MS Musical	ES Gymnasium
December 8 <sup>th</sup>	3:45 p.m.	Safety Committee	Zoom
December 9 <sup>th</sup>	5:30 p.m.	MSSH Winter Band & Choir Concert	MSSH Gym
December 15 <sup>th</sup>	3:45 p.m.	Finance Committee	HS Conference Room
December 16 <sup>th</sup>	6:00 p.m.	Executive Board Meeting	HS Commons

### 3.2 Executive Board Reports

While the weeks were short between the October and November Board meetings, the Executive Board members kept busy attending school events and District board meetings. Several Board members participated in handing out flyers to parents about the bond for the upcoming election.

## 4.0 Items for Information

### 4.1 Dress Code Ad Hoc Committee

A committee will be formed in January or February. The committee will consist of a Board liaison, an administrator, 2 parents and 4-5 students.

## 5.0 Items for Action

### 5.1 School Calendar Ad Hoc Committee

A motion was made add an agenda to Items for Information, 5.1 School Calendar Ad Hoc Committee and to create an ad hoc committee to look at school calendars and hours of operation. The motion was made by Sherry Bartmann and seconded by Jenny Ojala. Members voted the following: Bartmann, aye; Hungenberg, aye; James, aye; Mader, aye; Feyen, aye. The motion passed unanimously.

## 6.0 Consent Agenda

### 6.1 Personnel

- 6.1.A Appointments
  - 6.1.A.1 Mackenzie Anaya: Substitute Teacher
  - 6.1.A.2 Michelle Bauer: MS Theater Coach
  - 6.1.A.3 Heather Birkhofer: Food Services
  - 6.1.A.4 Madison Burningham: Substitute Teacher & MS Girls' Basketball Assistant Coach
  - 6.1.A.5 Samuel Carlson: MS Boys' Basketball Assistant Coach
  - 6.1.A.6 Debra Childress: Substitute Teacher
  - 6.1.A.7 Amanaghawon Elaiho-Ortiz: HS Cheer Assistant Coach
  - 6.1.A.8 Devin Fillinger: ES Teacher
  - 6.1.A.9 Lauren Gonikishvili: MS Teacher
  - 6.1.A.10 Lindsay Guard: Substitute Teacher
  - 6.1.A.11 Mandi Henderson: Substitute Teacher
  - 6.1.A.12 Linda Jerome: Substitute Teacher
  - 6.1.A.13 Coralyn Saunders: Substitute Teacher
  - 6.1.A.14 Ashley Wyrick: Substitute Teacher
  - 6.1.A.15
- 6.1.B Terminations/Resignations
  - 6.1.B.1 Glenda Bailey: Substitute Teacher
  - 6.1.B.2 Zara Colazio: Substitute Teacher
  - 6.1.B.3 DiAnne Farrell: Substitute Teacher
  - 6.1.B.4 Susan Gariepy: MS Teacher
  - 6.1.B.5 Ildiko Hetesi: Substitute Teacher
  - 6.1.B.6 Brandy LeBlanc: Substitute Teacher
  - 6.1.B.7 Anita Saavedra: MS Teacher
  - 6.1.B.8 Elizabeth VeuCasovic: Substitute Teacher
  - 6.1.B.9 Janell Woolridge: Substitute Teacher
  - 6.1.B.10 Carla Zaggie Rawson: Substitute Teacher

### 6.2 First Read Policies

- 6.2.A Policy GBEB Staff Conduct and Responsibilities
- 6.2.B Policy GCE/GCF-R Professional Staff Recruiting/Hiring
- 6.2.C Policy GCQC/GCQD-R Resignation of Instructional Staff/Administrative Staff
- 6.2.D Policy GDQD Discipline, Suspension and Dismissal of Support Staff
- 6.2.E Policy GDE/GCF-R Support Staff Recruiting/Hiring

### 6.3 Second Read Policies

- 6.3.A GBI Criminal History Record

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A motion was made to approve the amended Consent Agenda by Donna James and seconded by Jenny Ojala. Members voted the following: Bartmann, aye; Hungenberg, aye; James, aye; Mader, aye; Ojala, aye; Feyen, aye. The motion passed unanimously.

## 7.0 Executive Board-Pulled Consent Agenda Items

## 8.0 Membership-Pulled Consent Agenda Items

## 9.0 Executive Session

A motion was made to go into Executive Session by Sherry Bartmann and seconded by Elaine Hungenberg. The following citation was referenced:

*Discuss security arrangements or investigations, C.R.S. §24-6-402(4)(d)*

Members voted the following: Bartmann, aye; Hungenberg, aye; James, aye; Mader, aye; Ojala, aye; Feyen, aye. The motion passed unanimously. The Executive Board entered Executive Session at 6:55 p.m. They left Executive Session at 7:22 p.m.

A Board of Education, upon the affirmative vote of a quorum present, may convene in executive session at a regular or special meeting. The Board is not allowed to adopt any proposed policy, resolution, regulation, or take any formal action at an executive session that is not open to the public. Prior to convening in executive session, the Board is required to refer to the specific citation to statute authorizing it to meet when it announces the session. The Board may hold an executive session to:

1. Conduct discussions regarding the purchase, acquisition, lease, transfer or sale of property, C.R.S. §24-6-402(4)(a)
2. Conduct conferences with the Charter's attorney for the purpose of receiving legal advice on a particular matter, C.R.S. §24-6-402(4)(b)
3. Discuss matters which are required to be kept confidential by federal or state law, rules or regulations. In such cases, the Executive Board must announce the specific citation of the law, rule, or regulation which provides for confidentiality, C.R.S. §24-6-402(4)(c)
4. Discuss security arrangements or investigations, C.R.S. §24-6-402(4)(d)
5. Conduct discussions regarding the Charter's position, strategies, and bargaining instructions regarding collective bargaining negotiations, C.R.S. §24-6-402(4)(e)
6. Discuss personnel matters, subject to the limitations discussed below. If the employee who is the subject of the discussions desires the discussions occur in open meeting, the discussions must be held in open meeting, C.R.S. §24-6-402(4)(f)
7. To consider any documents which are protected from disclosure by the Colorado Open Records Act, C.R.S. §24-6-402(4)(g)
8. Discuss individual students where public disclosure would adversely affect the person or persons involved, C.R.S. §24-6-402(4)(h)

## 10.0 Adjournment

A motion to adjourn the November 18, 2021 Regular Session was made by Carolyn Mader and seconded by Elaine Hungenberg. Members voted the following: Bartmann, aye; Hungenberg, aye; James, aye; Mader, aye; Ojala, aye; Feyen, aye. The motion passed unanimously. The meeting adjourned at 7:22 p.m.



## Appendix

## 1.0 September 2021 Executive Board Regular Session Minutes

### Executive Board Minutes October 28, 2021

#### 1.0 Opening of the Meeting

##### 1.1 Call to Order

The meeting was called to order at 6:01 p.m.

##### 1.2 Roll Call

###### **Executive Board Members Present**

John Feyen, Executive Board President  
Donna James, Executive Board Treasurer  
Elaine Hungenberg, Executive Board Secretary  
Jenny Ojala, Executive Board Member  
Carolyn Mader, Executive Board Member

###### **Staff Present**

Rebecca Teeples, Executive Director  
SarahGennie Colazio, Director of Finance & HR  
Jessica Wilson, Director of Elementary School Education

#### 1.3 Pledge of Allegiance

##### 1.4 Mission Statement

Windsor Charter Academy provides our students with a solid academic foundation through our K-8 Core Knowledge and our rigorous 9-12 early college high school curricula. Our culture empowers our students to achieve academic excellence through critical thinking, character development, and a love for lifelong learning.

##### 1.5 Adoption of Agenda

The motion was made to approve the October 28, 2021 Regular Session agenda by Donna James and seconded by Elaine Hungenberg. Members voted the following: Hungenberg, aye; James, aye; Mader, aye; Ojala, aye; Feyen, aye. The motion passed unanimously.

## 1.6 Adoption of the Minutes

A motion to approve the minutes for the September 23, 2021 Regular Session and October 6 Special Session was made by Donna James and seconded by Jenny Ojala. Members voted the following: Hungenberg, abstain; James, aye; Mader, aye; Ojala, aye; Feyen, aye. The motion passed.

