

No. 25-581

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**In the Supreme Court of the United States**

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ST. MARY CATHOLIC PARISH IN LITTLETON, ET AL.,

*Petitioners,*

v.

LISA ROY, IN HER OFFICIAL CAPACITY AS EXECUTIVE  
DIRECTOR OF THE COLORADO DEPARTMENT OF EARLY  
CHILDHOOD, ET AL.,

*Respondents.*

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ON WRIT OF CERTIORARI TO THE UNITED STATES  
COURT OF APPEALS FOR THE TENTH CIRCUIT

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**JOINT APPENDIX (VOLUME II OF III)**

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**REPORTER'S TRANSCRIPT**

Bench Trial, Vol. 3

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Proceedings before the HONORABLE JOHN L. KANE, Judge, United States District Court for the District of Colorado, commencing on the 4th day of January, 2024, in Courtroom A802, United States Courthouse, Denver, Colorado.

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**PROCEEDINGS**

(Proceedings commenced at 9:03 a.m.)

THE COURT: And you know where you're supposed to be. Cross examination, please.

**CROSS EXAMINATION**

BY MR. REAVES

Q Good morning, Dr. Tishelman.

A Good morning.

Q You provided your direct testimony yesterday; is that right?

A Yes, it is.

Q And are you aware that today you're under the same oath that you took yesterday?

A Yes, I am.

Q And did you meet with anybody after testifying yesterday to talk about your testimony?

A Informally.

Q And with whom did you meet?

A Well, I went out for some wine yesterday with a couple of people.

Q Okay. Thank you. Switching gears, then, what materials did you review when preparing to give your expert opinion in this case?

A I reviewed the materials that I cited in the report that I wrote, and I reviewed the materials that were provided to me related to this case. I reviewed my own CV, and I'm not sure if I reviewed anything else.

Q Okay. Just one or two specific questions about that. Did you read the Archdiocese guidance for issues concerning the human person and sexual identity when you were preparing for this case?

A I don't recall.

Q Did you review the Catechesis of the Good Shepherd Catholic preschool curriculum when you were preparing for this case?

A I may have looked at it if it was provided to me, but I don't remember it very well. If you would like me to discuss it, I would appreciate being able to review it again.

Q Sounds good.

A May I ask you to speak a little louder or closer to the microphone? Because I'm a little hard of hearing.

Q Absolutely. I'm sorry about that. Are you aware of how often St. Mary's and Wellspring have had to deny enrollment to a preschool family?

A I don't recall.

Q Have you ever conducted research regarding the psychological impacts of denying a family enrollment in a Catholic school?

A No.

Q I'd like to pull up your expert report, which should be on the screen momentarily, and it's marked as Exhibit 47. And I'd like to look at page seven at the end of the first full paragraph specifically. And this is where you talk about your research regarding the effects of bullying, and you state in this portion – let's see. You state in this portion that, quote, these data pertain to adolescents. Did I read that correctly?

A Yes. Can you point to where that is? But I remember writing it. I don't actually see it.

Q Yeah. It's the end of the first full paragraph.

A Yes. I see it.

Q These data pertain – yes. Thank you. And one of the studies you cited in this portion is the 2021 Trevor Project study. Are you familiar with that study?

A Yes, I am.

Q And are you aware that this study only covered middle school and high school students?

A I am. That's why I wrote that although this pertains to adolescents, it likely can be extrapolated to affect children.

Q And what is the Trevor Project?

A The Trevor Project is actually a project that does research pertaining to LGBTQ communities.

Q So, this report is not a peer-reviewed study?

A No.

Q And this wasn't conducted by academics who are neutral on these issues. This was conducted by an advocacy organization?

A Yeah. I can't tell you who the – what the background is of the researchers, but I do know that they are people who are in support of LGBT communities.

Q Have you ever studied LGBTQ bullying in preschools?

A No.

Q Are you aware of studies specific to preschool on LGBTQ bullying?

A No.

Q You similarly testified yesterday that this research on bullying is, quote, usually with older children, but can be presumed to be relevant to younger children as well. Do you recall that?

A Yes, I do.

Q In addition to conducting research, you also treat patients; is that right?

A I'm not currently treating patients, but I have treated many patients in the past.

Q Roughly how many transgender youth have you treated in your career?

A Gosh. I don't know. Honestly, quite a few. But I don't actually know that number. So, I'm afraid of misleading the Court.

Q That's totally fine. How many of those people you've treated were preschoolers?

A Quite a few were preschoolers, because I co-founded a clinic for children who are gender diverse and transgender in approximately 2015, and then I was myself referred many of those children. Also in my career, I have treated many preschoolers for other reasons.

Q So, I guess specific to transgender preschoolers, you said you've also treated preschoolers for other reasons, but just talking about transgender preschoolers, is that a large percentage of the transgender students you – or transgender patients you treat, or a small percentage?

A Well, I'm not treating them now, but for a while it was – younger children, many of whom were preschoolers were a large bulk of the children I was treating.

Q Yesterday you testified about a number of specific examples. You talked about, you know, specific cases of individuals. Do you recall that?

A Yes, I do.

Q Were any of those examples preschool students?

A I don't remember all the examples I told you – I presented to you, but I did have quite a few preschool children who I saw.

Q Were any of the examples of students enrolled in public schools?

A Were any of them students enrolled in public schools? Probably. I don't recall.

Q One thing you testified about yesterday was policies regarding locker rooms and bathrooms for transgender students?

A Yes.

Q Do you recall that? Are you aware of the testimony in this case and specifically some of the documents submitted in this case about how in preschool, the preschool students do not use locker rooms?

A I'm aware that in preschools, often children don't use locker rooms.

Q And similarly, some of the deposition testimony elicited in this case and some of the documents in this case show that preschool students use a single bathroom, one at a time, and that they don't have a – typically have a shared bathroom?

A In my experience, that can vary from school to school.

Q Yeah.

A But perhaps in your schools, that's the case.

Q That's fair. It does vary, but I think some of the testimony was that regardless, there's always an adult supervising the bathroom situation as well?

A There should be.

Q Yes. In your expert report, you defined adverse childhood experiences as, quote, experiences that have the potential to cause significant detriment to a child's well-being, both emotional and physical, and are often traumatic; is that right?

A Yes.

Q And you gave examples yesterday of different adverse childhood experiences, including neglect, physical abuse, sexual abuse, emotional neglect, being physically attacked at school, death of a parent,

homelessness, extreme stress and trauma, and chronic illness; is that right?

A I'm not looking – I don't have it on my screen, but I will trust you that that's correct.

Q Generally speaking, those types of things would be adverse childhood experiences?

A As well as gender minority stress, which I discussed.

Q Are you aware of any evidence presented in this case about instances of these type of, to quote your own language, often traumatic childhood experiences occurring at either St. Mary's or Wellspring's preschools?

A No.

Q Okay. And in fact the testimony already in the record confirms the opposite, that there's no evidence of even any complaints from LGBTQ individuals about discrimination; is that right?

A I believe so.

Q And the evidence in the record also shows that neither school has enrolled an LGBTQ child in preschool to the best of their knowledge; is that right?

A Yes.

Q And in fact –

A From what I recall.

Q Yes. And in fact Dr. Goldberg testified yesterday that when possible, LGBTQ families seek out LGBTQ-affirming schools; is that right?

A In my experience, that's not always true.

Q Okay. And then the department has also repeatedly told this Court that no LGBTQ preschool student has been denied enrollment at either St. Mary's or Wellspring; is that right?

A That's what I recall, and I trust you are conveying accurately.

Q So, instead of a case about severe childhood trauma, this is a case about the Archdiocese and its schools' ability to maintain their religious beliefs while participating in the UPK program; is that right?

A I have a different thought about that, if I may?

Q Yeah. Briefly.

A I think that it's about access to religious institutions for people – partly, at least, for people who do or may start to while they're enrolled identify as transgender or gender diverse or in the LGBTQ community, whether in my own research and my clinical work with families, they often draw on religion and faith as a source of – as a source of solace to them. Their religious beliefs help sustain them, and some families may want to seek out religious institutions for that reason and not be excluded on that basis, because that could be a terrible loss of community and faith that's important for them.

Q So, you think it's important, and you think this case is about whether the Archdiocese would change its position on letting in LGBTQ families?

A I don't think I'm saying that, but I'm saying that excluding people of faith on – even if there's some differences in belief systems, can be hard on families and children. And if children are already at a school and start to identify as within a LGBTQ community

and need to be then excluded from a community that they have – that they – that they support and a community that means something to them, that can be a significant adversity and loss.

Q So, you teach at a Catholic school; is that right?

A What?

Q You teach at a Catholic school, Boston College?

A I teach at a Jesuit school, yes.

Q So, presumably you think that sending a child or anyone's child to a Catholic school is not itself wrong or harmful?

A Yes.

Q Similarly, you would say sending your child to a Jewish school is not itself wrong or harmful?

A Yes. I would say that people have various faiths, even at the Jesuit school I teach at, and there's a recognition and respect for differences in faith that I appreciate.

Q Yeah. I'd like to talk a little bit more about that, actually, but I'd like to start with that in the context of bullying. Your testimony yesterday talked a lot about the harmful effects of bullying; is that right?

A I don't remember how much I talked about it, but I know I talked about it.

Q Do you know if either of the plaintiff preschools in this case have policies that categorically prohibit bullying?

A I recall that you – that the policies prohibit bullying, but that – those policies on the ground when

I've worked with schools don't always prevent bullying.

Q But you have no evidence that they do or don't work in this case?

A No, I don't.

Q Okay.

A That's just a general statement.

Q Sure. I'd like to pull up Exhibit 17, and I will represent to you that this is the stipulated exhibit showing St. Mary's school handbook. And I'd like to go to page 47 at the second full paragraph. Yeah. There it is. And it says, quote, the Archdiocese of Denver and St. Mary Catholic Virtue School prohibit the harassment and/or bullying of one student by another student, parent, or staff member.

And then going down to the next page, under the header, actions to take, it says, all reports of harassment and bullying will be treated seriously and investigated. Did I read that correctly?

A Yes.

Q And then on the same page, it defines "bullying," and then states in the next section, harassment and/or bullying – I think a little bit lower down, actually. There it is. Harassment and/or bullying of any kind will not be tolerated by the administration, faculty, and staff of this school. Did I read that correctly too?

A Yes.

Q Okay.

A May I ask a question?

Q Sure.

A When I looked this over, I wasn't quite sure what – how to discriminate between bullying and teasing, because teasing isn't included as bullying, but many people might consider teasing, especially on the basis of gender, to be a kind of bullying. And I'm not quite sure why that isn't considered harassment or bullying.

Q I'm not an expert on teasing and bullying either, so we can move on from there.

A I didn't say I wasn't an expert.

Q Okay. So, just to circle back to something I think we briefly touched on, but I'm not sure if I was specific before, are you aware of any instances of bullying specifically on account of sexual orientation or gender identity at St. Mary's or Wellspring?

A No, but I wouldn't be.

Q Right. Do you think that just because someone has a sincere religious belief about sexual orientation and gender identity, they would permit LGBTQ students to be bullied?

A No. But it looks like they might permit them to be teased, which I might consider part of bullying.

Q Are you aware of studies which show that students are less likely to be bullied in private schools than public schools?

A No.

Q I'd like to pull up Exhibit 5, which I will represent to you is stipulated as an authentic copy of the Archdiocese's policy guidance on issues relating to sexual orientation and gender identity in its Catholic Schools. And on page three of this document, the second full paragraph, it's talking about how to

provide pastoral care on issues related to sexual orientation and gender identity, and it states – yeah. Second full paragraph. Right there. Situations involving individuals should be addressed with pastoral care that is rooted in love and concern for the person. Did I read that correctly?

A I'm not a – I'm sure you did, but I'm not seeing it myself. Oh. I do see it. I just found it.

Q Great. And then also on that page, at the end of the second full paragraph, it says, each person deserves to be heard and treated with respect. It is our responsibility to respond to their concerns with compassion, mercy, and honesty. Did I read that correctly too?

A Yes, you did.

Q You also briefly touched on individuals who are intersex in your testimony yesterday; is that right?

A Yes. We didn't always call them intersex. The terminology is in flux. So, I don't usually refer to them as intersex, but I understand what you're talking about.

Q Okay. Thanks. I'm glad that we understand each other. Are you aware that the Archdiocese and the Catholic Church have provided specific guidance on issues surrounding individuals who are intersex?

A I don't – I am aware, but I don't recall what the guidance is.

Q Okay. Are you aware – well, I guess if you're not aware, that's – that's fine, then. I'd like to talk a little bit about your testimony regarding enrollment rejections yesterday, you know, what might happen if a student is not admitted to a school. You were asked

yesterday about what harm could result from being denied enrollment in a preschool. Do you recall that?

A I don't recall it very clearly, actually.

Q Okay. One thing you mentioned during that exchange was about how you frequently – or more frequently encounter students, quote, who had negatively experienced – who had negative experiences at school than children who were actually not admitted to the school. Does that ring a bell?

A Well, I work with families who are trying to decide which school would be the best school to send their children to based on concerns about their well-being. And I know that for some families, it would be their preference to be able to send their child to a religious institution, and that, again, religion and faith for many people in the United States is really important, but that they sometimes opt not to do it because of concerns of what the experience of the child will be. Then I've also worked with children who are already enrolled in a school and not comfortable or feeling safe, who had to, for their well-being, leave the school.

Q And you described your testimony yesterday about enrollment as speculative; is that right?

A Enrollment where?

Q Oh. Your testimony about enrollment decisions as speculative?

A Well, I have worked with families clinically where, to help and share decision-making about enrollment in terms of what would be the best thing to do. I've also worked with families who are grappling with the issue of whether to talk with their faith communities about their children and their children's status as either

having a variation in sex trait or being gender diverse, just because – because religion can be so central for many people, it does come up in clinical work.

Q Sorry. Just a few more questions. Let me take a look at my notes here. You testified yesterday in response to the question should a parent be allowed to decide what is best for their child in the realm – in this realm, we're talking about, of gender-diverse and transgender children.

And your response was, yes. Usually parents make important decisions on behalf of their children under the law, except in extreme circumstances when a child may be subject to unacceptable behaviors on the part of a parent, such as sexual abuse or other extreme and illegal behaviors; is that correct?

A That sounds correct.

Q And the bottom line, the last sentence in your expert report says, it is especially important that policies not undermine a parent's best efforts to accept and support their child or to advocate for their child's well-being in any environment; is that right?

A Yes.

Q So, is it your position that if a parent's best effort to accept and support their child and advocate for their child's well-being is to send them to a Catholic school like one of the schools in this case, you would argue that no policies should undermine their decision; is that right?

A Well, I know that for families that I've worked with who have always drawn on their faith and their faith communities for support, it can be a difficult decision about where to enroll a child, if that would be their

preference. And that's something that people grapple with, but it also can come up after a child is enrolled in a school already, that a child is starting to be perceived as gender diverse. And then it raises a different issue about whether to stay in that setting or go someplace else.

MR. REAVES: Okay. No further questions. Thank you.

THE COURT: Redirect, please?

MS. RUST: Good morning, Your Honor.

THE COURT: Good morning.

**REDIRECT EXAMINATION**

BY MS. RUST

Q Good morning, Dr. Tishelman.

A Good morning.

Q So, I'm going to pick up right where you left off about the examples of enrollment you were giving. So, just to be clear, is it possible for a child to enroll as cisgender in a school in August, and then be revealed as gender diverse in March during the school year?

A Yeah.

Q Okay. So, if a school determines to disenroll that child, what is the harm?

A Well, of course it would depend individually. Some families might prefer for their child to leave that environment, but assuming that that's not the case, it's a – one of the stressors for children is often even starting school and meeting new people. It's hard to imagine, but for children, changing environments and beginning school can be really stressful. If a child is

happy in a school, has made friends, is feeling supported and accepted by the teachers, having to leave a school is hard to explain to a child that they need to leave a school because of who they are, including something that they can't change, and lose that support.

And even more, if a child has been schooled in a particular religion and taught faith, losing and not understanding why they're not able to be part of a community of faith that is important to their family can be really hard as well.

Q Would not letting them use their pronouns be harmful?

A Yes. And it can be very confusing.

Q Would not letting them use their bathrooms be harmful?

A If there are bathrooms that are – that are male and female, and they don't have access to the bathrooms that coincide with their understanding of themselves, it can be harmful.

Q Would not allowing them to dress in the dress code they prefer be harmful?

A Yes. In certain situations, that can be harmful.

Q One second. Can you tell us why those situations would be harmful?

A Yes. Because those are situations in which a child's understanding of themselves that is often shared with their family is not being recognized in the school setting, and that can be – can instill a sense that they are not themselves acceptable the way that they are, especially about something that they can't change.

As I gave as an example yesterday, if I was in a school and they had a code that you had to be over 5'5", and I was the shortest kid at school, which I always was, and somebody said you can't be here because you're not tall enough, that would have been confusing to me. It would have made me feel like who I was in something I couldn't change and had no control over was not acceptable. And so it's kind of a parallel situation.

Q And are those types of confusion and struggles with self-identity examples of what we talked about yesterday that can lead to gender minority stress, or toxic stress?

A Yes. And it can lead to the internalization of a sense of being flawed and not good enough. It can really lower a child's confidence. I've seen this in many ways. Transgender and gender-diverse children are one example, but that can happen with children who have intellectual challenges, children who are neurodiverse, autistic, children of certain races or ethnic backgrounds who don't feel as accepted, and that is very, very hard for children.

And we do know that transgender children often, as they get older, have higher levels of mental health challenges than their cisgender peers, and that children who are supported in their identities tend to have much better mental health than those children who are not.

Q And to put a fine point on it, have you personally observed this with your work with preschoolers in your clinic?

A I couldn't hear you. I'm sorry.

Q To put a finer point on it, have you personally observed this with preschoolers that you worked with clinically?

A Yes. I observed it with preschoolers I've worked with, and I've observed it in preschoolers who are really hesitant, they even know then, to tell people. Like, I've had preschoolers say, my gender is still a secret at school, because they're afraid of the ramifications. And I've had children who as soon as they come home change their dress and hair, and realize that it would be stressful at school. But that's having to keep a part of yourself secret that's important to you can be really difficult.

Q Okay. And, Dr. Tishelman, the examples we just talked about, the bathrooms, the dress code, the pronouns, are those examples of harmful conduct, in your opinion?

A You're saying if children are not allowed to use the same pronouns in school that they use at home?

Q Yes.

A Yes. And I think, you know, we've talked about the importance of home-school collaborations and consistency, and that sort of defies that logic.

MS. RUST: Nothing further, Your Honor. Thank you, Dr. Tishelman.

MR. REAVES: Just a few more questions?

THE COURT: Okay. Go ahead.

MR. REAVES: Thank you.

**REXCROSS EXAMINATION**

BY MR. REAVES

Q Dr. Tishelman, you were just talking about consistency between home and school; is that right?

A Yes.

Q And in your report, you talk about how research supports the positive effects on children of consistent – consistency and mutual support across settings; is that right?

A Yes.

Q So, you would say it's important that parents and teachers are on the same page regarding what's being taught in the school and what's being affirmed in the home?

A I'm saying that it's important that children – children's identity be the same at home and at school, or their ability to express themselves in terms of gender is important between a home and school.

Research also shows that disciplinary actions at home and at school can be coordinated. It's possible that children will – any child will go to a school where something is taught that the family doesn't believe. I mean, I think that happens quite a bit. But – and those are things that people need to grapple with.

Q You also talked briefly in redirect on the outcomes for transgender students who socially transition, and in your report, you cite a couple studies. Have you done any research specifically in this area?

A Of social transition?

Q I think you have one called social supports. Do you recall that study?

A Yes. That was a retrospective study in which we looked at children's well-being and what they reported

about their social support. And children who have social support at school and peer support are more likely to have more positive mental health.

Q And that study specifically looked at students between nine and 18 years old; is that right?

A Yeah. Approximately.

Q Okay. And the report said the findings were, quote, preliminary, and you found that additional research needed to be done in this area; is that right?

A Yes.

Q Okay. During your testimony today, you talked a lot about your own clinical work and individuals you've met with in that work; is that right?

A Yes.

Q So, these examples are offered as anecdotal examples. These aren't peer-reviewed studies; is that correct?

A Yes.

Q So, unlike peer-reviewed research, these may not be truly representative of the experiences of families more broadly; is that right?

A Yes.

Q Okay. How do LGBTQ youth benefit from the fact that St. Mary's and Wellspring have been excluded from the UPK program?

A I couldn't hear the end of your sentence.

Q I'm sorry. How do LGBTQ youth benefit from the fact that St. Mary's and Wellspring have been excluded from the UPK program?

A How do they benefit? I don't understand the question, I think.

Q Yeah. So, this case is about whether St. Mary's and Wellspring can participate in the UPK program, and I'm trying to figure out how it's beneficial to LGBTQ youth to keep these two schools out of the program.

A I don't know that I can answer that question.

MR. REAVES: That's all, Your Honor. Thank you.

THE COURT: Any surredirect?

MS. RUST: No, Your Honor, but I have a quick – sorry. No, Your Honor. I'm done with Dr. Tishelman. But when she steps down, I just have a quick housekeeping matter, if it pleases the Court.

THE COURT: Well, Dr. Tishelman, thank you. You may stand down.

THE WITNESS: Thank you very much.

MS. RUST: Your Honor, I have to apologize to the Court. In our scramble with what was going on with our office this week, I misidentified some exhibit numbers during Dr. Goldberg's testimony. So, I just wanted to correct that for the record.

So, my apologies to the Court, but for Dr. Goldberg's testimony, when we were discussing the journal articles in order of my discussion, the correct numbers of exhibits are Exhibit 55, Exhibit 57, Exhibit 56, and Exhibit 54. Thank you, Your Honor.

THE COURT: Okay. Thank you. I suppose it's not really relevant, but your closing down of your offices is compounded by the fact that today at noon is the National Western Livestock Parade on 17th Street, and so not only are you not permitted to go into your

offices, but you should step very carefully when you cross the street.

MS. RUST: Yes. We let our colleagues know that that was happening too.

THE COURT: Next witness, please?

MS. CARRENO: Thank you, Your Honor. The next witness is Jesse Burne.

(The Witness is Sworn)

THE COURTROOM DEPUTY: Please be seated. Please state your full name for the record, and spell your last name.

THE WITNESS: My name is Jesse Brandon Burne, and last name is spelled B-U-R-N-E.

**DIRECT EXAMINATION**

BY MS. CARRENO

Q Good morning, Mr. Burne.

A Good morning.

Q Can you please tell us what your current employment position is.

A I am the division director for early learning access and quality at the Colorado Department of Early Childhood.

