

# New Sample BOCES Exhibit

File: KDBA\*-E

*NOTE: While Colorado BOCES are not required by law to adopt an exhibit on this subject, some content in this sample reflects the legal requirements BOCES must follow. This sample contains the content/language that CASB believes best meets the intent of the law. However, the BOCES should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.*

## Parent Notification of Employee Criminal Charges (Sample Notice)

TO: Parents  
FROM: [Executive Director/Designee]  
DATE: [Date]  
REGARDING: Parent notification of employee criminal charges

*NOTE: State law requires the BOCES to provide this notice to parents "in the same manner" by which the BOCES notifies parents of important business, which may include "email notification or other electronic communication sent directly to parents or by first-class mail." C.R.S. 22-1-130(4)(d).*

This [letter/email] is to notify you that the following [BOCES employee/former BOCES employee] has been charged with a criminal offense.

[*Optional language:* In accordance with C.R.S. 22-1-130, this notice must be provided regardless of whether the actions giving rise to the criminal charge occurred while the person was acting within the scope of his or her BOCES employment.]

Person's name: \_\_\_\_\_

Position: \_\_\_\_\_

Employment status: This person [is/is not] currently employed by the BOCES.

[*Optional language if the person is a current employee and if applicable:* This person has been [suspended/placed on administrative leave] pending an investigation.]

Length of BOCES employment: From [date] to [date].

*NOTE: The "alleged criminal offense" and corresponding statute or code that must be included in the next paragraph will be one of the following:*

- a. felony child abuse, as specified in C.R.S. 18-6-401;*
- b. a crime of violence, as defined in C.R.S. 18-1.3-406(2), except second degree assault, unless the victim is a child;*
- c. a 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 indecent exposure, as described in C.R.S. 18-7-302; or*
- f. a level 1 or level 2 felony drug offense, as described in C.R.S. 18-18-401 et seq.*

Alleged criminal offense that this person has been charged with, including the violation of statute or code: \_\_\_\_\_

**UNDER STATE AND FEDERAL LAW, A PERSON CHARGED WITH A CRIME IS PRESUMED INNOCENT UNTIL PROVEN GUILTY.**

*NOTE: The BOCES is not legally required to provide additional information, but may wish to include information such as, "The alleged criminal offense does not involve a current or former student/did not occur on BOCES property/did not occur during school hours," etc. State law specifically prohibits the BOCES from disclosing the identity of the alleged victim. C.R.S. 22-1-130(5)(b).*

[Optional language: Additional information regarding the underlying facts or circumstances relating to the charge: \_\_\_\_\_

\_\_\_\_\_.]

If you or your child have any information to report concerning this [employee/former employee] or have any additional questions or concerns, please contact me at [phone number] or [email address.]

(Issue date)