## 2.0 Citizen Communication

0 stakeholders spoke during citizen communication at the Executive Board Regular Session.

## 3.0 Reports

### 3.1 Executive Director's Report

#### NoCO IgnitED

WCA Elementary and the Innovation Lab had the honor of being a showcase school in Northern Colorado for the OtterCares *NoCO IgnitED Conference* to promote Entrepreneurism, Philanthropy and Innovation within businesses, education and the community. On September 30th, guests visited our elementary Innovation Lab to learn about how Angie Shaler, our Innovation Lab teacher, transitioned from an isolated program focused on technology and keyboarding skills into a school-wide culture that promotes entrepreneurship, philanthropy, and the 21st century skills that prepare students for college, career, and workforce readiness. Visitors learned how students at Windsor Charter Academy Elementary utilize the Design Thinking process, an entrepreneurial mindset, and creativity, collaboration, critical thinking, and communication) to become more aware of and invested in ways to make their community and the world a better place.

#### 2021 Bond Initiative

November 2nd is election day. Over the past few weeks, we have continued to make updates to our 2021 Bond Initiative web page. This includes new information on the bond package and information on voting locations and drop boxes. We have included this as a standing featured article in The Firebird Word for each school, and on our Facebook pages. As election day draws closer, we will be increasing the number of times that we remind our parents about the election!

#### COVID-19 Data on Website

As was discussed in our Special Session Board Meeting, Sara Ibarra and Sara Sanders have worked to create a COVID-19 tracking spreadsheet that breaks down our COVID-19 data by day, by grade, and by school. Our public-facing graphs now accurately show the 14-day percent positivity rate for every grade (K-8) and our high school (as they are considered a single cohort). Tracking data in this way was important so we can see which grades might be reaching a quarantine threshold. In addition, if there is a need to send a pre-outbreak letter to our families, they can readily see the corresponding data on our School Case Data website.

#### Facebook Ads

We have new Facebook ad campaigns running for each of our schools. The elementary, middle, and high schools each have two campaigns running: 1) A campaign for parent tours and informational webinars; and 2) A campaign for general information on our school. In addition, we have a school-wide campaign running that features our short promotional video. We have seen that Facebook ads have gained traction amongst our parent population and have already had parents sign up for tours and webinars as a result of the campaigns.

#### Facilities Updates

The Facilities Department has been busy preparing for and cleaning up after school events. The team continues to focus on deep cleaning in an effort to mitigate spread of COVID. Ricky Wagner and Sarah Gennie Colozio collaborated and submitted a grant for HEPA filters for the school building. They were

awarded the grant, allowing for additional use of HEPA filters throughout the schools, rather than in just the music rooms.

**Parent Teacher Conferences:** Schools had an excellent turnout for its parent teacher conferences this month. This was a great opportunity to partner with parents.

### **Third Grade Investigating Forces Core Knowledge Celebration**

Our 3rd grade teachers held the first ever Investigating Forces Core Knowledge Celebration on September 24th. Families were welcomed in as students demonstrated all they had learned in their Core Knowledge Unit around investigating physical forces and their affect on everyday objects. Activities around gravity and friction were set up in fun centers throughout the classrooms including car races and pendulum painting.

### **PBIS Key Buddies**

On October 5th students had the opportunity to meet up with a buddy class from a different grade level. Students were matched with their year-long "Key Buddy" and participated in the creation of a booklet highlighting the 8 Keys of Excellence and some additional collaborative activities.

### **PBIS Assembly**

On October 8th, after a year and a half since the last assembly was able to be held in person, the elementary school came together in the gym for a fun interactive Positive Behavior Interventions and Supports Assembly. During the assembly, the middle school cheer team spread school spirit, a new 8 Keys of Excellence video was shared, students and teachers participated in 8 Keys skits, and Kim Seyboldt led the school in a sing along.

### **Bring your Parent to PE Week**

Bring your parent to PE week took place for the first time this school year and was a huge success. During the first week of October, students were encouraged to have a parent join them during their PE class. This activity helped to bring an increased awareness to the elementary PE program and the importance of daily physical activity. Families were able to take part in fun filled activities including obstacle courses and parachute games.

**Innovation Night:** On October 1st, the elementary school PTC hosted an Innovation Night for students and their families that was well attended. This event included hands-on activities and demonstrations from local organizations dedicated to sharing their passion for innovation and STEM education. Students got to view an energy presentation and bucket truck, try veterinarian surgery simulation on VR sets, build models of Vestas wind turbines, and more.

**Firebirds on Fire Assembly:** The middle school had its first Firebirds on Fire assembly. Students and teachers nominated students for demonstrating the 8 Keys of Excellence. These students were honored at the assembly. The school recognized all of the fall athletes as well as students who have participated in clubs and extracurriculars. Its symphonic band and cheerleaders performed. Students had a wonderful time in the grade-level dodgeball tournament. The winning 8th grade team challenged staff who gave a good fight, but lost in the end. The middle school is looking forward to its quarter 2 assembly and continuing to build middle school spirit.

**Sources of Strength:** The middle and high school was able to train its adult advisors and peer leaders last month for our Sources of Strength program. This is a suicide prevention program that harnesses the power of help seeking behaviors and focuses on hope, help, and strength. The middle and high school teams are now ready to start doing monthly campaigns to spread the word!

**Homecoming:** The high school celebrated Homecoming Week with many special events that included Powder Puff, Peach Fuzz, volleyball and soccer games, dodgeball tournament, bonfire, spirit dress-up week, and a dance! It had record attendance at all of these events, and its staff and students worked together to make all of these events memorable. Events like these help build strong, positive school culture and support our Firebird pride.

**Parent Teacher Conferences:** We had an excellent turnout for our parent teacher conferences this month. Our teachers were grateful for the opportunity to build relationships with our parents.

**Athletics:** The high school celebrated its seniors during their last home games for volleyball, soccer, and cross country: Mila F., Anika K., Janessa R., BriiAnn S., Hiram D., Josh H., Andrew H., Aiden J., Jaymz L., Tristan S., Khang T., and Riley U. With fall seasons coming to a close, preparations are beginning for the upcoming winter sports. The Booster Club is working on a membership drive to gain support from our WCA families.

### Upcoming Board Work

- December 2021: Student Fees

### Executive Board Calendar

CALENDAR PREVIEW OF THE MONTH AHEAD			
Date	Time	Event	Location
October 29 <sup>th</sup>	8:15 a.m.	Coffee with Leadership	MS Media Center
October 30 <sup>th</sup>	6:00 p.m.	Trunk-or-Treat	HS Gym
November 3 <sup>rd</sup>	3:45 p.m.	Safety Committee	HS #186
November 4 <sup>th</sup>	3:45 p.m.	Education Committee	HS #186
November 11 <sup>th</sup>	8:30 a.m.	Veteran's Day Assembly	ES Gym
November 11 <sup>th</sup>	2:00 p.m.	Veteran's Day Assembly	MHS Gym
November 15 <sup>th</sup>	3:45 p.m.	Education Committee	HS #186
November 17 <sup>th</sup>	3:45 p.m.	Finance Committee	HS Conference Room
November 18 <sup>th</sup>	6:00 p.m.	Executive Board Meeting	HS Commons

### 3.3 Executive Board Reports

### 4.0 Items for Information

#### 4.1 Selective Insurance

Eric Slinger presented to the Executive Board on potential liabilities when navigating different scenarios of guidelines versus mandates.

- Elaine Hungenberg asked for clarification on following recommendations versus mandates, based on precedent.
- Carolyn Mader asked for clarification on personal liability and coverage under a recommendation.
- Donna James asked for clarification on CDC recommendations.
- John Feyen asked for clarification on the burden of proof.

A recess was called after the presentation and the Executive Board resumed the meeting at 7:30 p.m.

#### 4.2 Moral Obligation Program

The Moral Obligation refinancing closed successfully. Windsor Charter Academy qualified for a lower interest rate, which leads to an annual savings of about \$220,000 each year, beginning for the 2022-2023 year. Our 2021-2022 savings is just under \$150,000.

#### 4.3 Exit Interviews

Retention data for teachers was strong for the 2020-2021 school year. 95% of elementary teachers returned for the 2021-2022 school year. 95% of middle school and 87% of high school teachers also returned for the start of school.

