



Parent Notification of Employee Conduct

The Colorado Early Colleges Board of Directors (the Board) grants authority to the Chief Executive Administrator (CEA) to notify students' parents/guardians when a CEC employee or former CEC employee is charged with a specific criminal offense, as required by state law and in accordance with this policy. CEC recognizes that employees accused of any criminal offense are presumed innocent until proven guilty; however, CEC understands and respects that these charges can be very concerning to our students and families. The duty to notify parents of qualifying charges and convictions against employees continues while school is out of session. CEC's CEA or designee shall continue to monitor CBI reports and criminal proceedings during scheduled breaks to ensure notification requirements are met.

Definitions

For the purposes of this policy:

- "Employee" means an employee of the school 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, or a former employee if the individual was employed by the school at any time within 12 months before an offense is charged.
- "Parent" means the biological or adoptive parent, or the legal guardian or legal custodian of a student enrolled in a CEC school at the time notification is made.
- "Volunteer" means any student or adult who is required to be in contact with students or whose work area gives or gave the volunteer access to students.

CEC's Responsibility to Monitor Criminal Proceedings

CEC routinely receives reports from the Colorado Bureau of Investigation ("CBI") relating to employees and volunteers who have previously been subjected to a background check.

If CEC receives a report from the CBI that includes information that an employee or volunteer has been arrested for any of the crimes listed below, the Human Resources department shall monitor the criminal proceedings to determine whether the employee or volunteer is charged with an offense listed below, whether a preliminary hearing has been held if the charge is eligible for a preliminary hearing and the disposition of the charge.

Crimes that require further monitoring and potential notification to parents are:

- Felony child abuse (C.R.S. 18-6-401);
- A crime of violence, not including assault in the second degree unless the victim is a child (C.R.S. 18-1.3-406(2));
- A felony offense involving unlawful sexual behavior (C.R.S. 16-22—02(9));

- A felony, where it is alleged that the underlying factual basis of which includes an act of domestic violence (C.R.S. 18-6-800.3);
- Felony indecent exposure (C.R.S. 18-7-302); or
- A felony drug offense that is a Level 1 or Level 2 drug felony (C.R.S. 18-18-401).

Notification

When CEC receives notice that an employee/former employee/volunteer has been charged with a criminal offense and the underlying allegation implicates or poses an ongoing risk to students, CEC will place the employee/volunteer on administrative leave. In accordance with state law, all employees convicted of one of these enumerated offenses will immediately be disqualified from continued employment.

CEC shall notify parents within two business days after the employee's preliminary hearing for a specific criminal offense is held, waived, or deemed waived by the employee. If the charged offense is not eligible for a preliminary hearing, CEC shall notify parents within two school days after the date on which the employee is charged.

Notice should be sent to parents of all students who:

- Were enrolled in the school in which the employee is employed or was employed at the time of the alleged offense; or
- CEC has reason to believe that the employee may have had contact with the student as part of the employee's employment with the school.

A second notification is required within two school days after CEC confirms the disposition, or outcome of the charge.

- Notification must be sent regardless of whether or not the circumstances of the charge occurred when the employee was off duty.
- The duty to notify parents of qualifying charges and convictions against employees continues while school is out of session. CEC's Executive Director of Organizational Development and HR shall continue to monitor CBI reports and criminal proceedings during scheduled breaks to ensure notification requirements are met.

Reporting to CDE and CSI

If an employee of CEC is dismissed or resigns because of an allegation of any one of the crimes listed in this policy, and such allegation is supported by a preponderance of evidence, the Board grants the CEA authority to notify the Colorado Department of Education ("CDE") and the Colorado Charter School Institute ("CSI").

Additional Legal References:

C.R.S. 22-1-130 (Notice to parents of alleged criminal conduct by school employees – legislative declaration – definitions)

C.R.S. 22-30.5-110.5 (information provided to department)

C.R.S. 22-30.5-511.5 (Background investigations – prohibition against employing persons – institute charter school employees' information provided to department)

C.R.S. 22-32-109.8(6.5) (Prohibition against employing persons)

Policy Reference:

Safe Schools