Q And what does that mean?

A In my capacity within this role, I oversee a division that includes the Colorado Child Care Assistance Program, also known as CCCAP, Colorado Shines, as well as many of our stimulus grants. There's approximately 30 staff within my division that range from policy analysts to administrators, compliance

specialists, grant administrators, various different roles. We are focused on providing these types of programs and services to families across Colorado.

Q And before you were employed in this position, where were you working?

A I worked for the Denver Housing Authority, managing and overseeing initiatives and programs that cut across all public housing communities within Denver, surveying residents of various ages. I've been in executive director roles that serve children and youth. The pretty consistent theme within my career has been low-income communities.

Q And what is your highest level of education?

A I have a master's degree in social work and administration.

Q You said that you are the director of early learning access for CCCAP, or the Colorado Child Care Assistance Program. Can you tell us what CCCAP is.

A Yes. The CCCAP program is basically Colorado's child care subsidy program. It is meant to help support low-income children and families across the state by offsetting the cost of child care. It has been around for over 20 years, and serves approximately around 26 to 27,000 children each year. It should be noted that it has a pretty wide age range. So, we serve birth all the way through 13 years old.

The program, as I mentioned, is really focused on low-income communities, and so there are tiered income levels that determine a family's eligibility, unless they are 185 percent below federal poverty guidelines, which in that instance they are eligible for the program.

Q And so you said that CCCAP serves children up to 13 years old?

A Yes.

Q And that's unlike the UPK program that serves children up to four years old?

A Yes. That is correct.

Q How do families sign up for CCCAP?

A So, I can walk us through the process. So, families will hear about CCCAP through various sources. It could be online. It could be within their county. I want to add another critical detail here, which is that CCCAP is considered a state-supervised, county-administered program. And so the work that we do at the County is really important in terms of the program itself, the operations of the program, but also bringing about awareness so that families understand that CCCAP, if they meet the criterias available to them, and they will often apply for the program within their local county human services office.

Q And when you say that it's a state-supervised, county-implemented program, who from the State supervises, or what agency from the State supervises those counties?

A Colorado Department of Early Childhood and the – myself and the CCCAP staff, as well as just our overall executive team has the responsibility of overseeing the program and ensuring compliance.

I want to note that CCCAP, which is also perhaps a significant difference with UPK, is really federally regulated. It uses federal funds, and so there are a lot of compliance topics that are required, and that is within our responsibility as the State.

Q And is one of those federal requirements that families sign – or providers sign a fiscal agreement to participate in CCCAP?

A Yes. That is correct. The fiscal agreement serves as a contract, if you will, that outlines what the requirements and expectations are for any provider that is participating in the CCCAP program. The fiscal agreement is between the County and the provider, and it outlines everything from how reimbursement occurs, rates within the program, attendance tracking, eligibility within the program, and several other requirements.

Q Can a provider participate in the CCCAP program without signing that contract or that fiscal agreement that you just described?

A No, they cannot.

Q When do providers that participate in CCCAP sign that fiscal agreement?

A They typically sign it when they have made their own determination that they would like to participate in the CCCAP program. You know, and for a lot of providers, connecting you back to the fiscal agreement, the fiscal agreement outlines a lot of content when it comes to reimbursement and rate setting, and that is a major draw for providers to participate in the program to be able to have access to those types of funds to help support children within their program.

The offset of the cost that is used, the reimbursement, goes directly to the provider on behalf of that child that is in their program. And given how thin a budget – a budget is developed for many child

care providers, the access to a funding source becomes critical for many of them in terms of their operations.

Q And so based on what you just described, is it typical that CCCAP providers sign the fiscal agreement before children are actually matched to them?

A Yes. They need to have a signed fiscal agreement in place. That is one of the – that is the primary document that a County uses to then authorize care at that provider. And without that agreement, a County would not be allowed nor really maybe even have awareness that that provider wants to be in the CCCAP program without that fiscal agreement.

Q And it's possible that a CCCAP provider that signs the fiscal agreement for children that are initially matched may be matched with further children later in the school year?

A Yes. That's correct.

Q I want to turn your attention to what's been marked as Exhibit 42, which is the – one of the CCCAP fiscal agreements. And, Mr. Burne, do you recognize this document?

A Yes, I do.

Q And what is this document?

A This is – well, the first page that we're looking at, as I alluded to a moment ago, is the notification of the rate schedule. This is a critical topic for all providers. And it is part of the attachment to the broader fiscal agreement.

Q And if I could turn your attention to page four, what is this part of the document?

A So, that's what I was referencing. That is the primary fiscal agreement language within this document.

Q And who is the CCCAP provider for this contract?

A St. Mary Preschool.

Q And what are the effective dates of this agreement?

A The effective date is – so, the effective date is usually whenever it is – I believe it's when it's signed, so we would have to scroll down to the date in which it's signed.

Q Okay. Can we scroll down to the signature page, please.

A So, in this instance, the effective date would have been August 24th, 2023.

Q And who signed this fiscal agreement?

A Both the child care provider and the local county human services department. And in this case, Jeff. Co., Jefferson County.

Q And the child care provider was St. Mary in this case?

A Yes. That is correct.

Q And you would agree that this document was signed by Tracy Seul?

A Yes. That is correct.

Q And if we could go back up to page four again. In the first line under provider ID, how long is this agreement effective?

A It's usually effective for a year, and the provider can then renew it each year.

Q And so can you please read the line under provider ID 1541340 that starts with, this agreement.

A Yes. My apologies. So, the agreement shall be in effect from August 4th, 2023, through July 31st, 2026. So, they are on three-year periods. Yes.

Q And if I could direct your attention to page five of this document, paragraph number 12. And can you please read that paragraph aloud.

A Which one?

Q Paragraph number 12.

A Twelve, okay. Accept referrals for child care without discrimination with regard to race, color, national origin, age, sex, religion, marital status, sexual orientation, or physical, intellectual, or mental health disability.

Q What does this paragraph mean?

A This paragraph means that a provider is not allowed to discriminate based on those categories that are outlined. They're not able to discriminate against a child or a family in accepting referrals, which in this instance is accepting the child into their program.

Q And so you said that this applies to both children and their families?

A That is correct. The intention of this document is – and CCCAP in general is to not just support a child. It's to support the entire family.

Q And what are referrals in the CCCAP process?

A So, a referral for us for the State of Colorado is there are two different options that we consider a referral. So, a family that is interested in participating

in CCCAP and wants to understand if there's any local CCCAP providers that are close to them and their community can go to our Colorado Shines website, which is also outlined in this agreement, and be able to enter their address.

And then the website is able to provide who those CCCAP providers are that are closest to them. I think they can even choose geographic distance, five miles, ten miles. And then from there, that gives them the information within that program, and they can then seek out a visit with that provider to learn more.

Or they can also contact our Colorado Shines hotline that we work through Mile High United Way where that family can then speak in real time with a live person, so not just online, and that person can help them think through what providers might be of interest to them.

At the heart of the referral process within CCCAP is a really strong focus on family choice. And so we don't necessarily have a matching process. It's really up to a family whether they're looking at one or two providers in consideration, or 12, which one they feel is the best fit for them through those two different referral options.

Q So, despite there not being a matching process, would you agree that similar to the UPK program, CCCAP is based on choice of a family?

A Yes.

Q And so if a family chose a CCCAP provider and that provider was a registered CCCAP provider, would that provider be obligated to accept that family regardless of discrimination?

A If they sign a fiscal agreement, yes.

Q And in the case of St. Mary's, would this apply to any families referred to St. Mary's after August 23rd of 2023?

A Yes.

Q What would the department consider a violation of this provision number 12 that you've just discussed?

A So, we would consider a violation being if a provider used any of those categories, race, color, national origin, sexual orientation – if a provider had used any of those as a basis to reject the referral, reject the enrollment of the child into their program, we would consider that a violation within that clause.

Q And that would be regardless of how the referral occurred?

A That's correct.

Q Are you aware of any complaints against St. Mary for violating that provision since they've entered into the CCCAP contract?

A No, I am not.

Q And is your understanding that St. Mary's has been compliant with that provision number 12?

A To the best of my knowledge.

MS. RUST: Those are all the questions I have at this time, Your Honor.

THE COURT: Thank you. Cross examination, please.

**CROSS EXAMINATION**

BY MR. REAVES

Q Good morning, Mr. Burne.

A Good morning.

Q I'd like to take a look back at that nondiscrimination provision we were just looking at, which is Exhibit 36. And we will pull that up on the screen. And this is, again, paragraph 12 on page two. Do you see that provision there?

A Yes, I do.

Q And that clause says that providers agree to accept referrals without discrimination with regard to, and it lists a number of characteristics?

A Yes.

Q Is gender identity listed on there?

A No, it is not.

Q Does the provision say anything about considerations regarding a child's family?

A Not in this clause. No, it does not.

Q I'd like to take a look at Exhibit 37, which we will pull up as well. And I don't know how well you can see that, but can you identify this document?

A Oh, yeah. This is the – if we can scroll up to the very top, that would be great. Yeah. This is the fiscal agreement for St. Mary Preschool.

Q Okay. And do you see the dates on there, or the date on there at the top?

A Yeah. July 16th, 2021.

Q Okay. And let's go down to page PL 683, and you can see the signature – the signatures on there. And do you see who signed that one?

A Yes. Ms. Seul.

Q I'd like to go back to paragraph six on page one of this agreement. And do you see a nondiscrimination clause in paragraph six there?

A Yes, I do.

Q And does that one mention either sexual orientation or gender identity?

A No, it does not.

Q For how many years have Archdiocesan preschools participated in CCCAP?

A I would want to confirm in the exhibit, but I believe since April of – since March of 2020.

Q And you testified earlier that CCCAP does not have a formal matching process; is that right?

A Yeah. I wouldn't describe it as a formal matching process.

Q Do families apply directly to CCCAP or to your office, or do they apply directly to a school to enroll?

A It happens at the county level. That's where they apply is through their human services county office.

Q For the CCCAP funding?

A That's correct.

Q But to enroll in a school, would a family still have to send in an application to that school?

A Yeah. Depending on the school, if that school requires an application.

Q When does a provider receive CCCAP funding? Is it before or after they've enrolled a particular family in their school?

A After. It's a reimbursement model.

Q Can a family approach a provider directly and then enroll in CCCAP afterwards?

A Yes. Whether they apply before or after, we do encourage parents to meet with providers to understand if that provider is a fit for their child.

Q You talked earlier about your understanding of the term "referral" in the contract; is that right?

A Yes.

Q Now, this contract is entered into between the County and the school; is that right?

A Yes.

Q So, it's not really your understanding of the contract provision today, but it's the understanding of the County and of the school entering into this agreement based on the text of the contract; is that right?

A Yes. And based on the rationale of why we included that clause to begin with, which I can walk us through if needed. It's tied to federal requirements.

Q Does the fiscal agreement cover private non-funded activities of preschools?

A No. I don't believe it does.

Q And you testified earlier that CCCAP funding goes directly to pay for the tuition of a student; is that right?

A Help offset the cost, yes.

Q So, a school couldn't use that to, say, you know, build a new classroom or something like that?

A That would not be federally allowable.

Q And I guess circling back to referrals, you know, you mentioned previously that there are two different ways that you understand a referral to happen; is that right?

A Yes.

Q And so one is when a family goes to a website and then contacts a school after seeing them on the website; is that right?

A Correct.

Q In that situation, does your office, or does the County tell the provider that a family looked at their website and then is coming to look at the school?

A No. There's not a level of coordination to that degree.

Q And when a family calls the hotline that you mentioned, does the person who speaks with them on the phone call the provider and say, I spoke to this family, they're going to come and look at your school? Do they make that contact as well?

A No. The expectation, again, is that we will encourage the family to make contact with that provider after they learn more in their initial contact with the hotline or the website, and then be able to learn more from there.

Q So, in both instances, a provider might not know if a family that comes to them has looked at the CCCAP website or spoken to a CCCAP representative on the phone; is that right?

A Yes. I would say that's rare. Usually families, similar to UPK, would want to contact the provider to

learn if it's a good fit, but I could see there being an instance where what you're describing could occur.

Q And, sorry. I meant to clarify, because I think I agree with you. I was saying CCCAP won't necessarily tell a provider beforehand that a family is coming to them, but the family might just come directly?

A That's how it happens most often.

Q Yeah. So, there's no – there's no process where CCCAP, for lack of a better term, sends a family to the school and says, we are assigning you to this school?

A We don't assign anybody, because, again, it's based on family choice. So, it's not the State or the County's or the providers' ability to assign anything. It's a family choosing that provider and learning more about what they have to offer for their child.

Q Okay. And when did the department come up with its understanding of – that these two processes are what constitutes a referral? When did that first become your understanding of what a referral is?

A So, I've been with the CCCAP program for two years. It predated my arrival, but it has been a practice since I've been within my role and from my understanding of those avenues as a referral source have been present within the CCCAP program for several years.

Q And is the term "referral" defined somewhere in the agreement?

A Not to my knowledge. I would have to confirm that.

MR. REAVES: Your Honor, let me confer with my colleagues briefly. Nothing further, Your Honor. Thank you. Thank you, Mr. Burne.

THE WITNESS: Thank you.

**REDIRECT EXAMINATION**

BY MS. CARRENO

Q And, Mr. Burne, you were just asked to look at Exhibit Number 36. Do you recall reviewing that exhibit?

A Yes.

Q And that was not the most current version of the CCCAP agreement that St. Mary entered into; is that correct?

A Yes.

Q And was Exhibit 42 that you reviewed on your direct examination the most recent CCCAP agreement that St. Mary's entered into?

A Can we pull that up again? My recollection is that August 2023 was the most recent.

Q Sure. And let's pull up Exhibit 42 again, and turn to the signature page.

A Yup. I actually see it right there. Received August 2023.

Q And so Exhibit 42 is the terms that St. Mary's has agreed to in August of this year?

A That's correct.

Q And those are the terms that currently apply to St. Mary's?

A That's correct.

Q I want to turn your attention back to paragraph 12 on page four of that same document. And you were

asked whether the word “family” specifically appears in paragraph number 12; is that correct?

A Correct.

Q Why does the department and why do you understand this paragraph to apply to children and families?

A Because the totality of all of this language applies to families within the agreement. There is language here that discusses parents or adult caretakers. I can actually see that here within line 15, further down. There is reference to caretakers, teen parents, families. You can see that language throughout the entirety of the fiscal agreement.

Q And when paragraph 12 says without discrimination, the same way it doesn't say as to parents, would you agree it also doesn't say as to children?

A Correct.

Q And like the UPK program, CCCAP is also based heavily on the choices of a family?

A Yes.

Q And regardless of how a referral gets to a CCCAP provider, they are obligated to accept that referral; is that correct?

A Yes. Once they've signed the fiscal agreement.

Q And if during the meeting a provider told a family that they wouldn't qualify for preschool there, or they wouldn't be able to accept CCCAP benefits at that school because of the child or the family's sexual orientation, would that be a violation of the CCCAP fiscal agreement?

A Yes. It would be a violation of the CCCAP fiscal agreement. I would add that really the only grounds that if a provider has signed the fiscal agreement that they can say no to enrolling a child is if they don't have enough spots within their program, which the County would be aware of.

I believe even some of the providers listed on the website child care, our Colorado Shines website will indicate whether there are CCCAP spots available. So, capacity is really the only primary allowable rationale for why a provider who has already signed an agreement would not enroll a child. Not enrolling them based on discriminating within any of these categories would not be allowable.

Q And paragraph 12, does that come from a federal requirement under CCCAP?

A Yes. So, I recall that we had – let me just kind of back up a bit. So, CCCAP is funded with the majority of federal funds. It comes from CCDF, which we – is called the Colorado Child Care Development Fund. Large, large block grant that comes from the Administration for Children and Families Office of Child Care. And it was through that entity, which is not unusual – we receive guidance from them all the time – our new policies or procedures or legal requirements that all states must follow in order to be eligible to continue to receive those federal funds.

And so this particular clause was a requirement that came down from the federal government, and that we needed to include so that the State continued to be eligible to receive funds to support CCCAP across the state.

Q And so –

MR. REAVES: Your Honor, I would just like to object that this is well beyond the scope of cross examination, and I don't think this is appropriate additional testimony.

THE COURT: Overruled. Go ahead.

Q. (By Ms. Carreno) And just two more questions. And so the terms "sex" and "sexual orientation" came from federal requirements?

A Yes. That's correct.

Q And you said that CCCAP, unlike UPK, goes up to 13 years of age; is that correct?

A Yes. That is correct.

MS. CARRENO: Those are all the questions that I have, Your Honor.

THE COURT: I'm going to permit any additional cross. Go ahead.

### **RECROSS EXAMINATION**

BY MR. REAVES

Q Thank you for your patience, Mr. Burne. Earlier when you and I were speaking about the two different types of referrals, it was apparent that CCCAP directly – does not directly tell the provider about a referral; is that right?

A That's correct.

Q So, a provider might not know that a family coming to them and seeking to enroll is receiving or will receive CCCAP funding; is that right?

A Can you repeat that question again?

Q Yes. So, CCCAP doesn't tell the provider that this is a referral, and a family might just look at the website, like you said, and then go directly to the provider. The provider won't know if the family coming in the door is a referral family; is that right?

A They would if they shared that with them. Hey, where did you learn about us? Oh. I saw you on the Colorado Shines website.

Q But there's no obligation that families tell a provider, I found you on the CCCAP website?

A No. I think it's standard business practice to where a lot of our providers understand that that's where families are getting connected through, and so there might not be an explicit acknowledgment of that within the visit, but that is a primary source that providers across the state ensure that families understand what programs they offer if they are – if they haven't spots available, and how close they are in proximity to that family.

Q So, at St. Mary's, they have over 50 students enrolled in their preschool, but only one CCCAP student; is that right?

A To my knowledge, yes.

Q And so when you testified earlier about having to accept every referral from the department, you're imposing an obligation that a provider might not know is being imposed on them if they don't know that a family coming to them is a referral; isn't that right?

A Once they sign this agreement, they are agreeing to accepting CCCAP children into their program as long as they have space available.

Q So, this agreement affects the ability of every provider that has signed it – it requires every family [sic] to accept any family that comes to them at all, because they might not know if it's a referral or not?

A It's not based on whether – whether the – whether the families saw the provider on a website or whether they, you know, heard from their neighbor that this is a fantastic provider. I mean, it's – it doesn't change the language within this agreement in terms of the provider has already acknowledged that they will accept these referrals and not discriminate within these categories. And so once that is signed, yes, they are obligated to serve that child, unless they have no space within their program.

Q And you testified on redirect that the nondiscrimination provision at paragraph 12 here was not drafted by you; is that right?

A That's correct.

Q Okay. So, you're not necessarily the authoritative – the authoritative interpreter of that provision either; is that right?

A No. I don't have any legal background. I am responding to it through a programmatic lens.

MR. REAVES: Okay. Thank you. No more questions.

THE COURT: You get the last bite.

MS. CARRENO: Nothing further, Your Honor.

THE COURT: Okay. Thank you. You may stand down.

MS. CARRENO: Hold on one second, Your Honor. Okay. Thank you, Your Honor.

THE COURT: All right. Mr. Burne, you may stand down. Thank you. As I advised you earlier in the week, there's a 10:30 matter I must attend to, and take your computers and overcoats with you. This should take probably 15 minutes at the most. We'll be in recess.

(Recess at 10:18 a.m., until 11:02 a.m.)

THE COURT: Sorry for that interruption in this case, but the rain falls on the just and the unjust. Okay. Next witness, please.

MS. FISCHER: Defense calls Elsa Holguín

(The Witness is Sworn)

THE COURTROOM DEPUTY: Please be seated. State your full name for the record, and spell your last name.

THE WITNESS: Elsa Holguín, H-O-L-G-U-I-N.

**DIRECT EXAMINATION**

BY MS. FISCHER

Q Good morning.

A Good morning.

Q Ms. Holguín, what is your current job title?

A Yes. I am the president and CEO of the Denver Preschool Program.

Q And what did you do before that?

A I was the senior program officer for child and family development at Rose Community Foundation.

Q And how long have you worked in early childhood education?

A I've been in early childhood education for close to 30 years.

Q And how long have you been the CEO of the Denver Preschool Program?

A Four and a half years.

Q And what is your highest level of education?

A I have a master's in public administration.

Q And in addition to being the CEO of DPP, do you work for any other organizations?

A I have. I worked for Women's Foundation of Colorado, Hunt Alternatives Fund, and Mi Casa Resource Center.

Q And are you a member of any professional organizations?

A I am. I am part – I have been part of the national network of early childhood providers, and I'm on the board of a national organization, Tools of the Mind, which is an outreach curriculum.

Q And what does your role as CEO of DPP entail?

A My role entails the administration of sales tax that we receive from the City. We get a portion of the Denver sales tax. And we provide – so, in coordination with the board, I ensure that we provide tuition support for four-year-olds in Denver to attend preschool, and some three-year-olds to attend preschool as well.

Q And have you received any awards for your work at DPP?

A I have been very lucky to receive several awards. I think this year we have received a Partner in

Philanthropy award from the Denver Business Journal. I also was the finalist for the Nine News Leader of the Year from the Denver Chamber of Commerce. And I received an award from an organization that is called CLLARO, which is the Colorado Latino and Resource Organization, and is a leadership award for my work.

Q And, Ms. Holguín, my colleague asked if you can scoot a little closer to the mic.

A I will. I can't move the chair, so I'm going to move this. I think I'm there.

Q I'd like to – Jen, can you please pull up Exhibit 51. It should come up on the screen there. If it doesn't, it's in defendants' binder.

A Here – oh. My resumé? No.

Q Yeah. Do you recognize that document?

A That's my resumé.

Q And does that accurately reflect – did you prepare that document?

A Yes, I have.

Q And does it accurately reflect your qualifications and experience?

A Yes.

Q And is it up to date?

A Yes.

MS. FISCHER: Your Honor, at this time I would like to tender Exhibit 51 for consideration later.

THE COURT: It will be considered with all of the other exhibits, but you can examine on it if you want to.

Q. (By Ms. Fischer) Ms. Holguín, I've got some questions about DPP. First of all, just generally, what is it?

A Yes. DPP is the local Denver preschool initiative. So, we administer Universal Preschool for Denver's children. We provide primarily tuition support. 70 percent of our funding goes to tuition support. A portion of our funding also goes for quality improvements in addition to evaluation, communication, and also the work that we do to support providers to access other resources as well.

So, it is our primary function to provide tuition support. We work with 270 providers, preschool providers. Sixty percent of our providers are part of Denver Public Schools. Forty percent of our providers are what we call community providers, which are nonprofit, for-profit. The nonprofit includes small centers, big centers, religiously affiliated, and we also work with and support home-based providers.