Exit interviews occur throughout the school year for those employees that resign. An initial email is sent to the exiting employee with an invitation to complete a survey. Five questions are asked each time. An

additional step has been added. Exiting employees are asked if they would like to complete a survey or have a face-to-face interview using these questions as a guide. The following are the questions. One out of the five teachers that resigned across our three schools completed the survey.

- Do you feel you received adequate support from your fellow teachers and administrators at WCA?
- Were there contributing factors that we could improve upon for new WCA teachers/employees?
- Did you feel the training you received was adequate?
- Did you feel that you understood the job requirements when you were hired and what would be expected of you?
- What are the primary reasons that you are leaving WCA?

## 5.0 Items for Action

### 5.1 Out-of-State High School Trip

A motion was made to approve the high school out-of-state trip for the math team by Elaine Hungenberg and seconded by Donna James. Members voted the following: Members voted the following: Hungenberg, aye; James, aye; Mader, aye; Ojala, aye; Feyen, aye. The motion passed unanimously.

### 5.2 2021 Audit

A motion was made to approve the 2021 audit by Donna James and seconded by Elaine Hungenberg. Members voted the following: Hungenberg, aye; James, aye; Mader, aye; Ojala, aye; Feyen, aye. The motion passed unanimously.

## 6.0 Consent Agenda

### 6.1 Personnel

#### 6.1.1 Appointments

- 6.1.1.1 Katie Adams: Substitute Teacher
- 6.1.1.2 Michelle Bauer: MS Musical Director
- 6.1.1.3 Jaime Boyle: HS Paraprofessional
- 6.1.1.4 Marti Brown: Substitute Teacher
- 6.1.1.5 Randall Brown: Substitute Teacher
- 6.1.1.6 Madison Burningham: Substitute & MS Girls' Basketball Assistant Coach
- 6.1.1.7 Kathleen Cody: Lunchroom Monitor
- 6.1.1.8 Mandi Henderson: Substitute Teacher
- 6.1.1.9 Bailey Gibbs: MS Boys' Basketball Assistant Coach
- 6.1.1.10 Phillip Grizzle: MS Boys' Basketball Head Coach
- 6.1.1.11 Naomi Kephart: Substitute Teacher
- 6.1.1.12 Trish Kuhl: Substitute Teacher
- 6.1.1.13 Erin Leahy: Substitute Teacher
- 6.1.1.14 Mark Lott: MS Cross Country Assistant Coach
- 6.1.1.15 Joann Manzaneres: Substitute Teacher
- 6.1.1.16 Darin Otte: MS Girls' Soccer Head Coach
- 6.1.1.17 Amy Overton: Health Aide Substitute
- 6.1.1.18 Jenna Porter: MS Paraprofessional
- 6.1.1.19 Gwendolyn Schulte: Substitute Teacher
- 6.1.1.20 Dylan Sommerfeld: ES Lego Robotics Coach
- 6.1.1.21 David Sprecker: Custodian
- 6.1.1.22 Laurie Webb: Substitute Teacher

- 6.1.2 Terminations/Resignations
  - 6.1.2.1 Bailey Garrett: Es Teacher
  - 6.1.2.2 Leslie Strode: Substitute Teacher

## **6.2 First Read Policies**

- 6.2.1 GBI Criminal History Record

## **6.3 Second Read Policies**

- 6.3.1 GBEB-R Staff Conduct and Responsibilities—Regulation
- 6.3.2 JLCB Student Immunizations

## **6.4 Financials**

- 6.4.1 August 2021 Financials
- 6.4.2 September 2021 Financials

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A motion was made to approve the amended Consent Agenda by Donna James and seconded by Jenny Ojala. Members voted the following: Hungenberg, abstain; James, aye; Mader, aye; Ojala, aye; Feyen, aye. The motion passed.

## **7.0 Executive Board-Pulled Consent Agenda Items**

## **8.0 Membership-Pulled Consent Agenda Items**

## **9.0 Executive Session**

A Board of Education, upon the affirmative vote of a quorum present, may convene in executive session at a regular or special meeting. The Board is not allowed to adopt any proposed policy, resolution, regulation, or take any formal action at an executive session that is not open to the public. Prior to convening in executive session, the Board is required to refer to the specific citation to statute authorizing it to meet when it announces the session. The Board may hold an executive session to:

9. Conduct discussions regarding the purchase, acquisition, lease, transfer or sale of property, C.R.S. §24-6-402(4)(a)
10. Conduct conferences with the Charter's attorney for the purpose of receiving legal advice on a particular matter, C.R.S. §24-6-402(4)(b)
11. Discuss matters which are required to be kept confidential by federal or state law, rules or regulations. In such cases, the Executive Board must announce the specific citation of the law, rule, or regulation which provides for confidentiality, C.R.S. §24-6-402(4)(c)
12. Discuss security arrangements or investigations, C.R.S. §24-6-402(4)(d)
13. Conduct discussions regarding the Charter's position, strategies, and bargaining instructions regarding collective bargaining negotiations, C.R.S. §24-6-402(4)(e)
14. Discuss personnel matters, subject to the limitations discussed below. If the employee who is the subject of the discussions desires the discussions occur in open meeting, the discussions must be held in open meeting, C.R.S. §24-6-402(4)(f)
15. To consider any documents which are protected from disclosure by the Colorado Open Records Act, C.R.S. §24-6-402(4)(g)

16. Discuss individual students where public disclosure would adversely affect the person or persons involved, C.R.S. §24-6-402(4)(h)

A motion to enter Executive Session was made was made by Carolyn Mader and seconded by Donna James, with Carolyn citing the following reason to enter into Executive Session:

*Discuss security arrangements or investigations, C.R.S. §24-6-402(4)(d)*

Members voted the following: Hungenberg, aye; James, aye; Mader, aye; Ojala, aye; Feyen, aye. The motion passed unanimously. The Executive Board entered Executive Session at 8:08 p.m.

The Executive Board left the Executive Session at 9:48 and resumed the Regular Session at 9:48 p.m.

## **10.0 Adjournment**

A motion to adjourn the October 28, 2021 Regular Session was made was made by John Feyen and seconded by Elaine Hungenberg. Members voted the following: Hungenberg, aye; James, aye; Mader, aye; Ojala, aye; Feyen, aye. The motion passed unanimously. The meeting adjourned at 10:00 p.m.



**2.0 First Read Policies**



**Windsor**  
CHARTER ACADEMY  
GROWING LIFE-LONG LEARNERS  
**STAFF CONDUCT AND RESPONSIBILITIES**

All staff members have a responsibility to make themselves familiar with and abide by federal and state laws as these affect their work, and the policies and regulations of Windsor Charter Academy.

As representatives of Windsor Charter Academy and role models for students, all staff must demonstrate and uphold high professional, ethical and moral standards. In conduct and interpersonal relationships, all staff members must recognize that they are in a position of trust and are being continuously observed by students and the community. Their manner, dress, courtesy, actions, and attitudes, both on and off campus, serve as models that influence the development of young people. The Windsor Charter Academy Executive Board and Administration expect staff members to be exemplary models. Staff members must conduct themselves in a manner that is consistent with the educational mission of Windsor Charter Academy and must maintain professional boundaries with students at all times in accordance with this policy's accompanying regulation. Interactions between staff members must be based on mutual respect and any disputes will be resolved in a professional manner.

### **Rules of Conduct**

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

1. Disclose or use confidential information acquired in the course of employment to further substantially the employee's 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 the position to depart from the faithful and impartial discharge of the staff member's duties, or which the staff member knows or should know is primarily for the purpose of a reward for action taken.

3. Engage in a substantial financial transaction for private business purposes with a person whom the staff member supervises.
4. Perform an action which directly and substantially confers an economic benefit tantamount to a gift of substantial value on a business or other undertaking in which the staff member has a substantial financial interest or is engaged as counsel, consultant, representative or agent.

All staff members are expected to carry out their assigned responsibilities with conscientious concern. It is not 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 business.

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

1. Faithfulness and promptness in attendance at work.
2. Support and enforcement of policies of the Executive 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 the safety and welfare of students, including the need to ensure that students are appropriately supervised.

The following behaviors should be avoided by staff:

- a. Being alone with an individual student out of the view of others, unless indicated on a student's individualized education plan (IEP), 504 plan or required service (e.g. vision or health screening).
- b. Inviting or allowing individual students to visit the staff member's home.
- c. Visiting a student's home or meeting the student at another location outside of school for non-educational purposes.

## **Child Abuse**

All employees of Windsor Charter Academy 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 Executive Director is authorized to conduct an internal investigation or to take any other necessary steps if information is received from a county department of social services or a law enforcement agency that a suspected child abuse perpetrator is an employee of Windsor Charter Academy. Such information must remain confidential except that the Executive Director must notify the Colorado Department of Education of the child abuse investigation.

### **Possession of Deadly Weapons**

The provisions of the Executive Board's policy regarding public possession of deadly weapons on school property or in school buildings also applies to employees of Windsor Charter Academy. However, the restrictions do not apply to employees who are required to carry or use deadly weapons in order to perform their necessary duties and functions.

### **Felony/Misdemeanor Convictions**

If, subsequent to beginning employment with Windsor Charter Academy, Windsor Charter Academy 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, Windsor Charter Academy must make inquiries to the Department of Education for purposes of screening the employee.

In addition, Windsor Charter Academy must require the employee to submit a complete set of fingerprints taken by a qualified law enforcement agency or any third party approved by the Colorado Bureau of Investigation. Fingerprints must be submitted within 20 days after receipt of written notification. The fingerprints must 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. When the results of the fingerprint-based criminal history record check reveal a record of arrest without a disposition, Windsor Charter Academy must require the employee to submit to a name-based criminal history record check. Criminal history record information must be used solely for the purpose requested and cannot be disseminated outside the receiving departments, related agencies, or other authorized entities.

Disciplinary action, which could include dismissal from employment, may be taken against personnel if the results of fingerprint processing and/or name-

based criminal history record check provide relevant information. Non-licensed employees must be terminated if the results of the fingerprint-based or name-based criminal history record check disclose a conviction for certain felonies, as provided in law.

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

### **Unlawful Behavior Involving Children**

The Executive Board may make an inquiry with the Department of Education concerning whether any current employee of Windsor Charter Academy 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, **an allegation of a sexual act involving a student who is eighteen years of age or older, regardless of whether the student consented to the sexual act**, 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.

### **Notification Concerning Arrests**

Windsor Charter Academy employees must notify Windsor Charter Academy when they are arrested for specific criminal offenses, in accordance with this policy's accompanying regulation. Windsor Charter Academy must notify students' parents/guardians when employees are charged with specific criminal offenses, as required by state law and in accordance with applicable Board policy.

### **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 and obtaining prior written permission from the student or from the student's parent/guardian. School personnel are encouraged to discuss concerns about a student's behavior with the parent/guardian and such discussions may include a suggestion that the parent/guardian speak with an appropriate health care professional regarding any behavior concerns.

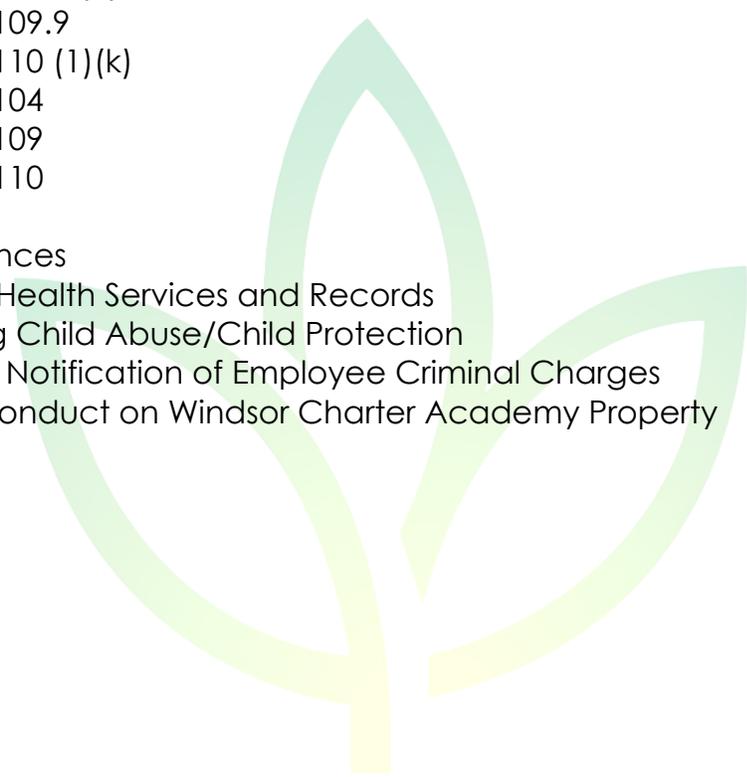
Adopted: September 2017  
January 2019  
October 2021

## Legal References

C.R.S. 18-12-105.5  
C.R.S. 18-12-214 (3)(b)  
C.R.S. 19-3-308 (5.7)  
C.R.S. 22-32-109 (1)(ee)  
C.R.S. 22-32-109.1 (8)  
C.R.S. 22-32-109.7  
C.R.S. 22-32-109.8 (6)  
C.R.S. 22-32-109.9  
C.R.S. 22-32-110 (1)(k)  
C.R.S. 24-18-104  
C.R.S. 24-18-109  
C.R.S. 24-18-110

## Cross References

JLC Student Health Services and Records  
JLF Reporting Child Abuse/Child Protection  
KDBA Parent Notification of Employee Criminal Charges  
KFA Public Conduct on Windsor Charter Academy Property



**Windsor**   
**CHARTER ACADEMY**  
GROWING LIFE-LONG LEARNERS  
**PROFESSIONAL STAFF RECRUITING/HIRING**

Applications of all regular licensed personnel to be employed by Windsor Charter Academy will be processed according to this procedure. Short-term, temporary or interim appointments or transfers may be made directly by the Executive Director, subject to the approval of the Executive Board, without following the advertising procedure.

**1. Vacancies**

All regular vacancies will be advertised by Windsor Charter Academy.

**2. Applications**

Current employees may apply for supplemental pay positions by submitting a letter outlining their qualifications for the position they are seeking or by completing any required supplemental application. The Administration is responsible for the initial screening of the application files including completed application, credentials, transcripts and written references. The Administration will maintain an up-to-date file of applicants from which applicants can be considered for vacancies.

**3. Selection**

A minimum of three applicants will be interviewed except in the case where fewer qualified applicants are available. The objectives of screening and initial interview process are:

- a. Determine if an applicant meets the applicable licensure requirements under state and federal law.
- b. Determine the suitability of an applicant for a specific position.
- c. Determine those applicants who are most qualified for the position.

The Executive Director will recommend to the Executive Board, in a regular monthly meeting, the applicant recommended for employment.

The Executive Director, or designee, is responsible for notifying persons approved for employment by the Executive Board. The Principals or Directors/Managers must ensure that all applicants interviewed will be notified of their status and that the position has been filled.

**4. Background Checks**

Prior to hiring and in accordance with state law, the Executive Director

designee must:

- a. Conduct a background check through the Colorado Department of Education (the department) to determine the applicant's fitness for employment.

The department's records must indicate if the applicant has been convicted of, pled nolo contendere to, received a deferred sentence, or had their license or authorization denied, annulled, suspended or revoked for such crimes **involving unlawful sexual behavior or an allegation of a sexual act involving a student who is eighteen years of age or older, regardless of whether the student consented to the sexual act, unlawful behavior involving children or domestic violence**. The department must provide any available information to indicate whether the applicant has been dismissed by or resigned from a school district as a result of an allegation of unlawful behavior involving a child, including unlawful sexual behavior **or an allegation of a sexual act involving a student who is eighteen years of age or older, regardless of whether the student consented to the sexual act**, which was supported by a preponderance of evidence according to information provided to the department by a school district and confirmed by the department in accordance with state law. The department must also provide information regarding whether the applicant's license or certification has ever been denied, suspended, revoked or annulled in any state, including but not limited to any information gained as a result of an inquiry to a national teacher information clearinghouse.

Information of this type that is learned from a different source must be reported by Windsor Charter Academy to the department.

The department will not disclose any information reported by a school or district unless and until the department confirms that the allegation resulted in the person's name being placed on the state central registry of child protection.

- b. Reference checks by the principal or director with former supervisors is required if supervisor information is available. Previous employers and/or other reference checks will be contacted to obtain information or recommendations relevant to the applicant's fitness for employment.