Q And when was DPP implemented?

A DPP is now 17 years old. It started in 2016 [sic] as a tax initiative. It was approved by the voters in 2014, and we got started in 2016.

Q And who is eligible for DPP?

A The primary eligibility is that it has to be a four-year-old child that lives in Denver.

Q And do all families living in Denver qualify?

A All families qualify. We're a universal program, so all families qualify for support.

Q So, why did DPP implement a Universal Preschool system?

A We strongly believed that we wanted to have a program for all children to have access, because we believed that when all children have access, we can actively improve the quality of education in Denver.

Q How do providers sign up?

A Providers sign up through an application that is open year round. So, they can sign up at any time throughout the year. Our application requires that they are serving a child that lives in Denver. So, we do have a couple of providers that are outside of Denver, usually in the surrounding areas, but they must serve a child that lives in Denver.

Q So, just to clarify, a provider can be outside of Denver as long as the child is in Denver?

A That is correct.

Q How do families sign up?

A Families sign up through a – an application system that we have available in several languages. They can sign up online, they can sign up by calling, or they can fill out an application at a preschool that is already signed up as a Denver preschool provider.

Q And now how does a family get paired with a school?

A Families make the choice. So, families have the ability to use our navigation tool that we have available online. The navigation tool can give them options based on criteria that they specify, and often it

is that proximity to either their home or their work, as well as the quality of the preschool, as well as the cost.

Q And what are some of the – to the extent you haven't already answered this, what are some factors that families use to select a preschool provider?

A It is – besides proximity, they are looking at the cost. They are looking at the quality, and they are also looking at the availability of hours, because some families are looking for part-time support, you know, where they need just a few hours a day. Some are using what we call a full-day support, which is a schoolday. And some are looking for extended-day support. So, they are looking to match their criteria.

And based on that, they make the selection. They do have to select from the preapproved Denver Preschool Program providers, because we do have to ensure that they are approved as providers before the family applies. Once the family is accepted into the program, then we are also able to provide the financial support.

Q Are you familiar with the term “mixed delivery“?

A Yes. Absolutely.

Q Is DPP a mixed-delivery system?

A Absolutely. It's one of our highest values that we have a mixed-delivery system in that the families have an opportunity to choose what makes the best sense for them.

Q And why is that one of your highest values?

A Because families have very unique needs, and especially when you're dealing with younger children, they have criteria that they are looking at places that

they can easily access, perhaps places where they have other children, or perhaps a community where they feel that they can belong. So, for us it's very important that they have a lot of choices, and it must include family providers as well.

Q What is the tuition credit rate for DPP?

A The tuition credit rate for DPP on average is about \$800 per month, year round. We are on a scale, so our scale at the lowest level, which is the lowest quality, the highest income, and at that level of support it's probably about \$40 per month. At the highest level is \$1,290 per month. But the average is about \$800.

Q And so what is that scale – I guess what determines that scale?

A Yeah. We determine the scale based on the income of the family, based on the quality rating of the providers. So, the higher the quality rating of the provider, the more support that we provide. And it's also based on the number of family members that are – that determines the support that we provide with our tuition.

Q And how is that paid out?

A We provide the providers directly, because they are DPP providers. Part of their application process is that we set up the payment system. And so we pay the providers directly.

Q You testified earlier about your long experience in early childhood education. Do you feel that you can speak about the benefits of early childhood education?

A Absolutely. Not only have I seen the benefits, and it is the reason why I'm in the field of early childhood,

but we also have evaluation at Denver Preschool Program.

Q Evaluation of the providers?

A Evaluation of the children and the providers and the family. So, we have three evaluations. We have a longterm evaluation where we have been following our children that are now in college. We have been following them for several years. We have a short-term evaluation, and we have a process evaluation.

Q So, why is preschool important?

A Preschool is very important to ensure that children have equal access and equal support to be ready to access school, to be ready for school, but also to be ready for life. We believe that preschool provides children the ability to have not just the academic, but most important to have the social-emotional readiness to be able to succeed in school.

Q So, do all licensed child care providers have to provide an education?

A Yes. A licensed provider for the Denver Preschool Program and for us is what we know that it has to be a quality education, and quality education means that they have to have a curriculum. They have to be able to provide the additional supports that they need, and we look at the more comprehensive whole-child education that is needed.

Q Just to clarify, you're talking about requirements or qualifications you look for for [sic] a Denver preschool provider?

A Absolutely.

Q Can you talk about any additional requirements for a preschool provider specifically you look for?

A Yes. So, at the Denver Preschool Program, we look for first and foremost that they have – that they are licensed, and that they are insured. Those are the two primary qualifications. And the third and very important for us is their quality rating.

And in Colorado, we have a Colorado rating system that goes from one to five. For the Denver Preschool Program, they have to be a minimum of three, three-level quality rating. We do grow them to go from a level one to a level three. And then we work really hard to maintain them at a level three, because we know that if they are not a quality provider, we are not going to get the results that we are seeking.

Q So, you mentioned being licensed. Is that like the floor?

A Absolutely the floor. Yes. Safety.

Q But would being licensed and meeting safety standards, is that enough?

A It is not enough.

Q Does the concept of safety just include licensing?

A Safety is more than just licensing. It includes that there is an environment where children are also able to read – are able to acquire the skills that they need to be able to succeed. So, it requires more than just the basic level of safety. It requires that there is an environment where children can thrive. It's not a place to keep children. It's a place for children to thrive.

Q So, would it be fair to say the concept of health and safety has evolved to include the whole child?

A Absolutely. And we have learned that it's so important. It's not just whole child. We have also learned that social-emotional development is critical, and it is the most important skill that children need to have to be ready for school.

Q And is having access to preschool part of that social-emotional development?

A Yes. It is access to an environment that is – has the ability to prepare them to be ready for school. We know that in many cases, in many of our children, they don't come from environments where they can have a place where they can have that support that they need, that interaction that they need with other children, the ability to be in a place where they are acquiring the skills to be able to succeed.

MR. REAVES: Your Honor, I would object to the questioning as leading questions, and would ask that they ask questions that are open-ended on direct.

THE COURT: They are leading questions. The objection is sustained.

Q. (By Ms. Fischer) In your experience, how does a child benefit from early childhood education?

A What we know from our evaluation and from the work that we have in the field of early childhood is that access to preschool allows children to be able to be ready for school, and the results that we have seen is that children are more likely to read at grade level by third grade. They are less likely to repeat a grade. They are more likely to graduate. They are more likely to access college or higher education.

And not from our evaluation, but from national evaluation, including the Head Start evaluation, we

know that it has a multiplying effect, and the children that attend children – the children of the children that attend preschool are also benefiting. So, we know that it is a key element for children to be able to succeed, and an equalizer for many children that don't have the opportunity to be in a place where they can acquire those skills.

Q And the flip side of that question, in your experience, how does it harm a child not to have access to early childhood education?

A Not having access to early childhood education impacts the children's readiness to succeed. What we know is that children that come to school with the skills to be ready to learn are more likely to succeed. So, we know that for many children, it's detrimental in that we see that they are held behind, more likely to be in special education, and less likely to succeed academically and socially and emotionally as well. So, the impact is profound, particularly for some of our communities that don't have access to those resources.

Q You mentioned that you – that you track the development of children in DPP. Do you recall that?

A Yes. We track the development. So, we have been tracking the development both because we are city-funded. So, we need to make sure that we're reporting on an annual basis about the results of our program, but also because it is important for us to know how effective our program is. And we are pleased to see that the results have been very successful.

Q So, just generally, what have you found through this tracking study?

A What we found is that children are able to academically perform in terms of school readiness with – readiness for math, readiness for learning, readiness for reading, but we also know that they are emotionally ready to perform in the classrooms from what we know teachers are indicating is one of the most important elements that they have seen. They can graduate on time. They can be able to succeed.

And so we know that it is effective for the child, and we know it's also effective for the family. Preschool is one of those interventions that is what we call a two-generation in that it benefits the child, but it also benefits the family, because it also allows the parents the ability to go to work, to bring more financial resources to the household, and to be able to succeed as a family as well.

Q I'm going to ask Jen to pull up Exhibit 43 on the screen. You should see that come up in a few minutes.

A Yes.

Q Ms. Holguín, do you recognize this document?

A Yes.

Q And what is it?

A It is a renewal application for providers.

Q I'm going to ask Jen to scroll to page three and direct your attention to paragraph 26. Maybe. Or, I'm sorry. Page 26, paragraph three. Apologies for that.

A I have it in front of me.

Q Okay. And what does that paragraph say?

A Would you like me to read it?

Q Sure.

A Providers shall not discriminate against any person on the basis of race, color, religion, national origin, gender, age, except as to the age of children qualifying for tuition questions, military status, sexual orientation, gender variance, marital status, or physical or mental disability, except as such disability may materially and adversely affect proper administration of the preschool program.

Q And did you draft this language?

A Yes.

Q Who does it apply to?

A All the providers that apply to be a Denver Preschool provider.

Q And does every provider have to sign this agreement?

A Yes.

Q And would a provider be able to participate if they don't sign the agreement?

A No.

Q So, why did DPP include this clause in paragraph three in the contract?

A First because we believe that nondiscrimination is an important element of the implementation of our program, but also because we are funded through a Denver sales tax, and I am under contract with the City. We are required to have a nondiscrimination statement.

Q Are you aware of any DPP providers turning families away for discriminatory reasons?

A No.

Q What would DPP do if the program received a report that a provider turned a family away for one of these reasons in the paragraph?

A Well, first we will investigate it. We do have an external contractor that looks at the reliability of the administration of the contract. If that turns out to be the case, we will terminate that contract.

Q Are there enough providers to serve the population of families who want to access DPP?

A There are never enough, no. There are never enough providers.

Q And what are some of the stated reasons for not being able to serve more children?

A The primary reason is workforce, that we don't have enough teachers to be able to administer the programs.

Q Are you familiar with the UPK program?

A The state UPK program? Yes.

Q And how are you familiar with the program?

A We're an intermediary, which is called a local contracted organization, an LCO. I also participated in the planning process for the development of that program.

Q And what is DPP's role as an LCO?

A As an LCO, we provide support to local – to Denver providers to access the state UPK program, and we help the State in ensuring that they are reaching to all the providers that they need to support.

Q So, are you familiar with the UPK matching process?

A Yes.

Q How is DPP's process of placing children with providers different?

A The difference is that we don't do a match. We provide the resources to the families. We provide the list of potential places that they can apply at the Denver Preschool Program. At the state level, there are some similarities in that families can search for providers that meet their criteria, and they pick the providers that are their choices, and then the State has the ability to do the match based on parents that apply for their children on the one side, and on the other with the providers that apply to be a state UPK provider.

Q Can a family participate in both Denver Preschool Program and UPK?

A Yes.

Q What types of conversations in DPP's role as LCO has DPP had with families and providers about UPK?

A On the first year of implementation, it was a lot of clarifying questions about the State versus the City, about the application process, about the role, the type of just information when you start a new program.

Q And do families participating in UPK also make choices about schools?

A Yes.

MR. REAVES: Objection. Vague and –

THE COURT: Overruled.

THE WITNESS: Yes. They do make choices in that they have the ability to look at the list of providers that

have signed up with the state UPK program, and based on their criteria, select the ones that are a good match for them.

Q. (By Ms. Fischer) Are there faith-based schools participating in DPP?

A Yes.

Q Are there Catholic schools participating?

A Yes.

Q Are there Archdiocese Catholic Schools participating?

A Yes.

Q Do you recall which schools?

A I don't have the list in front of me, but we have 30 that are religiously-affiliated providers, faith-based providers. And out of those 30, ten are part of the Catholic Archdiocese.

Q Did you prepare a declaration in this litigation?

A Yes.

Q Would looking at that declaration help you remember those ten schools?

A Yes, it will.

Q Okay. I'm just going to show opposing counsel. This is your – Ms. Holguín's declaration that's been previously submitted. It's being pulled up on screen. And it was attached – it's document 38.5 in the record. I'm going to ask Jen to pull up paragraph seven. Ms. Holguín, I'm going to ask you just to look at that for a bit.

A Yes.

Q And let me know when your recollection has been refreshed.

A Yes. I have it in front of me now.

Q Jen, can you please pull that down. And after looking at that list, do you recall the names of the schools?

A Yes. So, we have Enunciation. We have Guardian Angels. We have Blessed Sacrament. We have St. Bernadette's. We have – oh, I'm sure I'm going to forget some, but I don't have the whole list.

Q It's okay. Roughly how much money does the DPP pay out to Archdiocese schools?

A It is – through those ten Archdiocese schools, I believe last year was close to a million dollars.

Q I'm going to ask Jen to pull up Exhibit 43 again, which we've already looked at. And just looking at the first page, which schools – can you tell me just looking at that number one, which school's contract this is?

A Wellspring Catholic Academy.

Q And is that part of St. Bernadette?

A Yes.

Q And how long has Wellspring been participating with DPP?

A They participated last year, and they are – they have an incomplete application this year.

Q So, you said St. Bernadette participated last year?

A Yes.

Q How much money have they received in the past?

A I believe last year they had two children enrolled in the program, and they received \$10,000 from us.

Q And do all participating schools have to sign the DPP agreement?

A Yes.

Q Jen, if you could scroll down to the last page, to be the signature page. Just looking at the signature, can you tell me, is this agreement signed?

A Yes.

Q And who signed it?

A Karina Campa.

Q Thank you. Jen, can you scroll up two pages, bottom of page 15. Ms. Holguín, I'm going to call your attention to the last paragraph on the page numbered eight, which I – there it is. And the portion I'm interested in is actually at the top of page 16. Can you read the last sentence in that paragraph.

A Nothing in this agreement shall be construed to affect the provider's right to engage in privately-funded, inherently-religious activity or affect the independence of providers, including any rights protected by the Colorado and U.S. Constitutions and applicable law.

Q I'm going to call your attention now back to the top of page 26 to that paragraph three. Do you remember talking about this clause?

A Yes.

Q Does that language on the top of page 16 exempt a program from complying with paragraph three?

A No.

Q And in your experience, why is nondiscrimination language like paragraph three important to the implementation of a successful preschool program?

MR. REAVES: Your Honor, I would object to the extent that she's offering expert testimony on nondiscrimination requirements. I don't think they have offered her as an expert on that, and we would generally object to her qualification as an expert, as we did in our motion to exclude her testimony.

THE COURT: She can testify as to what the practice is, but not her opinion on it.

MR. REAVES: Thank you, Your Honor.

Q. (By Ms. Fischer) So, how does DPP apply the clause in paragraph three?

A The Denver Preschool Program believes that access to preschool is essential, and that having a nondiscriminatory environment for our children is the social and emotional preparedness that they need, as well as having access to preschools that are providing an equity environment for all children.

Q And does DPP interpret this provision to allow a provider to refuse an LGBTQ child?

A They cannot refuse an LGBTQ child.

Q And does DPP interpret this provision to allow a faith-based provider to refuse to enroll an LGBTQ child?

A A faith-based provider – this does not allow a religious provider to not allow an LGBTQ child.

Q And are any DPP providers allowed to discriminate against LGBTQ families?

A No.

MS. FISCHER: Thank you.

**CROSS EXAMINATION**

BY MR. REAVES

Q Good morning, Ms. Holguín.

A Good morning.

Q My name is Nick Reaves. I am one of the attorneys for plaintiffs in this case.

A Good to meet you.

Q You talked earlier about the matching process for UPK. Does DPP have a centralized matching process in the same way?

A Not in the same way. We have a referral process so that families can search for providers based on their criteria.

Q What is the first step for a family interested in receiving DPP funding to take in order to participate?

A The first step is to find a provider of their choice.

Q And I'd like to pull up a copy of the DPP website just for you to take a look at. We will pull that up quickly here. I'd like to take a look at that portion of the – sorry. Could you just identify what this is.

A Yes. This is the first page to start their tuition application – their application for tuition support.

Q Thank you. And I'd just like to scroll down to the portion of the page that shows how to sign up. Do you see that provision there?

A Yes.

Q And could you just read that sentence, I guess it's two sentences, after number one, that first paragraph.

A Yes.

MS. FISCHER: Your Honor, can I ask counsel to identify on the record if this is an exhibit that's already been submitted?

MR. REAVES: No, Your Honor. I don't want to introduce this as an exhibit. This is for purposes of impeachment testimony, and to show the witness.

THE COURT: Go ahead.

THE WITNESS: How to sign up. Enroll your child in a participating preschool. Use our find a preschool tool and how to choose a preschool checklist to get started. Please contact the school of your choice directly to apply. If you plan on enrolling –

MR. REAVES: That's okay. Just that first sentence is fine. Okay. That's all I had to show you on that one. You can take that one down. Thank you.

Q. (By Mr. Reaves) What kind of information do preschool providers have to provide DPP to participate in the program?

A In addition to the information about the location and the hours and all those things, they have to give us information – they have to ensure that they are licensed, that they have insurance, liability insurance, and that they have a quality rating from the State.

Q And I'd like to go back to that nondiscrimination requirement we were looking at before. We will pull that up now, and this is marked as Exhibit 35. Do you recognize this document?

A Yes.

Q And we will go down to page 21 of this, and it's paragraph number three there. Do you see the nondiscrimination provision there?

A Yes.

Q Does DPP regulate the employment decisions of providers?

A We ensure that they meet the qualifications to be teachers in those classrooms.

Q So, do you have licensing requirements, essentially, for teachers?

A Yes.

Q But you don't – DPP doesn't have a practice of enforcing requirements about whether a provider hires or fires with a teacher normally?

A We don't, unless they don't have the qualifications to be a teacher.

Q Okay. So, in this provision, the language says, provider shall not discriminate against any person. Do you see that language there?

A I do.

Q What is "any person" referring to?

A A child, a parent, or a teacher.

Q Okay. But you did say earlier that this doesn't cover employment decisions; is that correct?

A That is correct.

Q Okay. And this nondiscrimination provision, it doesn't mention the word "enrollment" in there, does it?

A No.

Q And you testified earlier that the DPP funding goes directly to subsidize the tuition cost of a student; is that right?

A Yes.

Q Okay. And those funds can't be used for the general operations of a school or for something else the school would do; is that right?

A We don't mandate how the tuition is implemented once they start with the tuition. Our tuition usually covers teacher salaries and overhead for the school.

Q Right. But to confirm, it has to be – the money has to be used to offset tuition costs?

A That is correct.

Q Yes. Thank you. Earlier you were discussing the DPP nondiscrimination provision, which we're looking at, and that's part of the provider agreement; is that right? Part of this document here?

A Yes.

Q I'd like to look at the second half of paragraph eight on page 11 of this document. And I know you read this language earlier, so I won't make you read it again. I will just read it off. It says, nothing in this agreement shall be construed to affect the provider's right to engage in privately-funded, inherently-religious activity, or affect the independence of providers, including any rights protected by the Colorado and U.S. Constitution and applicable law.

Where did this language come from?

A Our contract with – no. This doesn't come from the contract with the State. This comes from our original agreement that – in setting up the Denver Preschool

Program, in which we wanted to ensure that we were working with religiously-affiliated providers. So, it was our attorneys at the very beginning of the program that ensure that this was available.

Q And do you provide providers with any guidance on how to interpret this particular sentence?

A Yes. Because they often are asking questions about the hours that they are providing religious education versus the hours that they are not providing the religious education, which is what we fund.

Q Has the department defined what it means for a provider to maintain independence as it's used in this sentence?

A No. Except to the extent that we don't mandate what happens in the hours that we don't fund.

Q And this also mentions the Colorado and U.S. Constitutions and applicable law. Do you have a specific list of what laws that includes, or do you have an understanding of what that term means?

A For us, it's the law that we have to comply with as being a city-funded program, and part of what is in our contract with the City.

Q And right at the beginning of that sentence, it says, nothing in this agreement shall be construed. What agreement is that referring to?

A The provider agreement.

Q And that's the document we're looking at here today?

A Yes.

Q So, nothing in this agreement shall be construed to affect. And that applies to the entire agreement?

A Correct.

Q You testified about having a shortage of DPP providers; is that right?

A Yes.

Q So, you're always trying to get more schools to sign up and participate in DPP?

A Yes.

Q Is it important that religious schools participate in the program?

A Yes.

Q Do you know for how many years Archdiocesan preschools have participated in the DPP program?

A Since the very beginning.

Q And you've never had any concerns with their participation in the program?

A No.

Q And when we were talking about the need for more preschools, you testified that some current – I'm sorry. Let me rephrase that. You testified earlier about the need for more preschool providers. If some of the DPP providers stopped participating, presumably that would be harmful for families who need this benefit?

A Yes.

Q And you talked earlier in your testimony about tracking and reviewing any complaints about violations of this agreement; is that right?

A That's correct.

Q And you retain complaints that are filed with DPP?

A Yes.

Q And I believe you included this in your declaration as well, but do you recall if there have been any complaints about Archdiocesan schools participating in this program?

A No.

Q So, no LGBTQ complaints?

A No.

Q Nothing specific?

A No complaints.

Q So, you have no reason to conclude that Catholic Schools have been unable to comply with the DPP requirements?

A That's right.

Q You testified earlier about the harmful – sorry. You testified earlier about the – I guess the importance of early childhood education; is that right?

A That's correct.

Q Is that something you've studied in an academic setting?

A No. It is my work that has been done – not from academia, but from being in the field and funding for almost 30 years.

Q And you talked about the importance of a quality education, and you focused on the Colorado Shines ratings; is that correct?

A That's correct.

Q And do you recall the Colorado Shines ratings of the two preschools in this case, Wellspring and St. Mary's?

A I believe they are both level three.

Q Okay. And if I were to tell you that I think they're level four, would you think that's unreasonable, or may that be correct?

A That may be correct. It changes every year. So, it could have been level three last year, and it can change the following year.

Q And your testimony earlier was that anything level three or above would qualify?

A As a quality –

Q As a quality program.

A Yes.

MR. REAVES: Just one second. Let me confer with my colleagues. Thank you. Thank you. Nothing further, Your Honor.

THE COURT: Thank you. Redirect, please?

MS. FISCHER: One moment, Your Honor.

**REDIRECT EXAMINATION**

BY MS. FISCHER

Q So, Ms. Holguín, is access to – strike that. Is access the only thing that matters in selecting – in making preschool available?

MR. REAVES: Objection, Your Honor. Leading question.

THE COURT: It is. Sustained.

Q. (By Ms. Fischer) What does DPP look for when it selects providers?

A DPP is looking to provide families with their choice of providers, which includes providers that are providing accessibility by being close to their home or close to their work, as we know that's the number one criteria for families. In addition to that, we also ensure that the families are selecting quality providers, because we know that that's where we're going to get quality results, when we have providers that can provide that support.