## 5. Fingerprinting Non-Licensed Administrators

- a. All non-licensed applicants selected for employment must submit a

complete set of fingerprints taken by a qualified law enforcement agency and a completed form (described in b below) as required by state law.

- b. Non-licensed applicants selected for employment must also submit a completed form, as required by state law, to certify, under penalty of perjury, either that they have never been convicted of a felony or misdemeanor charge, not including any misdemeanor traffic offense, or that they have been convicted of a felony or misdemeanor charge (not including any misdemeanor traffic offense). The form must specify the felony or misdemeanor, the date of conviction and the court entering judgment.
- c. Windsor Charter Academy will release the fingerprints 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. When the results of the fingerprint-based criminal history record check reveal a record of arrest without a disposition, Windsor Charter Academy must require the employee to submit to a name-based criminal history record check. Criminal history record information must be used solely for the purpose requested and cannot be disseminated outside the receiving departments, related agencies, or other authorized entities.
- d. Although an applicant may be conditionally employed prior to receiving the results, they may be terminated if the results are inconsistent with the information provided on the form. In accordance with state law, the employee or applicant must be terminated or disqualified from employment at Windsor Charter Academy if the results disclose a conviction for any of the following offenses:
  1. Felony child abuse, as described in C.R.S. 18-6-401;
  2. Crime of violence, as defined in C.R.S. 18-1.3-406 (2)
  3. Felony involving unlawful sexual behavior, as defined in C.R.S. 16-22-102 (9);
  4. Felony domestic violence, as defined in C.R.S. 18-6-800.3;
  5. Felony drug offense, as described in C.R.S. 18-18-401 et seq., committed on or after August 25, 2012;
  6. Felony indecent exposure, as described in C.R.S. 18-7-302;

7. Attempt, solicitation or conspiracy to commit any of the offenses described in items 1-6; or
8. Offense committed outside of this state, which if committed in this state would constitute an offense described in items 1-7.

Windsor Charter Academy may notify the District Attorney of such inconsistent results for action or possible prosecution.

## 6. Credit Reports

The Finance & HR office will not obtain a credit report on an applicant unless the office has first notified the individual in writing, in a document consisting solely of the notice, that Windsor Charter Academy would like to obtain the report. A credit report will only be requested when the applicant submits a written authorization.

The Finance & HR office will not rely on a credit report in denying an application unless the office has first supplied the applicant with a disclosure that includes a copy of the credit report and a summary of the applicant's rights. If an application for employment is denied because of the credit report, the personnel office will give the applicant notice that the action has been taken, as well as:

- a. The name, address and phone number of the credit bureau supplying the report;
  - b. A statement that the credit bureau was not involved in the decision to deny the application; and
  - c. A notice of the individual's right to dispute the information in the report.
- ## 7. Information Report to State
- In accordance with federal and state law, the Finance & HR office will report the name, address, and social security number of every new employee to Colorado State Directory of New Hires, P.O. Box 2920, Denver, Colorado, 80201-2920.

This report, due within 20 days of the date of the time of the hire or on the first payroll after the 20 days have expired, will be submitted even if the employee quits or is terminated before the report is due. Upon termination, the employee's last known address, the fact of the termination, and the name and address of the employee's new employer, if known, will be reported to the applicable court or agency.

Upon receiving a Notice of Wage assignment, Windsor Charter Academy will remit the designated payment within seven days of withholding the income according to instructions contained in the Notice. Child support withholding take priority over other legal actions against the same wages.

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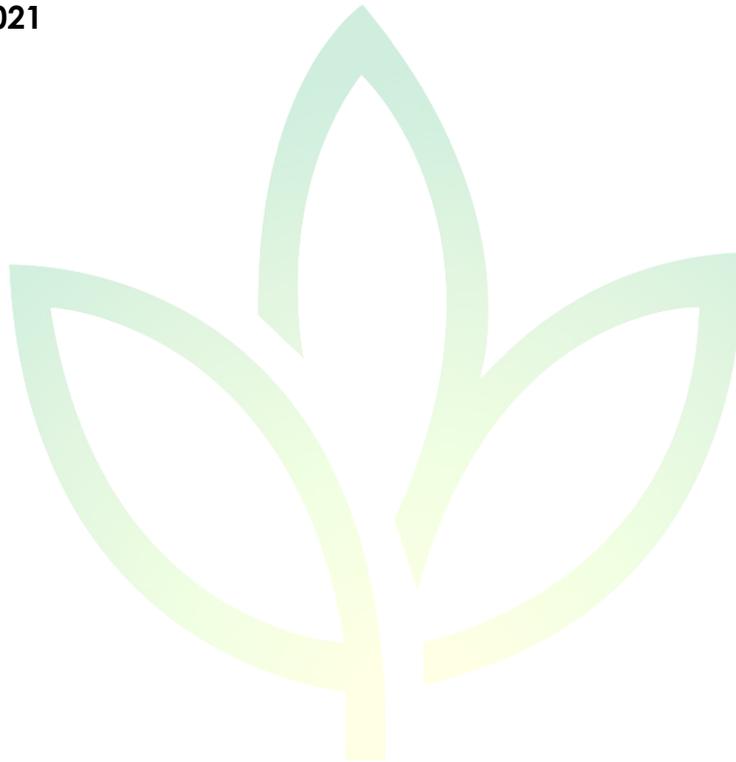
Windsor Charter Academy Executive Board

Adopted: December 2010

April 2016

March 2021

**December 2021**





## RESIGNATION OF INSTRUCTIONAL STAFF/ADMINISTRATIVE STAFF

The following procedures apply to the reporting of allegations against or offenses committed by licensed personnel who resign from Windsor Charter Academy.

### **Mandatory Reporting Requirements—Unlawful Behavior Involving a Child**

If an employee resigns as a result of an allegation of unlawful behavior involving a child, including unlawful sexual behavior, or an allegation of a sexual act involving a student who is eighteen years of age or older, regardless of whether the student consented to the sexual act, which is supported by a preponderance of evidence, the Executive Director shall notify the Colorado Department of Education (CDE) as soon as possible but no later than 10 business days after the employee's resignation.

The Executive Director shall provide any information requested by the Department concerning the circumstances of the resignation. Windsor Charter Academy also shall notify the employee that information concerning the resignation is being forwarded to CDE unless such notice would conflict with the confidentiality requirements of the Child Protection Act.

If Windsor Charter Academy learns that a current or past employee has been convicted of, pled nolo contendere to, or received a deferred sentence or deferred prosecution for a felony or a misdemeanor crime involving unlawful sexual behavior or unlawful behavior involving children, the Executive Director shall notify CDE.

### **Mandatory Reporting Requirements—Other Offenses**

In addition and in accordance with applicable State Board of Education rules, the Executive Director shall immediately notify CDE whenever acceptance of resignation concerning a licensed employee is based upon the employee's conviction, guilty plea, plea of nolo contendere, or deferred sentence for any of the following offenses:

- a. Felony child abuse, as specified in C.R.S. 18-6-401;
- b. Felony unlawful sexual behavior, as defined in C.R.S. 16-22-102 (9);

- c. A felony offense involving unlawful sexual behavior, as defined in C.R.S. 16-22-102 (9);
- d. A crime of violence, as defined in C.R.S. 18-1.3-406;
- e. Indecent exposure, as described in C.R.S. 18-7-302;
- f. Contributing to the delinquency of a minor, as described in C.R.S. 18-6-701;
- g. Felony domestic violence, as defined in C.R.S. 18-6-800.3;
- h. Misdemeanor domestic violence, as described in C.R.S. 18-6-800.3 (1) and such conviction is a second or subsequent conviction for the same offense;
- i. Misdemeanor sexual assault, as described in C.R.S. 18-3-402;
- j. Misdemeanor unlawful sexual conduct, as described in C.R.S. 18-3-404;
- k. Misdemeanor sexual assault on a client by a psychotherapist, as described in C.R.S. 18-3-405.5;
- l. Misdemeanor child abuse, as described in C.R.S. 18-6-401;
- m. Misdemeanor involving the illegal sale of controlled substances;
- n. Physical assault;
- o. Battery
- p. A drug-related offense;
- q. An offense committed outside of this state, the elements of which are substantially similar to any offense described in items a-m above; or
- r. A misdemeanor committed outside of this state, the elements of which are substantially similar to sexual exploitation of children as described in C.R.S. 18-6-403 (3)(b.5).

The Executive Director shall also immediately notify CDE when Windsor Charter Academy learns:

- a. The resigning employee has forfeited any bail, bond or other security deposited to secure the employee's appearance and the employee is charged with having committed a felony or misdemeanor for any offense described in items a-m above; or
- b. The resigning employee has paid a fine or received a suspended sentence for any offense described in items a-m above.

The Executive Director shall also notify CDE when:

- a. The county department of social services or the local law enforcement agency reasonably believes that an incident of child abuse or neglect has occurred and the school employee is the suspected perpetrator and was acting in an official capacity as an employee of Windsor Charter Academy.

- b. The Executive Board reasonably believes that an employee is guilty of unethical behavior or professional incompetence.

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Windsor Charter Academy Executive Board  
Adopted: December 2021





## DISCIPLINE, SUSPENSION AND DISMISSAL OF SUPPORT STAFF

Support staff employees, unless otherwise designated by contract, shall be considered "at will" employees who serve the Executive Board and shall have only those employment rights expressly established by Board policy.

The Executive Board delegates to the Executive Director the authority to dismiss classified personnel. The Executive Director may delegate this authority to other appropriate personnel.

The Executive Director, or designee, also may suspend employees from their assignments as a disciplinary measure, with or without pay.

If an employee is dismissed or resigns as a result of an allegation of unlawful behavior involving a child, including unlawful sexual behavior, **or an allegation of a sexual act involving a student who is eighteen years of age or older, regardless of whether the student consented to the sexual act**, which is supported by a preponderance of evidence, the Executive Director is delegated the responsibility for notifying the Colorado Department of Education (CDE) as soon as possible but no later than ten (10) business days after such dismissal or resignation. The Executive Director shall provide any information requested by the department concerning the circumstances of the dismissal or resignation. Windsor Charter Academy also shall notify the employee that information concerning the dismissal or resignation is being forwarded to CDE unless such notice would conflict with the confidentiality requirements of the Child Protection Act.

If Windsor Charter Academy learns that a current employee has been convicted of, pled nolo contendere to, or received a deferred sentence or deferred prosecution for any felony or misdemeanor crime involving unlawful sexual behavior or unlawful behavior involving children, the Executive Director shall immediately report this information to CDE.

Windsor Charter Academy shall not obtain consumer credit reports on a current employee unless Windsor Charter Academy is evaluating the employee for promotion, reassignment or retention. In all cases where credit information or

reports are obtained and/or relied upon for purposes of reassigning, terminating or denying the promotion of an employee, the district shall comply with the Fair Credit Reporting Act and applicable state law.

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Windsor Charter Academy Executive Board

September 2017

**December 2021**

Legal References

15 U.S.C. 1681 et seq.

C.R.S. 8-2-126

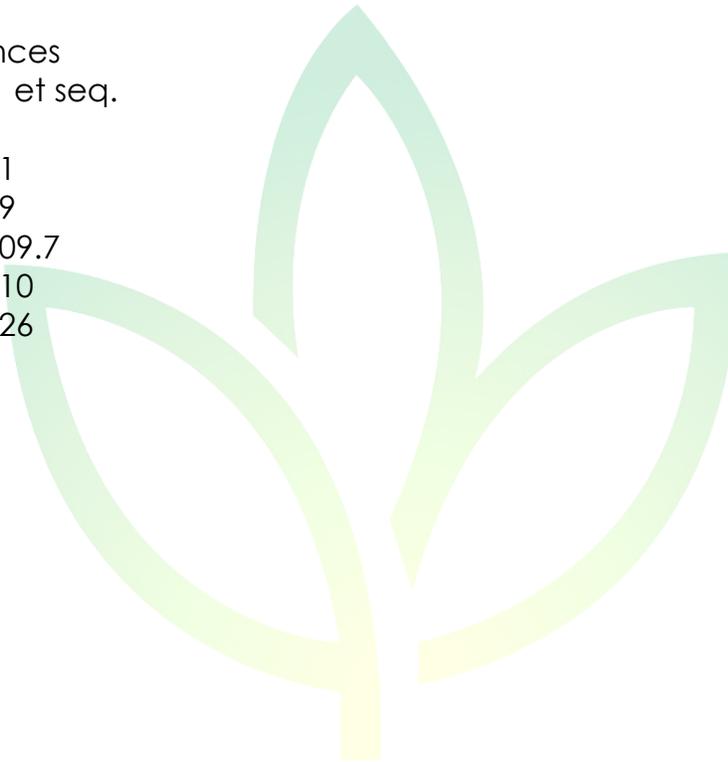
C.R.S. 19-3-301

C.R.S. 22-2-119

C.R.S. 22-32-109.7

C.R.S. 22-32-110

C.R.S. 22-32-126





### Background Checks

Prior to hiring and in accordance with state law, the Finance & HR office must:

1. Conduct a background check through the Colorado Department of Education (the Department), if applicable, to determine the applicant's fitness for employment.

The Department's records must indicate if the applicant has been convicted of, pled nolo contendere to or received a deferred sentence for a felony or misdemeanor crimes involving unlawful sexual behavior, unlawful behavior involving children or domestic violence. The Department must provide any available information to indicate whether the applicant has been dismissed by or resigned from a school district as a result of an allegation of unlawful behavior involving a child, including unlawful sexual behavior, **or an allegation of a sexual act involving a student who is eighteen years of age or older, regardless of whether the student consented to the sexual act**, which was supported by a preponderance of evidence according to information provided to the Department by a school district and confirmed by the Department in accordance with state law. The Department must also provide information regarding whether the applicant's license or certification has ever been denied, suspended, revoked or annulled in any state, including but not limited to any information gained as a result of an inquiry to a national teacher's information clearinghouse.

Information of this type that is learned from different sources must be reported by Windsor Charter Academy to the Department.

The Department will not disclose any information reported by a school district unless and until the Department confirms that the allegation resulted in the person's name being placed on the state central registry of child protection.

2. Contact previous employers of the applicant to obtain information or recommendations relevant to the applicant's fitness for employment.

## **Credit Reports**

The Finance & HR Department will not obtain a credit report on an applicant unless the office has first notified the individual in writing, in a document consisting solely of the notices, that Windsor Charter Academy would like to obtain a credit report and requesting the individual's written authorization to obtain the report. A credit report will only be requested when the applicant submits a written authorization.

The Finance & HR Department will not rely on a credit report in denying an application unless the office has first supplied the applicant with a disclosure that includes a copy of the credit report and a summary of the applicant's rights. If an application for employment is denied because of the credit report, the Finance & HR Department will give the applicant notice that the action has been taken, as well as:

1. The name, address and phone number of the credit bureau supplying the report;
2. A statement that the credit bureau was not involved in the decision to deny the application; and
3. A notice of the applicant's right to dispute the information in the report.

## **Fingerprinting**

1. All applicants selected for employment in a support staff position must submit a complete set of fingerprints taken by a qualified law enforcement agency, an authorized district or BOCES employee, or any third party approved by the Colorado Bureau of Investigation.
2. Applicants selected for employment must also submit a completed form, as required by state law, to certify, under penalty of perjury, either on the form the applicant must certify either that they have never been convicted of a felony or misdemeanor charge, not including any misdemeanor traffic offense, or that they have been convicted of a felony or misdemeanor charge (not including any misdemeanor traffic offense). The form must specify the felony or misdemeanor, the date of conviction and the court entering judgment.
3. Windsor Charter Academy will release the fingerprints 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. When the results of the fingerprint-based criminal history record check reveal a record of arrest without a disposition, Windsor Charter Academy must require the

employee to submit to a name-based criminal history check. Criminal history record information must be used solely for the purpose requested and cannot be disseminated outside the receiving departments, related agencies, or other authorized entities.