Q And are there any other factors DPP considers?

A The quality providers that we are looking at, I don't – maybe I should just go a little bit into what “quality” means for the quality star rating, because it's pretty comprehensive. It ensures that this is a program that has a curriculum that is a quality curriculum, that has teachers that are qualified to teach at the school and present the curriculum, that it has an active outreach and communication and support the parents so that they have a supporting home environment as well as the tools and resources that they have available in their classroom. And then finally, that it's a safe program – a safe environment where children are learning.

Q And are you familiar with the UPK quality standards?

MR. REAVES: Objection, Your Honor. She's not qualified to testify, and Ms. Odean testified yesterday about what the UPK standards are.

MS. FISCHER: And I'm just asking if she's familiar, as DPP is an LCO.

THE COURT: The objection is premature. It's overruled.

THE WITNESS: I am familiar with the fact that they are in the process of developing the quality standards that have not been finalized at the state UPK program. But I do know that we have provided the State with a lot of information about our own programs. So, we suspect they are going to be very similar to what we have.

MS. FISCHER: Thank you. No further questions.

THE COURT: Thank you very much. You may stand down.

THE WITNESS: Thank you.

THE COURT: Next witness, please?

MS. CARRENO: Your Honor, that was our last witness. One more point of housekeeping is we just move to admit all of the exhibits that have been proffered. And then another point of housekeeping is there were some deposition designations for a witness, Mr. Moo, who was the Archdiocese 30(b)(6) witness. He was not the witness that testified at trial. We did not have the opportunity to depose Ms. Chilelli. So, we just ask that the deposition designations for Mr. Moo be part of the record.

MR. DAVIS: We had some specific objections to parts of those designations, and you will see those when you review them, Your Honor. I will just say that for the record.

THE COURT: Yeah. I will look at the objections and take that into consideration. It's accepted as part of the record.

MS. CARRENO: That sounds great. Thank you.

MR. DAVIS: Your Honor, plaintiffs would also like to know for the record, I understand you're taking all the exhibits under consideration, but we just want to formally note for the record what we're offering.

THE COURT: Let me ask this first. Do you have any rebuttal witnesses?

MR. DAVIS: No, Your Honor.

THE COURT: Okay. So, that concludes the taking of the testimony. And you're going to check – why do I say this? Don't make a federal case out of it. If you want to check and make sure all your exhibits are in, please do so. And this is a bench trial, so when I get them is not a matter of great importance. I'd rather you take your time to do that.

MR. DAVIS: Yes, sir.

THE COURT: To make sure that I have everything that you want me to have. We need to think now, both sides have asked to submit proposed findings of fact and conclusions of law, and I am advised by my courtroom deputy that there's also a desire to make closing arguments. Is that the case?

MR. DAVIS: Plaintiffs would like to, Your Honor.

THE COURT: I'm sorry?

MR. DAVIS: Plaintiffs would like to, Your Honor.

MS. CARRENO: Yes, Your Honor.

THE COURT: Okay. Let's do this, then. We will come back at 1:15 for the closing arguments, and the plaintiffs' counsel can do that. I don't like to impose strict time limits on this. I give lawyers a much more

frightening attitude, and that is that when you start repeating, I stop listening. So, my suggestion is that you try for about a half an hour, and we will start with the plaintiffs, then defendants, then plaintiffs will have rebuttal as well. Okay?

MS. CARRENO: Yes. And, Your Honor, regarding the findings of fact and conclusions of law, right now the current deadline for those, I believe, is January 12th, and I understand that it might be difficult for us to get the transcript with enough time for us to –

THE COURT: That's all right. We will take whatever time you need. This is an extraordinary circumstance for you, and if the plaintiffs need more time, the same thing would happen. But when they're locked out of their building, I think that's – I've never heard that reason given, but it's a valid one.

MR. DAVIS: I agree, Your Honor. I think the deadline is actually the 16th, and plaintiffs, to the extent we can, would like to maintain that to keep matters moving along.

MS. CARRENO: Apologies. Yes. The 16th. But I understand that the transcripts might take up to a week for us to get, and then that only gives us a matter of a day or two to get them.

THE COURT: I think you need the transcripts for the proposed findings, and that's a legitimate request. It's going to take two weeks from now, which would be basically the 18th, fourteen days from now. So, then I think – I'm trying to get this matter decided as quickly as possible, but at the same time I want you to have a fair opportunity. So, I think ten days after the 18th would be the time to submit the proposed findings.

Does that give you – that gives you two weeks to go over four days of testimony.

MS. CARRENO: And is that ten business days, Your Honor, or ten calendar days? Ten business days or ten calendar days?

THE COURT: Well, let's make it business days.

MS. CARRENO: Okay. That works for the defendants, Your Honor.

THE COURT: It's a First amendment freedom of religion case, so we don't want anybody to have to work on the Sabbath.

MR. DAVIS: Yes, Your Honor. Ten business days I think is acceptable to the plaintiffs, but I think it's one week for the transcript, not two. So, if we could go ten days after a week from now.

THE COURT: She just told me it was two weeks.

MS. CARRENO: Oh. I apologize. I said one week. But I don't know – it's up to the transcriber.

THE COURT: Let's do this. Let's order it in one week, and if you need more time because the transcripts aren't in, then just file a motion, and I will take care of that. We will adjust to the facts. So, that means that one week would be the 11th. And I don't know if that falls on a weekend or not, but it's business days.

MR. DAVIS: I think that's the 25th, is ten business days after – I think Friday the 26th is ten business days after a week from today.

THE COURT: Okay. All right. 26th?

MS. CARRENO: Yes.

THE COURT: And then you will file simultaneous proposed findings? Is that the idea?

MS. CARRENO: That works for defendants, yes.

THE COURT: Okay. All right. Let's do that. And we will come back here at 1:15 for the closing arguments. Before I do that, I want to – I want to thank Counsel. You're all well prepared, and I believe that you have treated one another with the kind of courtesy and civility that is expected in this courtroom. Thank you.

(Recess at 11:58 a.m., until 1:43 p.m.)

THE COURT: Good afternoon. I need to tell you that the telephone connection that allows people to listen to what's going on doesn't work, which doesn't really surprise me, but it reminds me there was a challenge made in the Colorado Court of Appeals recently by a defendant who thought he was denied a public trial because the phone system didn't work, and the Court of Appeals told him to take a hike. Well, actually, they told him to stay where he was.

It's an unfortunate thing. I wish that these people could listen in, but I can't wait any further and tax your patience with that. I apologize for the delay, but let's go ahead with it.

MR. DAVIS: Thank you, Your Honor. And good afternoon. As you've heard this week, this case is about a conflict between two sets of rules: the Catholic Church's religiously-motivated rules for how its parishes operate their preschools, and the State of Colorado's rules setting conditions on participation in the State's Universal Preschool Program.

Caught in the middle of this conflict are Catholic families like the Sheleys, who seek to participate in this beneficial new program just like everybody else, but feel sincere religious obligation to provide their children with a Catholic education.

So, the question is, what to do about that? And particularly in light of the evidence that you've seen this week, the answer is clear. Under a trilogy of recent squarely-on-point decisions from the Supreme Court, the conditions on UPK funding challenged in this case violate the First amendment.

I will start with the first count of plaintiffs' complaint. Your Honor, in *Carson*, the Court articulated a straightforward rule. States may not deny otherwise available benefits based on a recipient's religious exercise. That rule is triggered here, as the testimony of Ms. Chilelli, Ms. Coats, and Ms. Seul confirmed.

St. Mary's and Wellspring exercise their religion by maintaining religiously-motivated enrollment and operational policies that directly conflict with the obligations imposed in the UPK provider agreement. If it weren't for the conditions, St. Mary's and Wellspring could and would sign the agreement, and they would start participating in UPK immediately. They're excluded because of their religious exercise, solely because of that exercise, and for no other reason.

This case also provides a dramatic illustration of why the Carson rule is so essential. Mere months ago, St. Mary's and Wellspring could compete with non-Catholic preschools on equal footing. Today, however, as Ms. Odean confirmed, the State has made more than 2,000 other preschools free to attend, while

families like the Sheleys, who choose St. Mary's or Wellspring, continue to foot the bill.

That sort of governmental thumb on the scale is inherently not neutral toward religion. The First amendment demands a country in which religion flourishes or withers according to its own appeal, not according to governmental carrots and sticks.

Your Honor, notably in *Carson*, the Supreme Court did not cite Justice Scalia's decision in *Employment Division versus Smith*. Instead, the Court relied on pre-*Smith* cases like *Sherbert* and *Thomas* for the principle that a state may not withhold benefits on the ground that the recipient is exercising his or her religion. That principle, not *Smith*, is the one that governs here.

Even aside from *Carson*, defendants' actions still trigger strict scrutiny if they aren't neutral and generally applicable in the sense meant by *Smith*. And this takes us to counts four and five of the complaint. And here, either path, neutrality or general applicability, leads to strict scrutiny.

In fact, Your Honor, there's no clearer illustration of that than the testimony that you heard from Ms. Odean yesterday. According to Ms. Odean, under defendants' understanding of the UPK program, a provider whose enrollment is limited to gender-nonconforming children or to LGBTQ children or families could participate in the program, but a provider limited to families who accept and live out the Catholic Church's teachings on marriage and sexuality cannot participate in the program. It is difficult to think of a policy that's less neutral and generally applicable than that one.

But to back up for a moment, Your Honor, and briefly take each of those two requirements, neutrality and general applicability, in turn, on neutrality, defendants have compared plaintiffs to segregation academies in the 1970s. They've likened plaintiffs' millennia-old religious beliefs to bullying and stigmatization.

With respect, Your Honor, this is exactly the kind of hostility towards religion that resulted in the defendants' state being reprimanded by the Court in *Masterpiece Cakeshop*, and it demonstrates a lack of neutrality in this case too, and that's especially so whereas here and as plaintiffs anticipated in our opening, this Court hasn't heard about a single LGBTQ family that plaintiffs' preschools have ever harmed.

But like *Fulton*, Your Honor, this case might be even more straightforward under the rubric of general applicability. The evidence this week has shown that defendants' exclusion of plaintiffs' preschools was not pursuant to a generally applicable policy. The *Fulton* Court explained that this requirement, general applicability, it's not met if the government has granted exceptions or even if it merely has discretion to grant exceptions to others that undermine its interests in regulating the plaintiffs' conduct. So, to perform this analysis, it's critical for the Court to first figure out what is the policy that we're looking for exceptions from. What is the relevant government interest?

Now, defendants have not made that easy here, as they've asserted a variety of different interests at different times, including in the evidence the Court has heard this week. But no matter which of these

various interests the Court takes as its starting point, the evidence shows that defendants' exclusion of plaintiffs' preschools is not generally applicable.

First, defendants, in line with Governor Polis' own views, have at times asserted that their interest is in having preschools be open to all children who are matched with them. As Ms. Cooke testified this week, the equal opportunity mandate, quote, ensures that every child will have an opportunity to attend a preschool of their choosing.

But with respect to that interest, the rules plainly are not generally applicable. Indeed, that interest is only honored, if it's honored at all, in the breach. As Ms. Odean affirmed, defendants have nine different preferences that function as exceptions from the UPK program's matching rule.

Just this week, and halfway through the first day of trial, they announced a new tenth preference, one that is remarkably sweeping, allowing providers to require all their families to be, quote, part of a specific community, share the same, quote, interests, or participate in the same – or, sorry. Participate in a, quote, specific activity.

This preference, Ms. Odean testified, would allow providers to limit enrollment to LGBTQ children or families, children of veterans, or children of color. And as Ms. Odean also affirmed, over 1,000 providers, around half the total in UPK, have claimed one of these programmatic preferences.

Moreover, the department has considered and granted still other exceptions on a case-by-case basis, according to the form that this Court saw as Exhibit

31. So, this interest, serve everybody, is simply not one of the State's rules.

So, defendants, they pivot, and they now insist that their alleged interest is specifically in enforcing the terms of what they call the statutory nondiscrimination requirement. According to defendants, none of the preferences allow discrimination on the bases covered by that requirement, so they say their actions are generally applicable. But this pivot does not save them. And to see why, it's helpful to take a step back from the shorthand that the parties have been using, and look at what the statute actually says.

Your Honor, on the screen in front of you is the language of the law that's at the core of this case. Now, while defendants' counsel in her opening chided plaintiffs for, quote, wrongly interpreting the statutory term "discrimination," Your Honor can see and Ms. Odean admitted that the statute does not use the terms "discrimination," "nondiscrimination," or "antidiscrimination" at all.

What it says is that each preschool must provide that eligible children receive an equal opportunity to enroll and receive preschool services regardless of race, ethnicity, religious affiliation, sexual orientation, gender identity, lack of housing, income level, or disability as it applies to the child or the child's family.

And in light of what we've heard this week, it is simply indisputable that the department has recognized numerous exceptions that do not require providers to provide an equal opportunity to enroll on these bases.

First, the statute requires that providers offer an equal opportunity to enroll, regardless of disability. But as Ms. Odean unambiguously admitted, some UPK providers only serve children with certain disabilities.

Second, Your Honor, the statute requires that providers offer an equal opportunity to enroll, regardless of income level. But as Ms. Odean unambiguously admitted, Head Start providers are permitted to prioritize low-income families.

Third, the statute requires that providers offer an equal opportunity to enroll regardless of religious affiliation. But as Ms. Odean again unambiguously admitted, faith-based providers are permitted to reserve seats to members of their congregations. And that term is defined to hinge on shared religious beliefs and practices. So, as Ms. Odean admitted, a Catholic provider can prefer Catholics, and a Lutheran provider can prefer Lutherans. You see the quote here, a Catholic provider does not have to provide an enrollment opportunity to Lutherans.

Your Honor, this same testimony answers one of the questions that Your Honor posed in your summary judgment ruling, which was whether the congregation preference that we're discussing here, whether it really does allow providers to offer unequal opportunities based on religious affiliation. And the answer we now know, Your Honor, is absolutely it does.

What else are Catholic and Lutheran but religious affiliations? If this isn't an exception to the religious affiliation portion of the equal opportunity mandate, then the preference has no meaning at all.

And as this Court said on summary judgment, if the congregation preference is such an exception, quote, that will support a finding that the associated nondiscrimination requirements are not generally applicable. That is exactly right.

It's also consistent with Your Honor's well-reasoned decision in *Newland versus Sebelius*, which plaintiffs have cited in this case previously. In that case, this Court held that a religious exemption that the government had extended to some employers undermined the government's interest in requiring the plaintiff religious employer to cover contraceptives in its health plan. And if I could, Your Honor, I'd like to dwell a bit longer on the congregation exception, because I want to note that the plain language of the congregation definition confirms what we've just been discussing.

Defendants' argument appears to be that the preference turns on community or relationships, and not religion. But that simply ignores the text of the definition, which specifies that a congregation must be, quote, religious-based, can be spread across several convocations, and must be composed of individuals who, quote, share a common set of beliefs and collectively engage in conduct with a direct nexus to that shared common set of beliefs. In other words, Your Honor, it's a group of people who are affiliated with the same religion.

On top of all this, even if this Court were looking for the most analogous exceptions possible, exceptions that relate specifically to sexual orientation and gender identity, defendants have recognized those too. Now, I mentioned earlier, Ms. Odean's testimony that a school could have a gender-nonconforming preschool,

could have an LGBTQ preschool, and Ms. Odean again said she understood that that would be okay.

But more than that, Your Honor, Darren Patterson Christian Academy in Buena Vista has similar views on sexuality and gender identity as plaintiffs here. Defendants know this. They are well aware of it, yet Darren Patterson has been participating in UPK from the start.

And although the department was enjoined from enforcing the equal opportunity mandate against Darren Patterson months ago, the department has declined to appeal that ruling. So, right now, a school with the same policies as plaintiffs is actively participating in the program, actively receiving funds from defendants. By letting Darren Patterson participate, defendants have in practice carved out an exception that by definition must undermine the same interest that they're asserting against plaintiffs here.

Now, defendants' efforts to explain away these exceptions, they all fall flat. First, defendants have looked to other provisions of the UPK statute, and they say those other provisions support efforts to include certain types of providers regardless of the equal opportunity mandate.

But other provisions of the UPK statute, like its instruction that defendants should maximize the number of providers, or like its instruction that defendants should ensure a mixed-delivery system, they also support efforts to include Catholic preschools.

Defendants can't on the one hand insist on a rigid reading of the equal opportunity mandate to deny plaintiffs while stretching the text flexibly to

accommodate other providers. That's simply an extension of the same discriminatory treatment that plaintiffs are challenging in this case in the first place. And of course, Your Honor, the statute, like defendants' own actions, is itself subject to the First amendment.

Next, defendants gesture at defending the merits of the other exceptions. They say those exceptions are good insofar as they help historically marginalized communities, but to be perfectly clear, Your Honor, plaintiffs are not taking issue with any of these exceptions. These exceptions may well be benign. Several of them seem perfectly sensible. All plaintiffs are seeking is equal treatment, an exception of their own, one that allows them to participate in UPK while also operating consistently with their most deeply-held beliefs.

And indeed, Your Honor, defendants' own attempts to explain away the exceptions underscores the First amendment problems here. In their opening, defendants told the Court that these exceptions, quote, benefit children who are from populations that especially benefit from access to preschool. But this is a straightforward value judgment. It's a judgment that is more important to include these children than it is to include children of Catholic families, who feel religiously obliged to send their children to a Catholic preschool.

That value judgment may be right, or it may be wrong, but given the First amendment's explicit protection for the free exercise of religion, that's a question that has to be answered on a strict scrutiny.

And the already-granted exceptions, that's what we've been discussing. What have they already granted? That's just one of the department's difficulties. The other is that the UPK statute explicitly grants the department discretion to make exceptions from the quality standards like the equal opportunity mandate on an individualized case-by-case basis. And we know from *Fulton* that if you have discretion like this, even if it's never exercised, that that's enough to trigger strict scrutiny.

The department is aware of the problem, so they've now claimed that the equal opportunity mandate is a health and safety provision that is carved out in the statute's grant of discretion. But this is a made-for-litigation position. They never said anything like this before this lawsuit. They've never publicly taken this position anywhere but in their litigation papers. And they're defying the ordinary meaning of language.

That's why in defendants' own UPK provider agreement, which was created long before this litigation arose, the department itself distinguished between, quote, quality standards relating to health and safety on the one hand, and the equal opportunity mandate on the other. They were set out as separate standards that a provider would have to meet.

Further, Your Honor, to brief the question – another – briefly answer another question that this Court posed on summary judgment, defendants' say so is not enough to make this a health and safety provision. *Fulton* itself involved the same issue, where the City attempted to engage in post hoc creative readings of its contract in order to argue that it was in fact neutral and generally applicable after all, but the

Supreme Court rejected that argument and interpreted the contract itself.

And in any event, the Colorado Supreme Court doesn't recognize any equivalent of agency deference like *Chevron* in interpreting state statutes. So, this is a question for the Court.

So, defendants' exclusion of the plaintiff preschools triggers strict scrutiny. That's the strictest standard known to constitutional law, and the evidence this week shows that defendants cannot come close to meeting it.

Defendants have offered two expert witnesses, Doctors Goldberg and Tishelman, to testify that it's important for LGBTQ children to have access to affirming preschools. But the problem with this is that excluding the plaintiff preschools does not change that level of access one bit. Over 2,000 other preschools are already participating in UPK, and have signed the provider agreement. Allowing the plaintiff preschools would only add to the options available to Colorado families, making Universal Preschool more truly universal.

Defendants' experts cannot and admitted they weren't even trying to show that there's any shortage of affirming preschools participating in the UPK program, much less in the Denver metropolitan area, where the plaintiff preschools are located.

Defendants' experts have also emphasized the harms that can result when there is, as Dr. Goldberg put it, quote, friction, or a, quote, disconnect between what children hear at school and what they hear at home. Dr. Goldberg said that she advised LGBTQ families to specifically seek out affirming schools.

In the same way, Dr. Tishelman confirmed that conflict, including over a child's identity, can be harmful to children, but plaintiffs agree with this. That's why they maintain the enrollment policies that they do.

In short, Your Honor, if defendants believe that it's harmful for LGBTQ families to be enrolled at plaintiffs' preschools, it makes no sense for Colorado to force plaintiffs' preschools to enroll those families. But obviously, plaintiffs dispute that premise, but the point is the defendants' strict scrutiny theory is incoherent on its own terms.

And indeed, what this Court heard from Dr. Tishelman today is that she's not really interested in whether the plaintiffs' preschools participate in UPK or not. Her interest is in whether they can maintain their policies at all. Dr. Tishelman believes that children should have access to Catholic Schools, and also that those schools should be affirming of her and the State's views on human sexuality. At bottom, Your Honor, that's simply an argument that the plaintiffs' schools should change their beliefs, which of course is not a legitimate interest for this Court to consider at all.

Further, to satisfy strict scrutiny, defendants would have to show not only that they have compelling interests in general, but that there are specific harms that they're preventing by excluding the plaintiffs in particular.

Yet as the testimony this week has shown, the plaintiff preschools can't recall ever having a single LGBTQ student or family enrolled at their school, as far as they remember. And as defendants themselves

have conceded, there has never been a single complaint for LGBTQ discrimination filed against any Archdiocesan school since the advent of Colorado's licensing requirements.

Allowing St. Mary's and Wellspring to participate will only further the stated goals of the department and the UPK statute. It will not harm them.

So, that's the free exercise clause, but plaintiffs have other claims as well. As they claim in count six of their complaint, defendants' exclusion of plaintiffs' preschools also violates the First amendment's expressive association doctrine. There has never been any dispute in this case that the elements of an expressive association claim are met as they were set out by the Supreme Court in *Boy Scouts versus Dale*.

Defendants' argument is simply that the doctrine doesn't apply in the context of religious schools at all. But, Your Honor, exactly the opposite is true. In the *Hosanna-Tabor* case from the Supreme Court, the government argued that the plaintiff religious schools' associational rights were limited to those that are shared by secular associations, but the Supreme Court nine to zero rejected that argument, explaining that religious schools have greater associational rights given the First amendment's, quote, special solicitude towards religion.

As to count six of plaintiffs' complaint, which is denominational discrimination, the department has repeatedly claimed that it's tried to be as inclusive as possible of religious providers, but it turns out that for the department, inclusion only goes so far. Religious providers who adhere to traditional beliefs about

marriage and sexuality are out. Those who agree with the department on those issues are in.

Finally, Your Honor, on counts two and three, those are plaintiffs' employment-related claims. And here, defendants have run away from plaintiffs' claims altogether. They've now acknowledged that they have no authority to regulate plaintiffs' employment practices – excuse me – and have represented that provision 18B – or paragraph 18B is coming out of the UPK provider agreement entirely. So, the Court should not hesitate to enter judgment for the plaintiffs on those claims.

In short, plaintiffs agree with defendants as they said in their opening. Colorado didn't have to create a Universal Preschool Program. The issue is that once it did, it can't exclude St. Mary's families like the Sheleys or like the disproportionately low-income and English-as-a-second-language families that attend Wellspring Catholic Academy from participating based on their religious exercise.

Plaintiffs therefore ask this Court to enter judgment for them and issue an injunction that would allow St. Mary's preschool and Wellspring to participate in the UPK program without having to violate their sincere religious beliefs. Thank you, Your Honor.

THE COURT: Thank you.

MS. CARRENO: Good afternoon, Your Honor.

THE COURT: Good afternoon.

MS. CARRENO: This case isn't about two sets of rules. There is only one set of rules for everyone, and everyone needs to follow that same set of rules. The

plaintiffs, however, seek both to receive public funding and to receive an exemption from a nondiscrimination provision statute, an exemption that no other publicly-funded UPK program provider receives.

In closing, plaintiffs stated that they seek equal treatment, but that's not what they're asking for in this case. Plaintiffs seek to participate in the program not on the same terms or not equally in the way that everyone else is participating in this program, but plaintiffs seek to participate in this program on their own terms.

We agree with plaintiffs that Colorado didn't have to create a mixed-delivery Universal Preschool Program. It chose to do so, and it opened that program to public and private schools, including faith-based schools, unlike any other state in the country.

You've also heard, and you've heard about a lot of the successes of this groundbreaking program just in year one. The program has doubled the number of four-year-olds that are now receiving access to publicly-funded preschool services across Colorado. UPK is serving over 38,000 children. There are nearly 2,000 preschool providers participating and serving those children.

You've heard about all of the work that's gone into making this happen, work by the legislature, work by stakeholders, work by government agencies and partners, work by providers and families. And despite all of the work that's gone into this program and how quickly the department had to move in implementing this program, everything about the Universal Preschool Program has been thoughtful, and it's been

intentional, and it's been thoughtful and intentional to benefit children and families.

You heard from Ms. Cooke, who was the transition director of the Universal Preschool Program, and you also heard from one of the defendants, Ms. Odean, who is the Universal Preschool Program director. They both talked thoroughly about the text of the UPK statute and how the statutory objectives in that text were enacted by the legislature and were thoughtfully carried out by the Universal Preschool Program through both implementation and through rule-making.

You heard a lot about the mixed-delivery system. A mixed-delivery system provides more options for families. It was statutorily required, and it was contemplated in prioritizing certain populations, like low-income populations, children with disabilities, and dual-language learners to ensure that the new preschool system didn't take away from all of the work that its predecessor, the Colorado Preschool Program, had done.

The witnesses in our briefing have explained that the mixed-delivery system is about having preschool providers that provide a healthy, safe, inclusive, and nurturing environment for the children and families they serve. Plaintiffs want to take an out-of-court statement – out-of-court and out-of-context statement made by the governor about serving all children, and simply interpret that statement to mean something that the UPK system doesn't mean, and isn't how it functions.

Again, this is supported by the text of the statute itself. It calls out the quality standards that have to

reflect national and community-informed best practices. Those quality standards have to include cognitive development, they have to include healthy environments, and they have to include social and emotional learning.

Within that very same statute is the antidiscrimination provision at issue, because safe and inclusive environments are essential to publicly-funded preschool quality. All of the early childhood professionals that you've heard from have reiterated why quality depends on early learning environments being safe for children. They also explained why safety is about more than just physical safety. It's about inclusive environments which are free from discrimination.

This was bolstered by the testimony of our experts, especially you heard yesterday and today from Dr. Tishelman. And she talked about why preschool is such a critical time in the lives of children and families, where children are having their first relationships develop. They're understanding the world as a safe place, and those children and their families, they need to build trust with the adults around them, particularly the primary caregivers in the preschool setting through the publicly-funded program.

Harm at this early stage of life has lifelong effects that are both physical, mental, emotional, and social. Dr. Tishelman described them as adverse childhood experiences, or ACEs.

Now, you've also heard from plaintiffs that the statute in this case is not neutral and is not generally applicable, and that's been a key issue. But the object

of the nondiscrimination or the antidiscrimination provision is to prevent discrimination against children and families in publicly-funded preschools. The object is not and it's never been to suppress religious practices.

Plaintiffs want the Court to equate this case to the *Carson* case, but that simply isn't the set of facts that we have in this case. As you heard, the department sought out and worked really hard to include providers, including faith-based providers from the very beginning, and they created the faith-based working group.

And out of that faith-based working group, the congregation preference evolved. That preference was in direct response to the concerns of those faith-based providers and families who expressed the need to protect the unintended consequences of the matching algorithm that serves communities like any other provider. And as Ms. Odean explained, that matching algorithm can take all of the real-world realities of the relationships and why they're so important in the early childhood setting, like continuity of care, into consideration during that computer matching process.

You heard not only was there a faith-based work group in this case – or not in this case. In Colorado. You heard that the – one of the plaintiffs' preschools, Ms. Tracy Seul from St. Mary's, she participated in that work group. She had a seat at the table. She asked Ms. Cooke for screenshots in order to give to the Archdiocese to figure out a way that she could participate and that her school could participate in the program. And you heard that Ms. Cooke worked with her in providing those screenshots, and that

ultimately Ms. Seul was hopeful about participating in the program.

The department did everything they could to work with Ms. Seul and allow all providers that wanted to participate in the program access. Distinct from *Carson*, there are also 40 faith-based preschool providers that are currently participating in the program. There are over 900 children that have been matched with those 40 faith-based providers. And I also want to point out that there are six UPK providers that are from Catholic Charities, which plaintiffs concede is under the umbrella of the Archdiocese of Denver.

The idea that Catholics are not welcome or were unintentionally left out of the Universal Preschool Program is plainly inconsistent with the facts and the evidence in this case.

Now, I want to talk about how this case is also distinguishable from *Fulton*. And defendants have distinguished that in our briefing, but in this case – in the *Fulton* case, religious organizations were denied a benefit that was available to secular organizations. Again, that's not the set of facts that we have in this case. The statutory nondiscrimination provision is generally applicable, because the department has not permitted and it does not permit any participating preschool provider to discriminate in violation of that provision.

You heard about the State's express objectives and the quality standards that the department is developing to implement those objectives through the rule-making process. Plaintiffs want to argue that safety is only about licensing, but the State's licensing

requirements were put in place to regulate daycare providers or child care providers as businesses, not for preschool education, and certainly not for state-funded preschool education that was intended to improve the outcomes for children and families.

Plaintiffs' incomplete and inaccurate understanding of the statute's health and safety standards is not only unsupported, but it contradicts the experience-based testimony from Ms. Odean, Ms. Cooke, Ms. Holguín, who you heard from today of the Denver Preschool Program, and both of the defendants' experts. The nondiscrimination provision is among the health and safety standards that protect children and families who are receiving publicly-funded preschool for the Universal Preschool Program.

I want to talk a minute about the programmatic preferences. Plaintiffs have also mischaracterized and misunderstand the preferences. They characterize those preferences as exemptions or exceptions from the statutory nondiscrimination requirement. Plaintiffs are wrong that any preference exempts a provider from the statutory antidiscrimination provision.

Again, these preferences were created in response to concerns from providers, and are departures from the algorithm-driven matching process. Ms. Odean testified at length about each and every one of the ten preferences which appear in the proposed rules. She explained why each preference aligns with the statutory objectives, including federal requirements, and also the realities of the early childhood education system.

That system has to be able to prioritize certain relationships for the system to work for both families and providers in the statutorily-required mixed-delivery system. None of the preferences permit providers to discriminate in violation of the statute.

Going back to the congregation preference, which plaintiff preschools would be able to use if they participated in the program, along with preferences for siblings, employees of their faith-based institutions, and continuity of care preferences, these preferences do not exempt faith-based providers from the antidiscrimination provision.

The preferences permit faith-based providers to hold their seats for members of their communities as they define them, just like providers are permitted to serve their self-identified communities by prioritizing the children of certain employers or in certain neighborhoods in a geographic region. In other words, preferring members of your congregation is a preference based on relationships.

I also want to reiterate that the document that was available to the Court and that was presented this week, document number 71, is a proposed rule, and the department invites public – members of the public, including the plaintiffs, to share their feedback on that rule. As we've mentioned, this is a brand new department. They are moving incredibly fast, and they are following the rule-making process for these preferences the same as every other rule that this department has implemented since its creation.

Ms. Holguín – Ms. Odean explained at length why programs that specialize in serving children with disabilities are able to prioritize those children, and

why allowing Head Start programs to preference children who meet federal requirements is not discrimination on the basis of disability or income in violation of statute, but instead it implements the statute's express direction to prioritize those children.

Reading the statutes the way the plaintiffs suggest would be an absurd reading. The idea that the antidiscrimination provision prohibits a school that specializes in serving visually-impaired students from saving its seats for those visually-impaired children is not logical. It would also be absurd to interpret the statute's antidiscrimination to prohibit a school that is a Head-Start-funded school to not be able to save seats for low-income children who qualify for the Head Start program it was created to serve.

I want to turn next to the temporary waiver in statute of some of the quality standards. This has also been mischaracterized and misunderstood by the plaintiffs. That provision limits the department's discretion to grant a waiver in several key ways. The first way is that it's available only when necessary to ensure availability of a mixed-delivery system within a community. And as Ms. Odean testified, the department has not utilized that temporary waiver up to this point, because it hasn't been necessary to ensure the availability of a mixed-delivery system.

Second, each preschool provider must still meet all quality standards relating to health and safety. Third, it requires the provider to be working toward compliance. And all three of those requirements need to be met before the department can even think about granting a temporary waiver of some of the quality standards.

What's also clear is that the quality standards never permit a provider to discriminate in violation of the statute, and that because the nondiscrimination provision is a health and safety standard, that it's never possible to waive that quality standard for any provider, including faith-based providers.

The evidence has shown that both the preferences and the waiver simply don't provide exceptions or exemptions from the statutory antidiscrimination provision, but they remain generally applicable.

This case is also, despite plaintiffs' arguments, subject to rational basis. The nondiscrimination provision satisfies the rational basis test, and indeed satisfies any level of scrutiny, because publicly-funded preschool providers are prohibited from discriminating on the basis of sexual orientation or gender identity, and that is necessary to prevent the harms caused by discrimination and to provide safe, healthy, and nurturing environments during this crucial stage of a child's development, again, as our experts made clear, and as documented in their expert reports.

In turning to the expressive association claim, you heard testimony from Dr. Tishelman and also from Dr. Goldberg that discriminatory conduct – conducts. Excuse me. That discriminatory conduct inflicts physical, mental, and other harm on young children. Now, you also heard some examples of those types of harm. One of the examples was treating children differently based on their sexual orientation or their gender identity, and including turning students and families away because of their sexual orientation or gender identity.

You also heard another example of – that that type of harm was treating LGBTQ students already enrolled in a preschool program differently than other students by refusing to let them dress or use bathrooms or pronouns consistent with their gender identity. Treating children enrolled in a publicly-funded preschool program differently because of their LGBTQ status is discriminatory conduct, and that conduct can and does harm those children.

Preventing that conduct or that discrimination against four-year-olds and their families who seek to participate in a publicly-funded preschool program is necessary to achieve the program's legitimate, indeed compelling interest to ensure that children and families in a publicly-funded preschool system receive safe, healthy, inclusive, and nurturing environments.

To say that plaintiffs' position has no limiting principle is not to accuse them of racial – racial prejudice. It's to note that the free exercise clause and expressive association freedoms do not permit Courts to grant exceptions to religions or ideas that those Courts consider to be more or less worthy or more or less longstanding than others.

Courts have no power to grant exceptions to religions or ideas based on the age of those beliefs or based on whether the Courts think that some religious or political viewpoints are more honorable than others.

Plaintiffs are suggesting that a ruling for them can be limited because of their religious beliefs, and because those beliefs seem to be more honorable than others, but a long line of precedence, again cited in our briefing, is clear that Courts are not competent to

distinguish among religions based on the validity or value or wisdom of their religious beliefs.

Turning to the establishment clause claim, as the briefing and the arguments this week have made clear, this program does not discriminate on the basis of religion in violation of the First amendment. It's clear again that Colorado's congregation preference doesn't discriminate against religions, because it's available to all faith-based providers, including the plaintiffs, who had a seat at the table during the implementation of UPK.

It's equally available to all denominations. It doesn't prioritize one religion over another. All faiths are encouraged to participate. You heard about how many different type faiths participated in that faith-based work group, and you also heard about how many different types of faiths are participating in the UPK program, but no faith-based provider or any other provider can discriminate against children or their families in violation of the antidiscrimination statute.

Before I wrap up, I want to turn the Court's attention to the injunction factors in this case, because the plaintiffs seek a permanent injunction. It's plaintiffs' burden to establish that they have suffered from an irreparable injury, that the threatened injury outweighs the harm, and that the injunction that they seek outweighs the harm that the injunction may cause, and that the injunction, if issued, will not adversely affect the public interest.

Turning to irreparable harm, plaintiff preschools cannot show irreparable harm, as they can and they have signed contracts with similar clauses, and have

agreed to that nondiscrimination language with no complaints for years.

You just heard plaintiffs' counsel discuss how they haven't had harm in this case. Ms. Holguín of DPP, or the Denver Preschool Program, and Jesse Burne, a manager of the CCCAP program, both testified why these requirements of both of these programs are functionally equivalent to the provision at issue in this case.

Both St. Mary and St. Bernadette have been agreeing to those terms, and they have never believed that these types of provisions prevent them from exercising their sincerely-held religious beliefs. It's not logical to look at the language of those agreements and listen to the witnesses who have testified in court to believe that a functionally-equivalent provision in the UPK program would suddenly create harm that's never existed before.

When looking at the balance of the harms and the public interest, it's already been discussed at length and described by the expert testimony in this case that the potential harm to LGBTQ families and children and the public interest in ensuring equitable access to publicly-funded preschool for all Colorado children far outweighs any potential harm to the plaintiffs.

The mental, emotional, cognitive, and other harms that families and children experience as a result of discrimination on the basis of sexual orientation and gender identity has been made clear throughout the course of this case. Based on all of the evidence presented throughout the last three days, my clients invite the Court to make findings of fact in defendants' favor, and conclude that the Universal Preschool

Program's requirements are neutral, generally applicable, and do not violate the plaintiffs' First amendment rights, and that plaintiffs have not met their burden of establishing the factors necessary to warrant permanent injunctive relief in this case. Thank you.

THE COURT: Thank you.

MR. DAVIS: Just a few quick points, Your Honor. Thank you, Your Honor. And I will be quite brief. I just want to respond briefly to the point about the Denver Preschool Program and CCCAP that opposing counsel just raised.

This is a nonissue, as this Court already recognized in its summary judgment opinion. Plaintiffs reasonably understand those other provisions and those other contracts differently, and nothing that we've heard today changes that.

In fact, Your Honor already laid out the reasons why plaintiffs understand those other provisions in those other contracts differently, and I think opposing counsel just called that illogical, which can't be right. Your Honor had it right the first time.

Your Honor, opposing counsel raised Exhibit 71, which is the draft proposed regulations, and I think the purpose of this was to try to run away from some of Ms. Odean's testimony about how under the new preference ten you could have an LGBTQ school or a gender-nonconforming school or a children of color school. But, Your Honor, Ms. Odean testified that those – those types of schools were consistent with her understanding of the statute, that preference ten was consistent with her understanding of the statute. She

is the director of the UPK program, and that's what's at issue in this case.

In any event, Your Honor, we would just point out that most of the key exceptions, disability, income level, religious affiliation, are all currently in effect, and there's absolutely no dispute about that.

Your Honor, defendants just said also that what plaintiffs are seeking is something that no other provider has. Now, that's not true for lots of reasons, but the clearest reason that it's not true is Darren Patterson, who has the same religious beliefs that plaintiffs do, similar religious beliefs as plaintiffs on sexuality and gender identity, they're participating in the program right now. You heard no answer to that from defendants.

On the congregation preference, defendants again simply assert it's about relationships. Your Honor, that's what we already discussed in my time, and defendants did not rebut the reading of the definition that we went through. Defendants simply ignore the key point, and that's that the relationship is defined by reference to religious affiliation.

Your Honor, defendants also raise, as they have in multiple points in this case, that a handful of Catholic Charities' Head Start programs are currently participating in the UPK program. It's not totally clear what defendants think that means for the case, but I would just note that the plaintiffs should not be punished because some of their providers are dedicated exclusively to serving the needy rather than raising the next generation in the faith as their main mission. And I would just direct Your Honor to Ms.

Chilelli's testimony squarely on that point, which was un rebutted.

Your Honor, defendants also say – they emphasize that harm for young children, harm for preschoolers can have lifelong consequences. The problem is where is the harm? Defendants have not and cannot identify even a single child that has been harmed in any fashion by plaintiffs' policies here. What they want is for Your Honor to define Catholic Schools as inherently unsafe and unhealthy. Catholic beliefs are, in their view, inherently harmful to children.

That is not a compelling interest. It's not even a legitimate interest, and it's impossible to square with what the Supreme Court said at the same time that it legalized same-sex marriage in *Obergefell*. It said that plaintiffs' religious beliefs are, quote, decent and honorable, and that the First amendment ensures that religious organizations like plaintiffs are given, quote, proper protection as they seek to teach those beliefs to the next generation.

Your Honor, in emphasizing state-funded, you heard that over and over again just now, defendants seem to believe that he who pays the piper, plays the tune. That would work if Colorado were a large private corporation. But Colorado is a state actor, and it's therefore required to accommodate religion. Your Honor, defendants' actions here, they violate Carson, they're not neutral and generally applicable, and they fail strict scrutiny. Thank you, Your Honor.

THE COURT: Thank you. Okay. We'll get the proposed findings in due course once the transcripts are there, and then I will commence to work where you don't have to anymore. Thank you all for your efforts

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in this case. We will stand in recess, and the case will stand as submitted.

(Proceedings concluded at 2:42 p.m.)

**REPORTER'S CERTIFICATE**

I, KEVIN P. CARLIN, Official Court Reporter for the United States District Court for the District of Colorado, a Registered Merit Reporter and Certified Realtime Reporter, do hereby certify that I reported by machine shorthand the proceedings contained herein at the time and place aforementioned and that the foregoing pages constitute a full, true, and correct transcript.

Dated this 9th day of January, 2024.

*/s/ Kevin P. Carlin, RMR, CRR*  
Kevin P. Carlin, RMR, CRR  
Official Court Reporter

<b>Exhibit 1</b>
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<b>1000 SERIES—Organization and Administration</b>
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<b><i>Policy #1000</i></b>
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<i>Canonical Overview</i>
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<i>Effective: August 2002</i>
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<i>Revised: August 2007; August 2017; August 2018</i>
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The policies, processes, and procedures in this administrator’s manual are subject to and shall be administered and interpreted consistently with ecclesiastical principles, Catholic doctrine and the Code of Canon Law, especially Canons 796 through 806 and 827.2, all of which are incorporated into this manual by reference.

Specifically, the Archbishop has the right to watch over and inspect the Catholic schools within the territory of the Archdiocese, even those established or directed by members of religious institutes. He has also the right to issue directives concerning the general regulation of Catholic schools; these directives apply also to schools conducted by members of a religious institute, although they retain their autonomy in the internal management of their schools. Further, those who are in charge of Catholic schools are to ensure, under the supervision of the Archbishop, that the formation given in them is, in its academic standards, at least as outstanding as that in other schools in the area (canon 806).

Accordingly, the norms contained in the *Archdiocese of Denver Catholic Schools Administrator’s Manual* published by the Office of Catholic Schools are subject to the general administration, interpretation, and authority of the Parish Pastor and Principal, and in

regard to matters of religion, morals and general regulation, to the canonical authority of the Archbishop and his designee, the Superintendent.

The series of the *Archdiocese of Denver Catholic Schools Administrator's Manual* are as follows:

- A) Series 1000 – Organization and Administration
- B) Series 2000 – Students
- C) Series 3000 – Personnel
- D) Series 4000 – Instruction and Evaluation
- E) Series 5000 – Parish School Finance
- F) Series 6000 – Federal and State Regulations and Aid Programs

The *Pastoral Handbook* contains only a portion of the policies in Series 1000, 2000, 5000 and 6000 (referred to as Parts 1, 2, 3 and 4 in the Pastoral Handbook). Series 2000, 3000 and 4000 policies are contained solely in the *Archdiocese of Denver Catholic Schools Administrator's Manual*.

A) Within the territory of the Archdiocese, there are two types of Catholic schools as well as specific guidelines for the establishment of Catholic schools as follows:

1) Schools which are a part of and which operate under the authority of the Archbishop of Denver referred to as Archdiocesan Catholic Schools.

2) Schools owned and operated by a person or organization other than the Archdiocese of Denver with the necessary ongoing approval of the Archbishop. These schools are hereinafter referred to as Archdiocesan related Catholic schools.

3) The Archbishop has sole ecclesiastical authority to recognize and designate a school as “Catholic.” All Catholic schools within the Archdiocese are canonically responsible to the Archbishop pursuant to canon 806.

4) Schools seeking the title “Catholic” are required to submit a request in writing to the Superintendent of Catholic Schools, who evaluates the request and makes a recommendation to the Archbishop.

5) Each school owned or operated by a canonically recognized religious institute and privately operated schools seeking a relationship with the Archdiocese are to demonstrate a written philosophy and Mission Statement in accord with the 1983 Code of Canon Law in its section on schools and the major documents published by the Congregation for Catholic Education.

- The school is to adhere to all Archdiocesan policies contained in the *Archdiocese of Denver Catholic Schools Administrator’s Manual*.
- The school is to strive to ensure that all aspects of education are rooted in and faithful to Catholic teaching as set forth in *The Catechism of the Catholic Church*.
- The school personnel are to cooperate in the periodic review of the school for compliance with these standards.
- A written agreement is entered into in acknowledgment of meeting the requirements for related schools.

6) On behalf of the Archbishop, the Superintendent of Catholic Schools will conduct periodic reviews of schools related with the Archdiocese or schools bearing the title “Catholic.”

B) Unless explicitly stated to the contrary, policies contained in the *Archdiocese of Denver Catholic Schools Administrator’s Manual* refer only to Archdiocesan Catholic schools and not Archdiocesan related schools.