4. Although an applicant may be conditionally employed prior to receiving the results, they may be terminated if the results are inconsistent with the information provided on the form. In accordance with state law, the employee or applicant must be terminated or disqualified from Windsor Charter Academy employment if the results disclose a conviction for any of the following offenses:
  - a. Felony child abuse, as described in C.R.S 18-6-401;
  - b. Crime of violence, as defined in C.R.S. 18-1.3-406 (2);
  - c. Felony involving unlawful sexual behavior, as defined in C.R.S. 16-22 102(9);
  - d. Felony domestic violence, as defined in C.R.S 18-6-800.3;
  - e. Felony drug offense, as described in C.R.S. 18-18-401 et seq., committed on or after August 25, 2012;
  - f. Felony indecent exposure, as described in C.R.S. 18-7-302;
  - g. Attempt, solicitation or conspiracy to commit any of the offenses described in items a-f; or
  - h. Offense committed outside of this state, which if committed in this state would constitute an offense described in items a-g.

Windsor Charter Academy must notify the District Attorney of inconsistent results for action or possible prosecution.

### **Information Report to State**

1. In accordance with federal and state law, the Finance & HR Department will report the name, address and social security number of every new employee to Colorado State Directory of New Hires, P.O. Box 2920, Denver, Colorado 80201-2920.
2. This report, due within 20 days of the date of the hire or on the first payroll after the 20 days have expired, must be submitted even if the employee quits or is terminated before the report is due. Upon termination, the employee's last known address, the fact of the termination, and the name and address of the employee's new employer, if known, must be reported to the applicable court or agency.

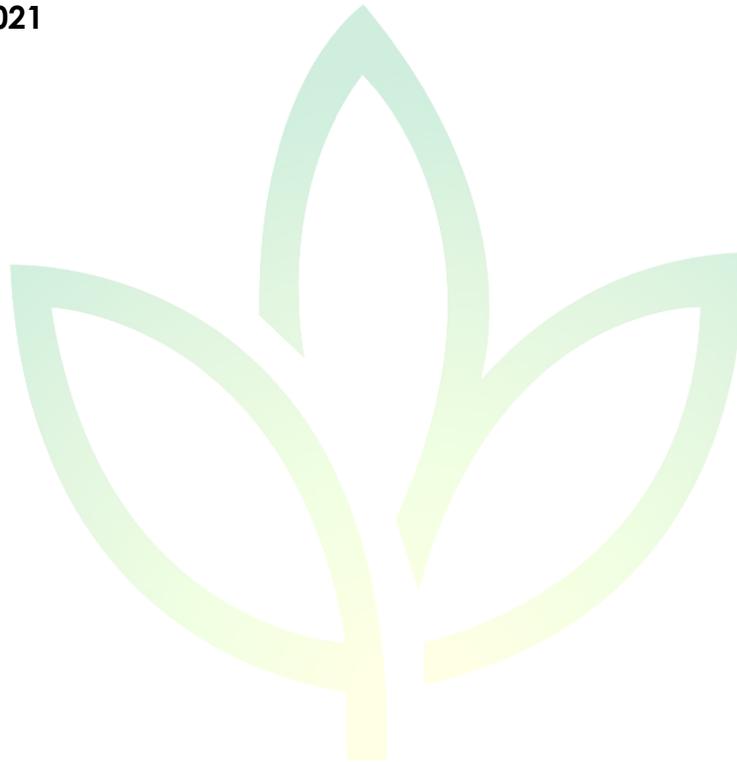
3. Upon receiving a Notice of Wage Assignment, the district must remit the designated payment within seven days of withholding the income according to instructions contained in the Notice. Child support withholding takes priority over other legal actions against the same wages.

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Windsor Charter Academy Executive Board

Adopted: March 2021

**December 2021**





### **3.0 Second Read Policies**



## **CRIMINAL HISTORY RECORD INFORMATION**

The Executive Board is committed to ensuring the protection of the Criminal Justice Information (CJI) and its subset of Criminal History Record Information (CHRI) until the information is purged or destroyed in accordance with applicable record retention rules.

Accordingly, this policy is applicable to any fingerprint-based state and national criminal history record check made for non-criminal justice purposes and requested under applicable federal authority and/or state statute authorizing such checks for licensing or employment purposes. Where such checks are allowable by law, the following practices and procedures will be followed. This policy applies to any electronic or physical media containing Federal Bureau of Investigation (FBI) or Colorado Bureau of Investigation (CBI) CJI while being stored, accessed, or physically moved from a secure location within Windsor Charter Academy. This policy also applies to any authorized person who accesses, stores, and/or transports electronic or physical media containing criminal history record information.

### **Criminal Justice Information (CJI) and Criminal History Record Information (CHRI)**

CJI refers to all of the FBI Criminal Justice Information Services (CJIS) provided data necessary for law enforcement and civil agencies to perform their missions including, but not limited to biometric, identity history, biographic, property, and case/incident history data.

CHRI means information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, information, or other formal criminal charges, and any disposition arising therefrom, including acquittal, sentencing, correctional supervision, and release. The term does not include identification information such as fingerprint records if such information does not indicate the individual's involvement with the criminal justice system. CHRI is a subset of CJI and for the purposes of this document is considered interchangeable. Due to its comparatively sensitive nature, additional controls are required for the access, use, and dissemination of CHRI.

### **Requesting CHRI Checks**

Fingerprint-based CHRI checks will only be conducted as authorized by the FBI and CBI, in accordance with all applicable state and federal rules and regulations. If an applicant of employee is required to submit to a fingerprint-based state and national criminal history record check, they shall be informed of this requirements and instructed on how to comply with the law. Such instruction will include information on the procedure for submitting fingerprints. In addition, the applicant or employee will be provided with all information needed to successfully register for a fingerprinting appointment.

### **Proper Access, Use, and Dissemination of CHRI**

All CHRI is subject to strict state and federal rules and regulations, CHRI cannot be shared with other entities for any purpose, including subsequent hiring determinations. All receiving entities are subject to audit by the CBI (Colorado Bureau of Investigations) and the FBI, and failure to comply with such rules and regulations could lead to sanctions. Furthermore, an entity can be charges with federal and state crimes for the willful, unauthorized disclosure of CHRI.

CHRI must only be used for an authorized purpose consistent with the purpose for which it was accessed or requested and cannot be disseminated outside the receiving departments, related agencies, or other authorized entities.

Dissemination to another agency is authorized if (a) the other agency is an Authorized Recipient of such information and is being serviced by the accessing agency, or (b) the other agency is performing noncriminal justice administrative functions on behalf of the authorized recipient and the outsourcing of said functions has been approved by Colorado Bureau of Investigation (CBI) officials with applicable agreements in place.

### **Personnel Security Screening**

Access to CJJ and/or CHRI is restricted to authorized personnel. Authorized personnel is defined as an individual, or group of individuals, who have completed security awareness training and have been granted access to CJJ data.

### **Security Awareness Training**

An informed review of a criminal record requires training. Accordingly, all personnel authorized to receive and/or review CHRI at Agency will review and become familiar with the educational and relevant training materials regarding CHRI laws and regulations made available by the appropriate agencies. In addition to the above, all personnel authorized to receive and/or review CHRI

must undergo Security Awareness Training on a biennial basis. This training will be accomplished using the training materials made available by the CBI.

### **Adverse Decisions Based on CHRI**

If inclined to make an adverse decision based on an individual's CHRI, Agency will take the following steps prior to making a final adverse determination:

- Provide the individual the opportunity to complete or challenge the accuracy of his/her CHRI; and
- Provide the individual with information on the process for updating, changing, or correcting CHRI.

A final adverse decision based on an individual's CHRI will not be made until the individual has been afforded a reasonable time to correct or complete the CHRI.

### **Local Agency Security Officer**

Each Non-Criminal Justice Agency (NCJA) receiving CHRI is required to designate a Local Agency Security Officer (LASO). An individual designated as LASO is:

- An individual who will be considered part of the NCJA's "authorized personnel" group.
- An individual that has completed a fingerprint-based background check and found appropriate to have access to CHRI.
- An employee directly involved in evaluating an individual's qualifications for employment or assignment.

The Agency LASO is Human Resources. The LASO is responsible for the following:

- Identifying who is using or accessing CHRI and/or systems with access to CHRI.
- Ensuring that personnel security screening procedures are being followed as stated in this policy.
- Ensuring the approved and appropriate security measures are in place and working as expected.

When changes in the LASO appointment occur, the Agency shall complete and return a new LASO appointment form. The most current copy of the LASO

appointment form will be maintained on file indefinitely by Windsor Charter Academy.