<b><i>Policy #1150</i></b>
<i>Roles and Responsibilities: Archbishop, Pastor, Office of Catholic Schools, Superintendent, Principal, Pre-school Director, Assistant Principal and Teacher</i>
<i>Effective: August 2002</i>
<i>Revised: August 2007; February 2017</i>

The roles and responsibilities of the Superintendent, Office of Catholic Schools, pastor, principal and preschool director in the administration of the Catholic schools are interrelated and collaborative and are to reflect the intent of the local Ordinary in the duties of education and sanctification.

**Archbishop**

A) The responsibility for the educational apostolate in the Archdiocese belongs to the Archbishop. All policies in this manual have been approved by the Archbishop.

**Pastor**

A) The pastor, on behalf of the Ordinary, assumes responsibility for both the administrative and spiritual leadership of the parish Catholic school. The pastor is also responsible in the following areas:

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1) Works with the Superintendent as co-supervisors of the principal.

2) Works with the principal as employer and co-supervisor of the teachers and school staff.

3) Cooperates with the Office of Catholic Schools in the supervision of the school's academic and religious programs.

4) Ensures that the religious teachings directed by the Archbishop are implemented in the parish school.

5) Consults with the Superintendent before making any decisions regarding legal matters and contractual disputes.

6) Maintains a close working relationship with the principal.

7) Approves the budget and long-range plans.

8) Provides for worship opportunities at the school.

9) Is visible at school and present to students.

10) Employs the principals in parish schools. For the incorporated high schools operated by the Archdiocese, principals are employed by the respective schools with oversight by the Board of Trustees and the Board of Members.

11) Pastors are encouraged to familiarize themselves with *The Archdiocese of Denver Catholic Schools Administrator's Manual* in order to support the Superintendent of Catholic Schools and the principal in carrying out these mandatory policies.

### **Superintendent**

A) The Superintendent has been appointed by the Archbishop as his designee in all matters pertaining to Catholic schools. Therefore, s/he is responsible to the Archbishop for all activities of the apostolate of Catholic schools and directs this apostolate in its entirety. The Superintendent of Catholic Schools ensures the Catholicity of all Catholic preschools, elementary schools, and high schools in the Archdiocese.

B) The Superintendent intervenes when called upon by the Archbishop, pastor or principal or when an emergent or significant cause has been brought to his/her attention.

C) The Superintendent oversees the implementation of all school policies according to the *Archdiocese of Denver Catholic Schools Administrator's Manual*. Exemption from any of these policies must be obtained in writing from the Superintendent.

D) The Superintendent assists each school in evaluation of program effectiveness.

E) Supervises, along with the Pastor, the principals in Parish schools.

F) Supervises, along with the Board of Members, the principals in the incorporated schools operated by the Archdiocese of Denver.

G) Associate Superintendents may be delegated specialized responsibilities that they will fulfill on behalf of and in communication with the Superintendent.

### **Office of Catholic Schools**

A) The Office of Catholic Schools, under the direction of the Superintendent of Catholic Schools, is authorized to carry out the mandate of the Archbishop pursuant to Canon Law. This delegation of authority is further classified and defined by policies in the *Archdiocese of Denver Catholic Schools Administrator's Manual*. The Superintendent of Catholic Schools may delegate certain responsibilities.

B) The Office of Catholic Schools also:

1) Serves the educational needs of the people of the Archdiocese through Catholic schools by providing necessary programs at the Archdiocesan level, as well as leadership, support and consultative services to pastors, principals and to those who collaborate with them in the ministry of Catholic school education.

2) Recommends to the Archbishop policies in regard to the qualification, hiring, supervision, and evaluation of Archdiocesan Catholic school principals, assistant principals, and teachers.

3) Helps to ensure the quality of Catholic education and places particular emphasis on faith formation in each Catholic school in the Archdiocese by cultivating a love for Jesus Christ, fidelity to His Church, commitment to the dignity of the human person, service to others, and evangelization.

4) Directs planning for new schools, sets the academic standards for the schools and sets technology standards for the schools.

5) Assists pastors and Catholic school educational leaders in managing educational and administrative trends. This includes:

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- Developing creative approaches to methodology;
- Evaluating new and revised theological and catechetical texts;
- Assisting with and developing, implementing, and monitoring the required curriculum;
- And implementing Church directives important to the educational ministry.

6) Coordinates services, communication and cooperation among the various educational components.

7) Supervises the spiritual and professional formation of all Archdiocesan school educators.

8) Helps to ensure the financial stability of the school. In school financial matters requiring additional monitoring, reporting, and intervention, the Superintendent of Catholic Schools works with the Office of Parish Finance.

9) Organizes, directs, and implements staff development programs and promotes professional and faith educational programs and services among the faculty [sic] and staff of each Catholic school in the Archdiocese, while providing valuable resources to parents whose children are served by these schools.

10) Provides advice and consultation to schools in legal, financial, business operations, school safety, and evaluates the quality of Catholic education in accord with the guidance of the Archbishop.

**Principal**

A) The principal is responsible for the ordinary operation of the school as specified in the principal contract and for following Archdiocesan policies and directives.

B) The principal is also responsible for:

1) Exercising leadership in all phases of the educational program.

2) Maintaining communication with the pastor and the Office of Catholic Schools.

3) Collaborating with appropriate parties in establishing the budget and in long-range planning for the school.

4) Setting local school policies in consultation with the pastor.

5) Interviewing, hiring, supervising and terminating teachers in consultation with the pastor and in accordance with Archdiocesan policy.

6) Meeting expectation of the Office of Catholic Schools regarding implementation of the curriculum and co-curricular programs.

7) Working with the pastor to provide spiritual leadership in the school.

8) Establishing positive public relations within and outside the school community.

9) Fostering a positive working relationship with the other principals in the Archdiocese.

10) Attending Archdiocesan principals' meetings and annual retreat.

**Preschool Director**

A) Under the supervision of the pastor and/or the principal, the preschool director is responsible for the general administration of the Catholic preschool.

B) The preschool director is also responsible for:

1) Providing leadership in the faith, academic, and administrative dimensions of the preschool program.

2) Formulating, evaluating, and periodically revising the philosophy of the preschool program.

3) Maintaining a continuous plan for the supervision and evaluation of the teachers and support staff.

4) Developing an ongoing program to ensure the religious and professional development of the faculty.

5) Making recommendations to the pastor/principal regarding the hiring and dismissing of teachers and support staff.

6) Developing, evaluating, and revising the preschool curriculum according to Archdiocesan guidelines.

7) Maintaining appropriate records as required by the Archdiocese and the State of Colorado.

8) Ensuring the maintenance and safety of the school buildings according to local procedures.

9) Administering the preschool program budget.

10) Promoting good public relations within and beyond the parish.

**Assistant Principal**

A) The assistant principal shall assist in the administration and supervision of the school under the direction of the principal and shall exercise the authority of the principal during the latter's absence from the school. A job description should be developed at each local school to outline specific job responsibilities.

**Teacher**

A) Catholic school teachers serve actively in the education and faith development of their students. Catholic school teachers are expected to abide by the standards of faith, morals and teachings of the Catholic Church. Catholic school teachers shall fulfill the duties outlined in the teacher job description and those stated in the contract.

B) Under the supervision of the principal/director, the teacher:

- 1) Strives to achieve the goals of Catholic education.
- 2) Assumes responsibility for the leadership and management of the grades or classes assigned.
- 3) Develops and implements a daily instructional program according to the needs of the students and established curriculum.
- 4) Maintains accurate records of attendance, scholastic achievement, and other records as required by the school, Archdiocese, and state.
- 5) Establishes positive public relations within and outside the school community.

<b><i>Policy #3120</i></b>
<i>Licensure and Certification</i>
<i>Effective: August 2002</i>
<i>Revised: November 2012; August 2017</i>

**Overview**

Licensure and certification of principals, assistant principals and teachers is a key component of success with the Archdiocese of Denver Catholic Schools. Accreditation through nationally recognized accrediting agencies is critical for the continued improvement of the Catholic schools system.

**Principals and Assistant Principals**

A) All principals and full-time assistant principals employed by the Archdiocesan schools shall hold a current and valid state license or certificate in administration and have a fingerprint background check.

B) Exemptions to this policy may be made by the Superintendent. However, if an exemption is given, the principal has a period of three (3) years to earn a Colorado Initial Principal License.

C) Principals hired to the position before 1989 and who have not had a break in service at the same school as principal, shall meet the requirements of this policy as stated at the time they were first hired to the position. Principals who are in this category must also meet the requirements for professional development, as set by the Office of Catholic Schools.

D) All principals new to the Archdiocese of Denver, regardless of previous employment in Colorado public schools or another Catholic school system, shall participate in the Administrator Induction Program

through the Office of Catholic Schools. This year-long program will meet the requirements to move the principal from an Initial license to a Professional license. This program will include mandatory monthly meetings and working with an assigned principal mentor.

E) Part-time assistant principals employed by archdiocesan schools shall hold a current and valid state license or certificate in either administration or teaching.

### **Teachers**

A) Teachers employed by archdiocesan schools shall hold a current and valid state license or certificate and have a fingerprint background check.

B) Secondary and elementary Catholic schools in the Archdiocese of Denver should impose additional qualifications or requirements as to areas of endorsement for teaching assignments.

C) All teachers new to the Archdiocese of Denver, regardless of previous employment in Colorado public schools or another Catholic school system, shall participate in New Teacher Induction, a one-day program held before the start of the academic school year each August.

### **Process for Teachers to move from Initial to Professional Licensure**

The Archdiocese of Denver has been empowered by the Colorado Department of Education (CDE), to provide teacher induction sufficient to graduate teacher certification from an Initial License to a Professional License. Teachers must be current employees of the Archdiocese of Denver Catholic Schools. If a teacher terminates employment, is not offered a contract, does

not accept a contract for the upcoming academic school year, or has otherwise left the Catholic schools system of the Archdiocese of Denver, his/her application for movement from Initial to Professional Licensure will not be approved. A teacher wishing to move from Initial to Professional licensure must:

A) Submit his/her credentials to the Associate Superintendent in the Office of Catholic Schools for review and approval prior to submitting an application to CDE;

B) Demonstrate attendance at the August New Teacher Induction program;

C) Ongoing mentoring from a trained building mentor;

D) Successful completion of 225 hours of professional development, including supporting documentation;

E) Submission of the Office of Catholic Schools Completion Survey form.

**Teachers wishing to move from Initial to Professional Licensure must allow a minimum of ten (10) business days between submission of materials to the Office of Catholic Schools and approval of their submission paperwork by the Associate Superintendent.**

#### **Alternative Licensure Program for Teachers**

The Archdiocese of Denver is a Designated Agency of the Colorado Department of Education for provision of an Alternative Licensure Program for teachers. Schools who hire teachers that do not meet the requirements for Teachers as outlined above may enroll that teacher in the Alternative Licensure Program,

running from August through May. Teachers who do not meet the requirements for Teachers as outlined above must participate in the Alternative Licensure Program within the first two (2) years of employment in the Archdiocese of Denver Catholic Schools.

### **Religion Teachers**

Teachers who hold a degree in Catholic theology (Master's preferred) and teach ONLY religion and/or theology cannot qualify for state licensure and therefore are exempt from the Colorado Department of Education requirements; background checks must be conducted by an approved vendor and the cost of the background screening will be paid by the parish/school.

A) Theology and religion teachers exempt from the state requirements must comply with the requirements for Catechist Certification, as stated in this policy.

B) Theology and religion teachers must attend New Teacher Induction.

### **Mentoring**

The Mentor Training Program provides research-based training to master teachers throughout the Archdiocese of Denver Catholic Schools. Schools are strongly encouraged to have a trained mentor on staff to guide new teachers in their first years of teaching. Working with a trained mentor is a requirement of the Teacher Induction program. The guidance and support from a mentor teacher is critical for the retention of new teachers and has proved to be an effective method of promoting strong classroom management and instructional practices. Teachers cannot move from an

Initial to a Professional License without documented hours and meetings with their mentors.

A) The Office of Catholic Schools conducts Mentor Training once a year in September with two (2) follow-up sessions held later in the year.

B) Once a mentor is approved, his/her name is kept on file. If that teacher leaves a school, the school should train another mentor in his/her place.

C) Mentoring is a requirement of the Colorado Department of Education.

D) Principals should allow flexibility in the schedule of the mentor teacher to ensure that he/she is providing adequate support to the mentee.

**Religious Certification Requirements for all Educators**

Classes required for certification in the Archdiocese of Denver are provided by the Archdiocese of Denver Catechetical/Biblical School for the following reasons based on principles of catechesis cited in the National Directory for Catechesis: (a) Adult catechesis should be the organizing principle which gives coherence to various programs in the local Church; (b) Adult catechesis should be based on the circumstances of those to whom it is addressed—their situations as adults, their experiences and problems, their educational and spiritual maturity; (c) Adult catechesis should involve the community so that it may be a welcoming and supportive environment.

A) Each principal, all assistant principals and teachers (whether Catholic or not) must meet the Provisional Certification requirements of the Archdiocesan Catechetical/Biblical School.

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B) Provisional certification through the Archdiocesan Catechetical/Biblical School must be accomplished within 18 months of their hire date.

C) Only Catholics in good standing with the Church who meet the certification requirements of the Archdiocesan Catechetical School, or who are in the process of certification, or have a Catholic theological degree may teach religion classes.

**Exhibit 3**

ARCHDIOCESE OF DENVER  
CATHOLIC SCHOOLS

**Mission and Charter of Catholic Schools  
in the Archdiocese of Denver**

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**Why do our Catholic Schools exist? To be sanctuaries of education so that in Jesus Christ all might be rescued.**

Catholic Schools in the Archdiocese of Denver exist to be “sanctuaries of education” supporting parents and empowering families to lead their children to encounter and be rescued by Jesus Christ and have abundant life, here on earth and in heaven, for the glory of the Father.

**What do our Catholic Schools do? We provide a Catholic liberal education in partnership with families.**

In partnership with families, Catholic schools in the Archdiocese of Denver provide an integral Catholic liberal education via a spiritual, intellectual, and human formation that forms all students as disciples of Jesus Christ, who know and love God, and are free to live out the mission and vocation for which they were created.

**How will our Catholic Schools succeed?**

- **Proclamation:**  
We actively proclaim the kerygma and promote our Catholic beliefs, tradition, history, and worldview.
- **Primacy of First Educators:** We protect the primacy of parents as the first educators and the family as the first school of the child,

- **Timeless Liberal Education:** We employ timeless curricula, pedagogy, and human formation that inspire wonder and awe, and lead students to encounter and behold Jesus Christ, the *logos*.
- **Christian Anthropology:** We revere the nature and dignity of the human person as male and female, body-soul unities created for heaven in God's image and likeness.
- **Communion:** We maintain communion with our Archbishop and unity with the strategic direction discerned by him with his mission leadership team.
- **Spiritual Fatherhood:** We elevate the role of the priest as spiritual father and honor his teaching authority in our schools.
- **Dedicated Leaders & Educators:** We hire, equip, and retain dedicated men and women as leaders and educators who are disciples of Jesus, who give a joyful counter-cultural witness, and who have a relentless commitment to our mission.
- **Christian Community:** We form Christian communities rooted in charity whose joyful daily common life and personal practices give life to a sacramental and counter-cultural vision of the world and inspire its members to abide in actively pursuing harmony between the Church, school, and home.

relationship with God,  
the Church, and each  
other.

**Value proposition: To prepare students for what they must be and do on earth to attain the sublime end for which they were created.**

In the Catholic schools in the Archdiocese of Denver, students receive a holistic and integrated education that forms them to be disciples of Jesus, who are capable of thinking and exploring life's greatest questions and challenges through the light of faith, truth, and sound-reason. Because our highest aim is to form our students to be wise and virtuous men and women with a unique vocation given by God, inevitably, our students will be exceptionally prepared to succeed in their academic and professional futures, and able to contribute to the good of society as well-formed men and women.

**Critical Components of Our Educational  
'Rescue Mission'**

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**Catholic Mission and Charter** → Reclaim the Church's charter for Catholic schools and honor our Catholic cultural patrimony. → Define the implications of our mission for the context and challenges of our times. → Engage in strategic renewal efforts responsive to the needs of the local community. → Engage in ongoing proclamation of the kerygma to all members of the local community.

**Christian Anthropology** → Define local-school policies, systems and procedures that honor and protect the identity of the human person and promotes their flourishing. → Safeguard Christian anthropology [sic] in curriculum, curricular resources, learning

experiences, and learning environments. → Respond with a counter-cultural witness to ideologies that are incongruous [sic] with our beliefs.

**Catholic Liberal Education** → Operationalize our Catholic intellectual tradition and worldview through the pedagogical vision, classroom instruction, Catholic learning environments, and learning experiences of the school. → Form teachers and staff in moral, intellectual, and spiritual dimensions such that all may be united in a *liberal* vision for education. → Provide a Catholic liberal education for all students. → Establish a culture of support for students of all learning needs and exceptionalities.

**Primacy of the Family** → Engage families in the life and decisions of the school, and in the learning of their children. → Increase awareness of and access to Catholic formation and liberal education for families that desire the formation we have to offer. → Support the parish in forming families in a Catholic vision for parenting and family life that responds to the challenges of our time.

**Well-Formed, Well-Equipped Educators & Staff** → Establish and maintain pipelines and hiring practices to mission aligned leaders and teachers. → Offer compensation that promotes human flourishing and retains mission aligned talent. → Create avenues for ongoing professional growth for our educators and staff. → Establish and maintain local-school systems of accountability for mission fulfillment and student outcomes. → Establish and protect a culture of work that leads to the flourishing of leaders and teachers.

**Christian Community** → Provide opportunities among staff, families, and students for small group

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discipleship. → Create an environment and rule of life that is joyfully countercultural. → Honor the diverse traditions and cultures present in the community. → Immerse the community in the richness of Catholic culture, feasts, and traditions. → Honor and prioritize the Eucharist.

**Exhibit 7**

**The Splendor of the Human Person:  
A Catholic Vision of the Person and Sexuality**

ARCHDIOCESE OF DENVER

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**1. State of the Issue**

*“Without truth, charity degenerates into sentimentality. Love becomes an empty shell, to be filled in an arbitrary way. In a culture without truth, this is the fatal risk facing love.”*

*Pope Emeritus Benedict XVI, Caritas in Veritate*

Jesus Christ has established the Church to communicate his revealed truth and to heal and elevate humanity through his grace. This mission necessarily includes communicating the truth of God’s creation, especially the nature of the human person, and helping all people of good will to embrace and live in this truth. God has created the person to share in the splendor of his love, as Archbishop Aquila relates in his pastoral letter, *The Splendor of Love*: “The splendor of God’s love shining in our hearts enables us to embrace the truth about sexuality and marriage and leads us to imitate the generous, sacrificial love found at the heart of the Trinity. It gives us the grace to live like Christ, to embrace our sufferings by uniting them to his cross, and to find true happiness in giving ourselves away in love.”<sup>1</sup>

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<sup>1</sup> Archbishop Samuel J. Aquila, *The Splendor of Love* (Feb. 2, 2018), [https://archden.org/wp-content/uploads/2018/02/splendor-of-love\\_web.pdf](https://archden.org/wp-content/uploads/2018/02/splendor-of-love_web.pdf). See also Pope St. Paul VI, *Humanae Vitae* (1968).

The good news of the Gospel communicates true freedom through the love of God, the love that has made us in his image and likeness and which remakes us through adoption as sons and daughters of the Father. Truly, it is only in Jesus Christ that we can understand our true identity and realize it through the grace that comes from his Cross and Resurrection.<sup>2</sup> Christ reveals the splendor of the human person to us.

Many people today, however, experience confusion related to life's meaning and purpose, especially as related to their own identity. This personal experience relates to a long trajectory of cultural change and secularization of society. Western culture, for instance, has very quickly abandoned traditional understandings of sexuality and has embraced an ideology that presents human sexuality as non-binary (not confined to male and female) and "gender" as fluid. This ideology now permeates our media, entertainment, politics, law, and education, and is being promoted and advocated for in unprecedented manners. Characterized by its proponents as an altruistic movement to be compassionate, loving, and inclusive, the ideology is one that through incomplete and agenda-driven medicine and psychology has disregarded sound medical and psychological protocols which exist to protect people from undue medical and psychological harm.

The Church stands against this new ideology of human sexuality out of its concern for the true good of the human person. The Church's task is to help people

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<sup>2</sup> See *Gaudium et Spes* (1965), 22, "The truth is that only in the mystery of the incarnate Word does the mystery of man take on light."

to understand their true dignity and, even amid suffering and confusion, to come to accept it with the help of God's grace. The National Catholic Bioethics Center, for instance, explains why the Church must continue to communicate the truth in love:

Human persons act against their own good when they directly intend what is contrary to their own nature, purpose, and identity and thereby impair their flourishing. An act that is incapable of being ordered to the good of the person will not bring about individual flourishing: under no circumstances can it be consonant with the person's genuine fulfillment.<sup>3</sup>

This new sexual ideology harms people by denying the common sense, scientifically verified understanding of the human person as male and female with unique, yet complementary, sexual characteristics. Instead, it emphasizes unrestrained "freedom" for people to live as they please and not be bound by any limitations. Even if moved by a desire to be loving and compassionate toward those experiencing confusion with their sexual identity, the ideology of the human person that now prevails is ultimately uncharitable because it distorts our relationship with God as Creator (refusing to accept the body as God's gift), denies the truth about who we are, and destroys the ability to experience the authentic human fulfillment and freedom that comes

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<sup>3</sup> See National Catholic Bioethics Center, "Brief Statement on Transgenderism" (Feb. 22, 2017), <https://www.ncbcenter.org/resources/news/ncbcs-brief-statement-transgenderism/>.

from embracing, expressing, and loving through our true and natural humanity as male or female.

Today, we see many schools, government officials, medical and psychological practitioners, and parents who have been drawn into a largescale social experiment at the expense of children. We already have evidence of the damaging effects of attempts at “gender transition,” many of which are permanent. These outcomes confirm the truth that God has both revealed and instilled into nature and the human person. The Church has the paramount obligation to communicate the truth in service of others, for, as Pope Benedict XVI said: “Only in truth does charity shine forth, only in truth can charity be authentically lived.”<sup>4</sup> Although gender ideology presents itself as the compassionate response, it does not truly respect the dignity of the human person as made in the image and likeness of God and leads people to live contrary to their truth of their own being and supernatural calling. Furthermore, this ideology has created a new form of intolerance, trying to silence voices and any opposition in a way that Pope Benedict has described as the “dictatorship of relativism,” and which Pope Francis calls “ideological colonization.”