## **Personnel Security**

### **All Personnel**

All personnel requiring access to CHRI must first be deemed "Authorized Personnel." The CBI will review and determine if access is appropriate. Access is denied if the individual has ever had a felony conviction, of any kind, no matter when it occurred. Access may be denied if the individual has one or more recent misdemeanor convictions.

In addition to the above, an individual believed to be a fugitive from justice, or having an arrest history without convictions, will be reviewed to determine if access to CHRI is appropriate. The CBI will take into consideration extenuating circumstances where the severity of the offense and the time that has passed would support a possible variance.

Persons already having access to CHRI and who are subsequently arrested and/or convicted of a crime will:

- a. Have their access to CHRI suspended until the outcome of an arrest is determined and reviewed by the CBI in order to determine if continued access is appropriate.
- b. Have their access suspended indefinitely if a conviction results in a felony of any kind.
- c. Have their access denied by the CBI where it is determined that access to CHRI by the person would not be in the public's best interest.

All access to CHRI by support personnel, contractors, and custodial workers will be denied. If a need should arise for such persons to be in an area(s) where CHRI is maintained or processed (at rest or in transit); they will be escorted by, or be under the supervision of, authorized personnel at all times while in these area(s).

### **Personnel Termination**

The LASO or Agency shall terminate access to CHRI immediately upon notification of an individual's termination of employment. The CHRI access termination process:

- a. Notification will be sent via email to the CBI.
- b. This is to be done within 24 hours of receiving notification of termination.

- c. All keys, email accounts, etc. will be obtained/disabled from the user within 24 hours.

### **Physical Security**

All CJ and CHRI information is securely stored digitally. Windsor Charter Academy will maintain a current list of authorized personnel. Authorized personnel will take necessary steps to prevent and protect Windsor Charter Academy from physical, logical, and electronic breaches. If CHRI is stored physically, physical CHRI media is to be stored within employee records when feasible or by itself when necessary. Physical CHRI is to be maintained within a lockable filing cabinet, drawer, closet, office, safe, vault, or other secure container.

### **Media Protection**

All media containing CHRI is to be protected and secured at all times. The following is established and to be implemented to ensure the appropriate security, handling, transporting, and storing of CHRI media in all its forms. Controls must be in place to protect electronic and physical media containing CJ while at rest, stored, or actively being accessed. Electronic media includes memory devices in laptops and computers (hard drives) and any removable, transportable digital memory media, such as magnetic tape or disk, backup medium, optical disk, flash drives, external hard drives, or digital memory card. Physical media includes printed documents and imagery that contain CJ.

Windsor Charter Academy must securely store electronic and physical media within physically secure locations. Windsor Charter Academy restricts access to electronic and physical media to authorized individuals. If physical and personnel restrictions are not feasible then the data must be encrypted. When no longer usable, information and related processing items must be properly disposed of to ensure confidentiality.

### **Storage of CHRI**

CHRI shall only be stored for extended periods of time when needed for the integrity and/or utility of an individual's personnel file. Administrative, technical, and physical safeguards, which are in compliance with the most recent CBI and FBI security policy, have been implemented to ensure the security and confidentiality of CHRI. Each individual involved in the handling of CHRI is to familiarize himself/herself with these safeguards. In addition to the above, each individual involved in the handling of CHRI will strictly adhere to the policy on the storage and destruction of CHRI.

### **Media Storage and Access**

Physical CHRI media shall be securely stored within physically secured locations or controlled areas. Access to such media is restricted to authorized personnel only and shall be secured at all times when not in use or under the supervision of an authorized individual.

### **Media Sanitization and Disposal**

Once physical CHRI media (paper/hard copies) is determined to be no longer needed by Windsor Charter Academy, it shall be destroyed and disposed of appropriately. Physical CHRI media shall be destroyed by shredding, cross-cut shredding, or incineration. Windsor Charter Academy will ensure such destruction is witnessed or carried out by authorized personnel.

- a. The LASO shall witness or conduct disposal.
- b. Cross-cut shredding will be the method of destruction used by Windsor Charter Academy.
- c. This will occur at the end of each school year (May/June).

Electronic media (hard-drives, tape cartridge, CDs, printer ribbons, flash drives, printer and copier hard-drives, etc.) must be disposed of by one of the following methods:

1. Overwriting (at least 3 times) - an effective method of clearing data from magnetic media. As the name implies, overwriting uses a program to write (1s, 0s, or a combination of both) onto the location of the media where the file to be sanitized is located.
2. Degaussing - a method to magnetically erase data from magnetic media. Two types of degaussing exist: strong magnets and electric degausses. Note that common magnets (e.g., those used to hang a picture on a wall) are fairly weak and cannot effectively degauss magnetic media.
3. Destruction – a method of destroying magnetic media. As the name implies, destruction of magnetic media is to physically dismantle by methods of crushing, disassembling, etc., ensuring that the platters have been physically destroyed so that no data can be pulled.

IT systems that have been used to process, store, or transmit FBI or CBI CJI and/or sensitive and classified information must not be released from the Windsor Charter Academy's control until the equipment has been sanitized and all stored information has been cleared using one of the above methods.

### **Retention of CHRI**

Federal law prohibits the repurposing or dissemination of CHRI beyond its initial requested purpose. Once an individual's CHRI is received, it will be securely retained in internal documents for the following purposes only:

- Historical reference and/or comparison with future CHRI requests
- Dispute of the accuracy of the record
- Evidence for any subsequent proceedings based on information contained in the CHRI.

CHRI will be kept for the above purposes in:

- Hard copy form in personnel files located in the locked filing cabinet located in the locked filing room
- CHRI will be maintained for up to one (1) year. At the end of this term, the CHRI will be disposed of according to the Disposal of Physical Media policy.

### **Account Management**

Windsor Charter Academy must manage information system accounts, including establishing, activating, modifying, reviewing, disabling, and removing accounts. Windsor Charter Academy must validate information systems accounts at least annually and must document the validation process.

All accounts must be reviewed at least annually by the designated CJIS point of contact or their designee to ensure that access and account privileges commensurate with job functions, need-to-know, and employment status on systems that contain CJI. The CJIS point of contact may also conduct periodic reviews.

### **Reporting Information Security Events**

The security of information and systems in general, and of CHRI in particular, is a top priority for Windsor Charter Academy. Therefore, we have established appropriate operational incident handling procedures for instances of an information security breach. It is each individual's responsibility to adhere to established security guidelines and policies and to be attentive to situations and incidents which pose risks to security. Furthermore, it is each individual's responsibility to immediately report potential or actual security incidents to minimize any breach of security or loss of information. The following security incident handling procedures must be followed by each individual:

- a. All incidents will be reported directly to the LASO.
- b. If any records were stolen, the incident will also be reported to appropriate authorities.
- c. Once the cause of the breach has been determined, disciplinary measures will be taken in accordance with the disciplinary policy.

In addition to the above, the LASO shall report all security-related incidents to the CBI within 24 hours.

### **Policy Violation/Misuse Notification**

All Windsor Charter Academy personnel with access to FBI and/or CBI CHRI has a duty to protect the system and related systems from physical and environmental damage and are responsible for correct use, operation, care and maintenance of the information. All existing laws and Agency regulations and policies apply, including those that may apply to personal conduct. Misuse or failure to secure any information resources may result in temporary or permanent restriction of all privileges up to employment termination.

Windsor Charter Academy Executive Board  
 Adopted: March 2021  
 November 2021

### Legal References

P.L. 92-544 (*authorizes the FBI to exchange CHRI with officials of state and local governmental agencies for licensing and employment purposes*)  
 28 C.F.R. 20.33 (b) (*limited dissemination of criminal history record information*)  
 28 C.F.R. 50.12 (b) (*notification requirements regarding fingerprints*)  
 C.R.S. 22-2-119.3 (6)(d) (*name-based criminal history record check—definition*)  
 C.R.S. 22-32-109.8 (*non-licensed personnel – submittal of fingerprints and name-based criminal history record check*)  
 C.R.S. 22-32-109.9 (*licensed personnel – submittal of fingerprints and name-based criminal history record check*)  
 C.R.S. 24-72-302 (*definition of criminal justice information*)

### Cross References

GBEB Staff Conduct and Responsibilities  
 GCE/GCF Professional Staff Recruiting/Hiring  
 GDE/GDF Support Staff Recruiting/Hiring