Many Catholics do not know how to respond to these very recent challenges and may even feel embarrassed or intimidated to communicate truths so out of step with the current cultural climate. Because much of the current climate is inherently atheistic, it poses dangers to our mission of evangelizing for the sake of leading people to embrace God’s gift of eternal life. Under these circumstances, the Church is

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<sup>4</sup> Pope Benedict XVI, *Caritas in Veritate* (2009), §3.

obligated to equip the faithful with an understanding of

God's creation of the world, the nature of the human person, the importance of human sexuality, and the grace and virtue needed to be truly alive and happy on our way to eternal life. The truths of our faith give Catholics resources to engage in charitable conversation with others on controversial issues related to sex and gender. In fact, although the Church's view may be unpopular, we have the support of medicine and science.

In response to these recent developments and pressures, inspired by a profound love for the human person, especially for those who are experiencing confusion with their sexual identity, the Catholic Church in Northern Colorado seeks to guide its parishes and schools in responding to these misunderstandings of the human person and sexuality, and mistaken views of sex and "gender." Any adequate response must include God's revelation, but also the findings of medicine and science that reflect the truth inherent in God's creation. Indeed, the harmony between science and the Church's teaching on these matters is an illustration of the Church's conviction that faith and reason cannot contradict each other.

This brief document seeks to provide a basic outline for addressing issues of the human person, sexuality and gender for use within parishes and schools in the Archdiocese of Denver. This is necessary due to the widespread confusion faced by so many Catholics in the face of widespread ideology. The document will articulate the Church's teaching in succinct fashion, examine some key findings from medicine and science,

and provide an overview of terminology related to “gender transition.” It is meant to serve as a resource to guide thinking and discussions and to serve as a complement to policy guidelines.

## **2. The Church’s Vision of the Person and Sexuality**

It is essential that Catholics, particularly those working for the Church in parishes and schools, as well as the young people to whom the Church ministers in our parishes and schools, receive formation in the Church’s teaching on the human person and sexuality. Catholic parishes and schools exist to express the mission of the Church to proclaim the Gospel, the Good News of salvation, and to make disciples. Anyone coming to the Church has the right to receive the truth of God’s creation and revelation in its entirety. Christian sexual ethics reflects important truths about the relationship between men and women, the dignity of persons, and the value of love for men and women. As Catholics we are called to live according to God’s plan for life and love, including his plan for human sexuality. We are called to prophetic witness, even as our culture increasingly denies the truth and meaning of sexuality and indeed doubts the possibility of moral truth altogether. Living according to this plan and witnessing to the truth and meaning of human sexuality should never be regarded as a burden, but as an inspiring source of grace and hope.

The Church serves the human person by striving to bring God’s compassion to each person. God is a loving Father, and his love is shown first in the great gift of creation. He has made human beings as a body-soul unity, with the soul as the life of the body, what truly forms it as uniquely human. Human beings are

different from every other creature in the physical world in that we can understand the truth of things and make free choices based upon this understanding. Our spiritual identity is expressed in the world through the body, enabling us to learn, communicate, and express love. The Church defends the integrity of God's creation, respecting his lordship over creation and the wisdom by which he has endowed all things with the integrity of their own particular nature. The Church holds that faith and reason cannot be in contradiction and that together they manifest the splendor of the human person.

Sacred Scripture provides a rich revelation of the human person as a body-soul unity. The creation account in Genesis reveals that men and women are made in the image and likeness of God: this means that we are free and rational creatures, capable of knowing God and loving him. "The dignity of the human person is rooted in his creation in the image and likeness of God" (*Catechism of the Catholic Church* [CCC] 233, 1700). Sexual identity, embodiment as either a man or a woman is a gift that is given to us from the moment of creation (CCC 383, 2333). Sexual difference is the source of the complementarity that enables complete self-giving in the marital act and makes possible "the generation of new life" (CCC 2333). In fidelity to this revelation, the Catholic Church teaches that through marriage, a man and woman form "an intimate communion of life and love" based on their free mutual consent (CCC 1603, 1660, 1662). Marriage is characterized by permanence, faithfulness and openness to life, and is ordered "to the good of the couple as well as the generation and education of children" (CCC 1660, 1664).

God has established the human person and the complementarity of man and woman to reflect his own Trinitarian love as a communion of persons. Marriage itself has an objective reality that arises from the physical and spiritual partnership that God intended for husband and wife within the family. In keeping with God's plan for marriage, therefore, every act of sexual intercourse must be open to the creation of new human life, and the generation of children must take place through the marital act. Contraception, sterilization, and in vitro fertilization procedures separate the unitive and procreative meanings of marriage, thus violating the meaning of marriage. In contrast, Natural Family Planning methods respect God's design for marriage and the family if they are guided by the virtues of chastity, justice, and conjugal charity (see CCC 2369, 2370, 2376). The flourishing of marriage and family life depends upon proper respect for the nature of human love and sexuality.

The moral and spiritual strength of families relates directly to the health of society and the Church. In families, children learn to be good citizens as well as good Christians. As the foundation of the family, marriage is not merely a private institution, but is important for the common good. The Church teaches that the family is the "basic cell of society," and, therefore, "the future of humanity passes by way of the family."<sup>5</sup> It is not unjust or discriminatory to uphold the nature and meaning of marriage as a permanent, faithful and fruitful union of one man and one woman. Moreover, because same-sex relationships, including

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<sup>5</sup> John Paul II, "Teach Whole Truth about Family," (April 1, 1992), 42; John Paul, *Familiaris Consortio*, 86.

those in which one partner identifies as transgender, distort the truth and meaning of sexual identity by suggesting that mothers and fathers are interchangeable, it is not unjust to oppose their equation with marriage. In fact, Catholics are called to uphold the truth, not simply as an expression of personal religious belief, but as citizens concerned for the well-being of society.

Accepting God's will for humanity, as expressed in his creation of the body, includes accepting the reality of sex as male and female. God has given us our bodies as a gift, which, despite any challenges, must be accepted and guarded.

Pope Francis described this in his encyclical *Laudato Si'*:

The acceptance of our bodies as God's gift is vital for welcoming and accepting the entire world as a gift from the Father and our common home, whereas thinking that we enjoy absolute power over our own bodies turns, often subtly, into thinking that we enjoy absolute power over creation. Learning to accept our body, to care for it and to respect its fullest meaning, is an essential element of any genuine human ecology. Also, valuing one's own body in its femininity or masculinity is necessary if I am going to be able to recognize myself in an encounter with someone who is different. In this way we can joyfully accept the specific gifts of another man or woman, the work of God the Creator, and find mutual enrichment. It is not a healthy attitude which would seek "to cancel out sexual difference because it no longer knows how to confront it" (§155).

God has created the body and human sexuality to help humanity reach its true happiness in the gift of self for others. This gift finds expression not only in the complete gift of a man and woman in marriage, but also in the lives of those called to celibacy or to remain single, as they use their bodies to express love through their service to others.

### **3. Sexual Attraction**

Every state of life calls for chastity, understood as “the successful integration of sexuality within the person and thus the inner unity of man in his bodily and spiritual being” (CCC 2337). By calling all people to this integration, the Church serves the happiness and full flourishing of every human being which can only come to fruition by respecting the language the Creator has impressed within human nature. The virtue of chastity has become increasingly difficult to form and maintain considering many cultural challenges. The Church continues to point all people to chastity’s crucial importance, as it helps us come to appreciate the mystery of our humanity, including our sexuality, and to come to a maturity that, guided by God’s law, will lead to fulfillment and peace.

The Church’s vision enables us to understand the nature of sexual desire and its proper order to communion within family life. Sexual desire is now described as an orientation that has been separated from the integrated vision of the human person rooted in a Christian anthropology that honors the dignity of the body-soul unity and the foundational understanding of the complementary of male and female. Yet it is important to understand how modern culture defines sexual orientation. According to the American Psychological Association, “Sexual

orientation is an enduring emotional, romantic, or sexual attraction that one feels toward men, toward women, or toward both. Although sexual orientation ranges along a continuum, it is generally discussed in terms of heterosexual—attraction to the other sex—homosexual—attraction to the same sex—and bisexual—attraction to both sexes.”<sup>6</sup>

Due to the very nature of human sexuality, as ordered toward procreation, the human person, male or female, is properly ordered towards sexual union with the opposite sex. It is why the *Catechism of the Catholic Church*, referring to Scripture and the natural law tradition, refers to “homosexual acts” as “intrinsically disordered” (2357). This does not mean that the *person* is disordered but that the *acts*, which are closed off to authentic conjugal union and the transmission of new life, are *not ordered* towards their proper ends. Under no circumstances can homosexual *acts* be approved or affirmed.

The now predominant popular narrative asserts, contrary to research, that persons who identify as “gay, lesbian, or bi-sexual” in sexual orientation are simply “born that way.” Even if genetic predispositions exist, evidence points to a complex interrelation of social, psychological, and relational factors as well.<sup>7</sup>

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<sup>6</sup> American Psychological Association, *Just the Facts about Sexual Orientation and Youth: A Primer for Principals, Educators and School Personnel* (2008), <https://www.apa.org/pi/lgbt/resources/just-the-facts>.

<sup>7</sup> See, for instance, Andrea Ganna, Karin Verweij, Michel Nivard, et alia, “Large-Scale GWAS Reveals Insights into the Genetic Architecture of Same-Sex Sexual Behavior,” *Science* 30 Aug 2019, <https://science.sciencemag.org/content/365/6456/eaat7693>. Paul Sullins, writing for *Public Discourse*, summarizes

Sound research demonstrates that sexual desire or orientation can be fluid and subject to change in certain individuals and at some stages, particularly in adolescence. Women also tend to report higher rates of fluidity in sexual desire. It is preferable for Catholic institutions to reference sexual attraction to those of the same sex by referring to “persons who experience same-sex attraction” instead of labeling a person as “gay” or “lesbian” or “bi-sexual,” as if sexual attraction defined the person or constituted the person’s identity. Our deepest identity is found as being made in the image and likeness of God and this reality cannot be overshadowed by our attractions and desires.

The *Catechism* also acknowledges that a homosexual attraction often constitutes a “trial,” and affirms that men and women who experience homosexual inclinations “must be accepted with

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the implications of the study: “The study contained two key findings. First, it found that the effect of the genes we inherit from our parents (known as ‘heritability’) on same-sex orientation was very weak, at only .32 on a scale from 0 (none) to 1 (total) heritability. This means that a person’s developmental environment—which includes diet, family, friends, neighborhood, religion, and a host of other life conditions—is twice as influential on the probability of developing same-sex behavior or orientation as a person’s genes are. Second, rebutting decades of widespread belief, the study established that ‘there is certainly no single genetic determinant (sometimes referred to as the “gay gene” in the media)’ that causes same-sex sexual behavior. On the contrary, ‘the variants involved are numerous and spread across the genome.’ Each of these genetic variants increases a person’s propensity for same-sex behavior by an infinitesimally small amount. In scientific terms, same-sex orientation and behavior are highly polygenetic” (<https://www.thepublicdiscourse.com/2019/09/57342/>).

respect, compassion, and sensitivity. Every sign of unjust discrimination in their regard should be avoided. These persons are called to fulfill God's will in their lives and, if they are Christians, to unite to the sacrifice of the Lord's Cross the difficulties they may encounter from their condition" (2358). The admonition against "unjust discrimination," however, does not preclude Catholics or Catholic institutions from making *just distinctions* that may be necessary as a matter of prudence or to ensure faithfulness to the institution's mission. In fact, sharing the truth with charity and respect shows true love of the person and reflects the call of God to share the Good News of salvation with all people. The Church calls Catholics to accompany with compassion those who struggle with trials related to sexuality. Ultimately, it is only in Christ and his gift of self on the Cross that we can find healing, salvation, and transformation for our whole being, including our sexuality.

#### **4. A Vision of the Human Person Supported by Science and Medicine**

In addition to the Church's teaching on the body and human sexuality, there is much testimony from science and medicine that reinforces the truth of human sexuality and the damage that occurs in attempting to hinder its proper development and exercise. This section provides a brief summary of this testimony, which reinforces an anthropology that takes seriously the nature of the human person as a body-soul unity.

##### *Sex Determination and Sexual Differences*

The sex of a human being has been and continues to be determined biologically, a fact known since the

discovery of sex chromosomes more than a hundred years ago. From conception, the sexual identity of a person is tied to his or her chromosomal makeup. The person's chromosomes (XX or XY) direct the development of the person's body so that, at maturity, the body is equipped to procreate.<sup>8</sup> Every cell in the human body can be identified as male or female.<sup>9</sup> Many differences between the male and female sexes are a result of the differences between the genetic makeup of male and female cells and the differences in the expression of the genetic makeup. Sex differences have been identified at many levels of biological organization, from biochemical to behavioral.<sup>10</sup>

These sexual differences have been shown by numerous studies that have found critical differences, including: females have more aggressive immune systems than males; female and male cardiac issues are significantly different; male and female brains

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<sup>8</sup> Only the Y chromosome carries the Sry gene, which directs the organization of the developing human being as male; a human being without the Sry gene develops as female.

<sup>9</sup> T.M. Wize mann and M.L. Pardue, eds. *Exploring the Biological Contributions to Human Health: Does Sex Matter?* (Washington, D.C.: National Academies Press, 2001), <https://www.ncbi.nlm.nih.gov/books/NBK222288/>. See also, Janine Austin Clayton. "Applying the New SABV (Sex as a Biological Variable) Policy to Research and Clinical Care," *Physiology & Behavior* 187, no. 1 (April 2018): 2-5, <https://www.sciencedirect.com/science/article/pii/S0031938417302585#!>.

<sup>10</sup> T.M. Wize mann and M.L. Pardue, eds. "Exploring Biological Contributions to Human Health: Does Sex Matter?" *Journal of Women's Health and Gender Based Medicine* 5 (June 10, 2001): 433-39.

develop and “age” differently; and male and female brains are organized differently for language, with men relying on the left inferior frontal ridge of the brain for language tasks, while women use both the left and right inferior ridges. PET scans and MRIs demonstrate many other differences between male and female brains. Professionals can identify a male or female brain by sight, both before and after birth. Brain imaging studies have shown that women have a higher percentage of gray matter while men have a higher percentage of white matter.<sup>11</sup>

These differences, along with bone structure, muscle mass, heart capacity, and overall flexibility, are but a few of the findings that confirm the unmistakable biological differences that exist between males and females, all a result of their genetic makeup.

Although there are complicated and rare cases of disorders in sexual development, including situations where a person is born with organs of both sexes or where the sex organs are not completely developed one way or another, medical science usually can determine the person’s sex.<sup>12</sup> Medical or surgical interventions in cases of disorders of sexual development may be warranted to address pathology or restore healthy functioning to the person’s body. In contrast, medical or surgical interventions on the healthy body of a

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<sup>11</sup> Madhura Ingahlakar, Alex Smith, et al. “Sex Differences in the Structural Connectome of the Human Brain,” *Proceedings of the National Academy of Sciences* 111, no. 2 (2014): 823-28.

<sup>12</sup> See “FAQs,” *Person and Identity Project*, [www.personandidentity.com](http://www.personandidentity.com).

person who seeks body modifications for reasons of “gender identity” cannot be morally justified.

*Gender, Gender Dysphoria, Psychological and Health Effects*

In the past, “gender” was used as a synonym for sex (male or female), or to describe social aspects of being male or female within a particular culture. Today, however, “gender” has taken on a different meaning incompatible with the Catholic understanding of the human person. Today “gender” refers to a person’s self-representation or identity, as shaped by environment, experience, and personal preference, regardless of biological sex. A person who pursues a “gender transition” rejects his or her sexual identity as male or female in order to assert a “gender identity” at odds with biological sex, whether man, woman, non-binary, or a fluid identity that changes over time. A person who seeks to “transition” might believe that he or she is in the wrong body or feel deep distress over the body’s natural development. This can lead to increasing unhappiness or anxiety which can be diagnosed as gender dysphoria.<sup>13</sup> In other cases, people become convinced that they must, as a matter of personal autonomy, assert a “gender identity” of their own choosing and will therefore assert a “right” to transition to the other sex or to a non-binary “identity” without necessarily claiming to be psychologically distressed.

Gender transitioning through behavioral, hormonal, or surgical treatments, is now widely accepted as a form of “therapy.” However, the concept

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<sup>13</sup> See National Catholic Bioethics Center, “Brief Statement on Transgenderism.”

of gender transitioning stands in contradiction to the proper understanding of the nature of the human person. It assumes there is “self” that is separate from the body and which might be in the wrong body. This contradicts the Church’s central teaching that the human person is a body-soul unity and that the integral unity of the body and soul is fundamental to identity of the human person. The body cannot exist separately from the soul and the soul and body together constitute the self. A human person does not just *have* a body – he or she *is* that body. We express this idea when we ask a child, “Did you hurt yourself?” or when someone says, “Don’t touch me!” There is no “true self” apart from the body or “true sexual identity” separable from the sex of the body. God created each person body and soul, and God uses the body to reveal to each person his or her sexual identity as male or female<sup>14</sup>. A person’s embrace of his or her God-given sexual identity is an essential part of living a fulfilled relationship with God, with oneself, and with each other (*Laudato Si*, §155). The integral unity of body and soul is a foundational anthropological truth central to Christianity. The psychological experience of a disconnect with one’s bodily sex is not to be minimized; it calls for appropriate psychotherapy, but it can in no way affirm an “incorrect” sex.

Given this understanding of what it means to be a human person, a body-soul unity whose sexual identity is reflected in the person’s biology, it should be clear that no surgical, hormonal, or other intervention directed toward the body is capable of altering that innate sexual identity. Behavior

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<sup>14</sup> See *Compendium of the Social Doctrine of the Church*, §224.

stereotypically associated with one sex or the other, including mannerisms, social cues, clothing, or modes of speaking, does not alter the innate sexual identity of the embodied spirit which is the human person. Hormonal interventions to block the body's sex-specific hormones or provide the sex-specific hormones of the opposite sex likewise do not change a person's innate sexual identity. The use of puberty blocking hormones in children with gender dysphoria is particularly dangerous since this intervention radically disrupts the normal sequence of physical and psychological development that occurs during adolescence and the damage cannot be reversed.

So-called gender confirmation surgeries, designed to "masculinize" or "feminize" the body's appearance according to preference, also cannot modify the true sexual identity of the person, who was created male or female. Attempts at gender transitioning can, in fact, have disastrous effects in the life of a person who continues to struggle to better understand and accept his or her own true value and full identity. Studies show that, even apart from the resulting medical harm, surgical interventions often fail to resolve feelings of anxiety, depression, and dysphoria. Medical or surgical transition is often justified as necessary to reduce the risk of suicide among transgender-identified persons, but studies show that suicides occur during all stages of transition, and the suicide rate of transgender-identified persons remains high, compared to the general population, even post-transition.<sup>15</sup>

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<sup>15</sup> The most thorough study of the long term effects of gender reassignment surgery analyzing records from Sweden from 1973-2003, concluding, "Persons with transsexualism, after sex

## 5. Terminology Related to Gender “Transition”

In responding to our culture’s confusion related to sex and gender, it is important to understand the dynamics and stages related to gender “transition.” These dynamics are true for anyone, but pose threats for children, whose bodies have not yet fully developed, and who have not reached the ability to make a mature, lifelong decision. The current progression of “transition” (rejecting one’s sexual identity as male or female and asserting a self-determined gender identity at odds with biological sex) occurs in the following four steps:

1. Social transition (new name, pronouns, apparel)
2. Suppression of natural puberty with puberty blockers
3. Hormonal transition with cross-sex hormones

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reassignment, have considerably higher risks for mortality, suicidal behaviour, and psychiatric morbidity than the general population. Our findings suggest that sex reassignment, although alleviating gender dysphoria, may not suffice as treatment for transsexualism, and should inspire improved psychiatric and somatic care after sex reassignment for this patient group.” For the full study, see Cecilia Dhejne, Paul Lichtenstein, et al., “Long-Term Follow-Up of Transsexual Persons Undergoing Sex Reassignment Surgery: Cohort Study in Sweden,” *PLoS One* 6, no. 2 (2011): <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0016885>. See also C.M. Wiepjes, CM, M. den Heijer, M, M.A. Bremmer, et al. , “Trends in Suicide Death Risk in Transgender People: Results from the Amsterdam Cohort of Gender Dysphoria Study (1972–2017),” *Acta Psychiatrica Scandinavica* (Feb. 18, 2020), <https://onlinelibrary.wiley.com/doi/full/10.1111/acps.13164>.

#### 4. Surgeries

**Social transition** (changing external appearance, name, or pronouns) is often presented as low-risk and fully reversible, although the reality is more complicated. It reinforces the confused child's false beliefs about "who" he or she is and effectively puts an adult "stamp of approval" on the child's desired identity, in direct contradiction to the biological reality of the child's body. Research indicates that "childhood social transitions were important predictors of persistence, especially among natal boys."<sup>16</sup> Experts also warn that the longer a child is socially transitioned, the more difficult it may be for the child to "desist" and reclaim his or her natural sexual identity.

No matter how well-intentioned, helping a child to launch into any stage of "transition" risks life-long harm to that child. Disturbing a child's body and mind by facilitating a denial of the child's very nature constitutes child abuse. Is there any other area of life in which adults let young children create their own reality and dictate it to adults? Until recently, a child's identity confusion (or gender dysphoria) was addressed with patience, letting it resolve naturally, or through family therapy to address underlying causes. Children and adolescents were not encouraged to transition, and studies show that the onset of puberty often helped the child align identity with biological sex. By adulthood, a strong majority of

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<sup>16</sup> Steensma, T., et al, "Factors Associated with Desistence and Persistence of Childhood Gender Dysphoria: A Quantitative Follow-Up Study," *Journal of The American Academy of Child & Adolescent Psychiatry* 52 (2013): 582-90, emphasis added.

children who struggled with identity or dysphoria but were not “affirmed” in their desired identity came to accept their sex.<sup>17</sup>

The long-term damage to the bodies of young people subject to “hormonal therapy” to treat gender incongruence is devastating. **Puberty-blocking hormones** interrupt the normal development of the skeletal, neurological and endocrinological systems in ways that cannot simply be “made up” later. In some cases, puberty-blocking hormones will destroy their future fertility – which could lead to deep remorse throughout their adult lives. The use of puberty blockers in children who have gender dysphoria or incongruence is new, and poorly studied. The few studies available show that nearly 100% of children who use puberty blockers will go on to use cross-sex hormones, leaving them permanently sterile.<sup>18</sup>

The use of **cross-hormone therapy** to cause feminizing or masculinizing physical changes in children is increasing at an alarming rate. It has already become common practice for patients who self-identify as transgender to receive a prescription for

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<sup>17</sup> Michael K. Laidlaw, et al., “Letter to the Editor: ‘Endocrine Treatment of Gender-Dysphoric/ Gender-Incongruent Persons: An Endocrine Society Clinical Practice Guideline,’” *The Journal of Clinical Endocrinology & Metabolism* 104, no. 3 (March 2019): 686-687, <https://academic.oup.com/jcem/article-abstract/104/3/686/5198654?redirectedFrom=fulltext>.

<sup>18</sup> Norman P. Spack, et al., “Children and Adolescents with Gender Identity Disorder Referred to a Pediatric Medical Center,” *Pediatrics* 129, no. 3 (March, 2012): <http://pediatrics.aappublications.org/content/129/3/418.long>.

cross-sex hormones on their very first visit to a clinic.<sup>19</sup> The American College of Pediatricians, a national organization of pediatricians and other healthcare professionals dedicated to the health and well-being of children, cautions parents that the best available research shows substantial risks to children from the use of puberty blockers and cross-sex hormones. Numerous studies indicate that cross-sex hormones and puberty blockers raise the risk of heart disease, blood clots, strokes, depression, osteoporosis and arrested bone growth, crippling joint pain, cancer, and suicidal ideations, with the long-term consequences acknowledged as “unknown.”<sup>20</sup>

**Surgical transition** includes what are referred to as “top” and “bottom” surgeries. “Top” surgeries can include revisions to a person’s hair, forehead, nose, jaw, neck and breast area. Some aspects of these surgeries can be reversible. “Bottom” surgeries, on the other hand, are irreversible. These include amputation, castration and vaginoplasty (construction of a faux vagina) for feminizing surgeries or hysterectomy/oophorectomy (removal of the uterus and ovaries) and phalloplasty (construction of a prosthetic penis) for masculinizing surgeries. The

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<sup>19</sup> Planned Parenthood of Greater Texas, Inc., “Transgender Healthcare,” accessed on February 22, 2019, <https://www.plannedparenthood.org/planned-parenthood-greater-texas/patientresources/transgender-healthcare>.

<sup>20</sup> American College of Pediatricians, “Gender Dysphoria in Children” (November 2018): <https://www.acpeds.org/the-college-speaks/position-statements/gender-dysphoria-in-children>; Paul W. Hruz, “Deficiencies in Scientific Evidence for Medical Management of Gender Dysphoria,” *The Linacre Quarterly* 87, no. 1 (2020): 34-42, <https://journals.sagepub.com/doi/abs/10.1177/0024363919873762?journalCode=lqra>.

sobering reality here is that fully functioning organs are mutilated to produce a counterfeit form. Function and fertility are destroyed for a cosmetic counterfeit.

*Rapid Onset Gender Dysphoria (ROGD)*

Parents and some clinicians report a new and increasing phenomenon, described as “Rapid Onset Gender Dysphoria” (ROGD), in which teenagers who never previously manifested any question about their sexual identity suddenly announce their desire to transition, typically after exposure to the concept through peers and social media. The phenomenon requires more research, but initial observations describe a sudden unhappiness with one’s sex that happens particularly in female adolescents who showed no signs of discomfort with their sex before puberty.<sup>21</sup>

**Conclusion**

The Church has received a mandate from Jesus to teach in his name and to serve all people through the grace he has given to the community he founded. The truths of creation and God’s revelation do not change, although the Church must address new situations that arise. It is an act of charity to teach the truth concerning human sexuality, marriage, and the

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<sup>21</sup> L. Littman, “Correction: Parent Reports of Adolescents and Young Adults Perceived to Show Signs of a Rapid Onset of Gender Dysphoria,” *PLOS One* 14, no. 3 (Mar. 19, 2019), <https://doi.org/10.1371/journal.pone.0214157>; L. Littman, “The Use of Methodologies in Littman (2018) Is Consistent with the Use of Methodologies in Other Studies Contributing to the Field of Gender Dysphoria Research: Response to Restar (2019).” Letters, *Archives of Sexual Behavior* (Jan. 17 2020), <https://doi.org/10.1007/s10508-020-01631-z>.

nature of the human body. The Church's ministry depends upon communicating the truth in love, so as to be able to serve those who come to our parishes and schools. There cannot be compromise on the truth, but there is much that can be done to serve and accompany those struggling with the truth.

Because modern culture has very quickly changed its views of sexuality, the Church appears, in the eyes of many, to be backward or even oppressive in its teaching. This brief document seeks to point to the light and splendor of God's truth, which alone can lead us to true happiness. St. John Paul II summarizes powerfully the goodness of God's plan for creating human beings as male and female:

[We read in Holy Scripture that] from the very beginning, man has been created "male and female" (Gen 1:27). Scripture itself provides the interpretation of this fact: even though man is surrounded by the innumerable creatures of the created world, he realizes that he is alone (cf. Gen 2:20). God intervenes in order to help him escape from this situation of solitude: "It is not good that the man should be alone; I will make him a helper fit for him" (Gen 2:18). The creation of woman is thus marked from the outset by the principle of help: a help which is not one-sided but mutual. Woman complements man, just as man complements woman: men and women are complementary. Womanhood expresses the "human" as much as manhood does, but in a different and complementary way. When the Book of Genesis speaks of "help," it is not referring merely to acting, but also to being. Womanhood and manhood are

complementary not only from the physical and psychological points of view, but also from the ontological. It is only through the duality of the “masculine” and the “feminine” that the “human” finds full realization (*Letter to Women*, 1995, 7).

God asks the Church to proclaim the Good News of creation and of redemption, including of human sexuality, as a path to true freedom and happiness. In realizing and accepting our identity as made in the image and likeness of God, as man and woman, we can walk in the way of Christ, a way of healing, integration, fulfillment, and wholeness.

The Archdiocese of Denver offers this document to provide a succinct overview of this teaching, from God’s revelation and the truth of the human person to guide pastoral engagement and to complement policy guidelines. It does not seek to present a comprehensive response to how the Church addresses issues related to sex and gender. Additional resources can be found in the “Resources” appendix.

### **Acknowledgement**

This document incorporates, with permission, specific language from “Catholic Schools and Gender Ideology: General Principles and Recommendations,” a document co-authored by Theresa Farnan, PhD, Susan Selner-Wright, PhD, and Mary Rice Hasson, JD.

The Archdiocese has partnered with the Person and Identity Project to provide further resources to personnel implementing the policies outlined in this document. Their website, [personandidentity.com](http://personandidentity.com), provides resources including responses to FAQs,

videos and downloadable material, available at no cost.

### Resources

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<b>Exhibit 8</b>
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**School of the Lord's Service:  
A Framework for Forming Disciples  
in Catholic Education**

ARCHDIOCESE OF DENVER

\* \* \*

**Introduction**

My deepest desire for the Archdiocese of Denver is that it become a place of vibrant discipleship through a deep encounter with Jesus Christ. Discipleship is not a new or innovative vision, but stems from Jesus' own desire for his Church, expressed in the Great Commission that he gave us before his Ascension: "All authority in heaven and on earth has been given to me. Go therefore and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, teaching them to observe all that I have commanded you; and lo, I am with you always, to the close of the age" (Matt 28:18-20). Forming disciples is the mission that Jesus gave the Catholic Church and our constant reference by which we can judge our true success.

Jesus founded the Catholic Church to hand on and teach the truth that he revealed and to make us holy through the grace of the sacraments. Jesus truly is the reason for the existence of our Catholics schools, and he wants to guide us in everything that we do. We should be able to say to everyone who comes to our schools: "Be it known to all who enter here that Christ is the reason for this school. He is the unseen but ever present teacher in its classes. He is the model of its faculty and the inspiration of its students so that they

may become saints.” Everything that we do needs to be Christ-centered, flowing from him and pointing back to him. Our schools must be places to encounter Jesus; nothing is more important.

What does it mean to become a disciple of Jesus Christ? It means that we have truly encountered and met Jesus as the Son of God, experienced his love and mercy personally, and have accepted him as our Lord, living in a committed and daily relationship with him. To be a disciple is to be a Christian, someone who truly lives a life of faith and does everything with and through him. This friendship means we learn from Jesus (Mt 11: 29). Through the sacraments and prayer, especially the prayerful reading of the Gospels, our friendship grows which expresses our ongoing relationship with each person of the Trinity—Father, Son, and Holy Spirit. This friendship is nurtured at home, at school, and at our parishes. It is a life guided by the Holy Spirit, who keeps us in the truth and enables us to be faithful to the Gospel.

Discipleship is crucial for growing in our true identity as a beloved son or daughter of the Father. It shows us our true dignity as made in the image and likeness of God and made for eternal happiness with him. It also helps us to recognize this dignity in others, sharing in Jesus’ own mission to serve everyone and to bring them also to eternal life. Focusing on discipleship can make our schools places of hope for the future, especially during this difficult time in our culture. The world is suffering for lack of God and our schools can be an oasis of God’s life for our students, families, and teachers. Everyone who comes into contact with our schools should be able to experience what is most

important in life: a lasting encounter with Jesus Christ.

I hope that this framework will serve as a catalyst for deepening discipleship in our Catholic schools. I want to thank all our school leaders and teachers for their service to our students. I also would like to invite you to continue deepening your relationship with Christ. Please allow your teaching and service to flow from a daily encounter with God in prayer. I want to assure you that forming disciples is truly possible, especially when we follow Jesus' method of forming disciples. As we continue to grow in prayer and share our faith with our students, we can then invite them into a deeper life of faith and prayer and accompany them in their own growth in virtue and holiness. We need to keep our ultimate commitment and priority focused on helping our students to encounter Christ and to live with him. I am very grateful for this framework and am confident that it will help our schools to understand our distinct mission more clearly and to have stronger guidance in how to carry it out.

*/s/ Samuel J. Aquila*

Archbishop Samuel J. Aquila,  
*Archbishop of Denver*

## SECTION 1

### The Need for Discipleship

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#### Defining Discipleship

At the beginning of his *Rule*, St. Benedict, the great father of monasticism, says that he seeks to establish a “school of the Lord’s service,” a place where the disciple may learn to follow Christ through a complete way of life. By forming a community dedicated to learning the Christian life, Benedict sees the disciple

as “progressing in the life of conversion and faith that, with heart enlarged and in ineffable sweetness of love, one runs in the way of God’s commandments.” Every Christian, not just the monks within the monastery, must learn how to live the Christian life to be able to follow Christ with enlarged heart and the sweetness of love. We all need formation with a “school of the Lord’s service” to learn how to become disciples of Christ. In a similar way, Saint Thomas Aquinas did not reduce education to information. Rather, he thought of it as the “upbringing and advancement to the perfect state of man as man, that is, to the state of virtue.”<sup>1</sup>

The Church’s mission is evangelization, the spreading of the good news of salvation in Jesus Christ. This mission comes from the Great Commission that Jesus imparts to his disciples before he ascends into heaven, as recorded at the end of Matthew’s Gospel:

*All authority in heaven and on earth has been given to me. Go therefore and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, teaching them to observe all that I have commanded you; and lo, I am with you always, to the close of the age.* Matt 28:18-20

With his last words, Jesus asks his Church to make disciples by preaching the Gospel in its fullness, celebrating the sacraments he instituted, and teaching others how to live the Christian life. He invites them to continue the work that he began, by calling his disciples by name, spending time with them in friendship, and teaching them.

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<sup>1</sup> In IV Sent., d. 26, q. 1, a. 1, c.

To be a disciple entails living as a committed follower of Jesus Christ. Jesus invited his disciples to “come and see” (Jn 1:39). It begins by accepting the Gospel message and coming to faith, a grace that flows fully from Baptism. To live the reality of discipleship, however, the graces of Baptism need to be accepted in a personal way. It is coming to know and believe in Jesus’ love and mercy for us. It is coming to know and believe in Jesus’ love and mercy for us, having confidence in his love and mercy, and imitating his life. Discipleship’s goal is to reach heaven, to live in eternal happiness with God, by living in communion with God now and loving others as Christ did. Jesus clearly wants active, committed followers, because he commanded the Church to make them and to teach them how to live. Jesus established the Church to operate through relationship, as we only come to be a disciple through the help of others. Disciples are given a mission to become representatives of Jesus to others, “whoever receives you, receives me,” who in turn help them to become disciples.

Discipleship begins with an encounter with Christ and entails a process of growth, an ongoing process of conversion. Building upon the graces of Baptism, intentional discipleship stems from a decision or commitment to follow Jesus and to live in relationship with him. This relationship grows in prayer, the place where “heart to speaks to heart,” as Jesus shares the love of his heart with ours. The life of the disciple also grows in relationship with others, through the process of mentorship through moral and spiritual development. It culminates in the ability to enter maturely into mission, putting faith into practice in daily life and serving the Church’s mission with the community. These three stages could be summarized

as 1) choosing to follow Christ, 2) growing in the Christian life through mentorship, and 3) actively engaging in mission.

### **The Importance of Discipleship**

The importance of discipleship for the future of the Church cannot be overstated. As only remnants of Christian culture remain, today's Catholics are tasked with navigating the uncharted waters of a post-Christian culture while courageously forging a renewed culture in which the faith can develop and thrive. The most difficult problem stems from what Pope Benedict XVI called a "crisis of faith" in which even Christians "live as if God does not exist." Catechesis is currently failing to impart the faith in a way that takes roots in the hearts of young Christians. This problem has only become worse amid scandal within the Church. A recent Pew survey detailed that only 31% of self-identified Catholics believe in the Real Presence.<sup>2</sup> Another Pew survey revealed that former Catholics now make up an astounding 13% of the entire adult U.S. population.<sup>3</sup> These facts should cause us to reexamine the ways we hand on the faith in a post-Christian cultural milieu and to ask how this fundamental Christian task could be re-imagined.

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<sup>2</sup> Gregory A. Smith, "Just One Third of US Catholics Agree with their Church that Eucharist Is Body, Blood of Christ," *Pew Research Center*, Aug. 5, 2019, [www.pewresearch.org/facttank/2019/08/05/transubstantiation-eucharist-u-s-catholics/](http://www.pewresearch.org/facttank/2019/08/05/transubstantiation-eucharist-u-s-catholics/).

<sup>3</sup> David Masci and Gregory A. Smith, "7 Facts about American Catholics," *Pew Research Center*, Oct. 10, 2018, [www.pewresearch.org/fact-tank/2018/10/10/7-facts-about-american-catholics/](http://www.pewresearch.org/fact-tank/2018/10/10/7-facts-about-american-catholics/).

Christ's ministry stands at the heart of this re-imagining: his own model was one of discipleship. Christianity is not essentially an intellectual proposition. Rather, it is a lived proposition: how does one *live* Christ? In St. Paul's day, the complexity of reconciling the practice of the Christian faith with Roman society was so immense that he would urge the Corinthians to "Be imitators of me as I am of Christ" (1 Cor 11:1), proposing himself as a mentor so that the disciple can say "it is no longer I who live, but Christ lives in me" (Gal 2:20). Reconciling Christian living with a technologically advanced post-Christian culture similarly requires mentorship. What does it mean to live Christ in this culture? How does the Christian follow the narrow path in *this* time and *this* place? Discipleship, with its intentional, lived formation hands on the faith through a personal encounter.

The future of the Church depends on new missionary disciples formed to bequeath the riches of our faith. The Holy Spirit raises up disciples and calls forth those who will cooperate with his grace. Without missionary disciples, the Church risks acting contrary to her nature, becoming salt that has lost its flavor or a light hidden under a bushel basket (cf. Matt 5:13-14). She also risks continuing to hemorrhage more than the 31.6 million Catholics in America already lost from among her fold. The return to intentional imitation among her members must begin if the Church is to fulfill her God-given mission to evangelize.

### **Discipleship in the School**

As John Paul II often repeated, "only in the mystery of the incarnate Word does the mystery of man take on

light” (*Gaudium et Spes*, 22). Jesus, the perennial Teacher, reveals the truth about man and teaches us how to live. Christ teaches us how to love and what to hate; where to spend time and where to spend money; how to be faithful and how to forgive. He instructs us in prayer and shows by his death how to die. He leads us to the Father and makes known the Father’s love for us. Thus, discipleship is a living imitation of Christ Jesus Himself, embracing the whole of life.

But Christ did not invite disciples to imitate Him solely in a one-on-one setting. He formed a community of disciples around Himself to strengthen, through friendship and shared life, the art of living he imparts. The Catholic school likewise exists as a community of faith where students, faculty, staff, and administration seek to pattern their lives after the life of Christ in a communal manner. To that end, the Catholic school exists to form not simply disciples, but a community of discipleship where all learn how to live well and to grow “in wisdom and in stature, and in favor with God and man” (Lk. 2:52).

The Church is committed to Catholic education, because it relates to its mission to form disciples, who are students of Jesus and learn from him how to live. Because Jesus asked the Church to form disciple-students, the school is the natural place for discipleship, in learning the Christian faith and forming habits of the Christian life. Schools are places of formation that immerse students within a community that embodies the faith. The school forms disciples within a community that draws upon the life of the parish and which requires the support and involvement of families.

### **The Mission of the School: Formation for the Whole of Life**

Catholic educators realize that only in communion with the Holy Trinity does the person find true happiness, a communion and a happiness that begin here on earth. This upward orientation to God in education can liberate the student from a purely horizontal goal of educational success aimed no further than securing the best job, the best college, or the highest G.P.A. While these ends promise a complete happiness, they cannot secure it. The orientation of the Catholic school can open the student to true happiness precisely because God is our true end. The Catholic school grounds the measure of success in being who one is meant to be: a son or daughter of the Father, open to truth, pursuing goodness, transformed by beauty, and made for eternal life with God. While material success may follow from this, it is not the essential aim of education in a Catholic school.

Catholic schools, therefore, can offer the most complete formation. Rooted in Christian anthropology, they recognize the importance of supernatural ends, formation in virtue, and the good of learning for its own sake. Thus, Catholic schools can impart not simply the knowledge that man finds himself in a sincere gift of himself (*Gaudium et Spes*, 24), but also *the habit of self-gift*, namely, the habit of charity exercised in worship of God and service to neighbor. It is no accident that Catholic schools help graduates to be servants of the Church and the wider community. Because the Catholic school understands who man is in light of Christ, it can offer this robust formation of the whole human person.

Thus, the Catholic school has been entrusted with a message and a mission. It is a place of evangelization and catechesis, existing to equip students to go forth proclaiming the marvelous works of God. This mission of evangelization flows from the mission of the Church, which exists in order to evangelize (*Evangelii Nuntiandi*, 14). The primary place for the evangelization of children and their growth in the Christian life is the home. Parents are the primary educators of their children and the parish and school support them in this role, providing additional formation and opportunities for living out the faith. “Catholic education teaches communion with Christ, by living communion with Christ and imitating the love and freedom of the Trinity. This communion begins in the home—with the divinely ordered right and responsibility of parents to educate their children—and extends to the school community in support and service to the needs of the family. It unites families and educators with a shared educational philosophy to form students for a relationship with God and with others.”<sup>4</sup> The Catholic school exists to partner with parents for the education of their children, including helping them to grow as disciples of Christ.

As a place of transformation and daily encounter with Christ, the Catholic school is uniquely able to introduce students gradually and more deeply to the love that alone will satisfy their hearts. This unfolding of the vast treasure of knowing, loving, and serving the Holy Trinity allows students the time and space to

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<sup>4</sup> Cardinal Newman Society, *Principles of Catholic Identity in Education: Parent Guide*, Nov. 6, 2017, [newmansociety.org/parent-guide/](http://newmansociety.org/parent-guide/).

learn how to live the Christian life. It also enables them to “taste and see the goodness of the Lord” (Ps. 34:8) in their own lives; a necessary first step toward evangelizing others. Catholic schools are thus centers of mission, existing to hand on of first importance what was received: the good news of Jesus’ birth, life, death, resurrection, and ascension (cf. 1 Cor. 15:3-5). Everything about the Catholic school is oriented to the fulfillment of this purpose, summed up beautifully in the Benedictine motto of education: to form *scholas servitii Domini*, schools in service to the Lord.

### **The purpose of the framework**

This framework arose in the context of revising the religion standards for the Archdiocese of Denver. Theology and catechesis courses must do more than communicate content. As noted by John Paul II, “the definitive aim of catechesis is to put people not only in touch but in communion, in intimacy, with Jesus Christ: only He can lead us to the love of the Father in the Spirit and make us share in the life of the Holy Trinity” (*Catechesi Tradendae*, 5). Therefore, these courses must seek to draw students into dynamic relationship with the Trinity and to live out the content they are learning ever more deeply. Catechesis and theology provide an integrating source for the Christian school, giving the clearest perspective on mission and the unity of the actions of the school within it.

The revision of this content area brings with it the recognition that the process of formation in the Christian life must reach all aspects of the school’s life within the context of the Church’s mission to form disciples. Although there are many obstacles to this mission—an increasingly secular culture, difficulties

within the family, the dominance of technology, and the lack of a vibrant life of faith— bringing students to a committed and living faith provides hope for the future of Catholic education. Statistics show that simply attending a Catholic school, does not produce mature disciples unless there is the support of adult of mentorship and experiences to internalize faith. Catholic schools do many good things to build faith, but these things need support in stronger vision and plan for discipleship. This framework seeks to provide a clearer shared vision on the nature of discipleship for the schools of the Archdiocese of Denver as well as practical suggestions on how schools can form disciples effectively so that our hope becomes reality.

It is time to embrace the mission of the Catholic school ever more robustly. John Paul II issued a prophetic call to the Church, recognizing the urgent need for evangelization in our secular culture: “I sense that the moment has come to commit all of the Church’s energies to a new evangelization” (*Redemptoris Missio*, 3). This call clearly pertains to our schools, which Pope Francis recognized as sources of evangelization: “Catholic schools, which always strive to join their work of education with the explicit proclamation of the Gospel, are a most valuable resource for the evangelization of culture, even in those countries and cities where hostile situations challenge us to greater creativity in our search for suitable methods” (*Evangelii Gaudium*, 134). At this time in history and in response to the Church’s call, we, as Catholic educators, are tasked with the formation of disciples as we share in fulfilling the mission Jesus has given us.

**SECTION 2**  
**Forming Student Disciples**

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Every student in a Catholic School is first and foremost called to become a disciple or student of Jesus Christ. In the first section, the stages of discipleship were introduced: 1) choosing to follow Christ, 2) growing in the Christian life through mentorship, and 3) actively engaging in mission. These stages are not once and done, as they require a cyclical process of growth and development. We will now look at these three stages in more detail and how they relate to our students.

**How to Become a Disciple**

For most of us, the Christian life begins when we are baptized, shortly after birth. Adult converts, on the other hand, can spend years thinking through questions of faith, talking to family and friends, and receive a yearlong process of catechesis in the Rite of Christian Initiation of Adults (RCIA). It can be tempting to think that receiving the sacraments of initiation (Baptism, Confirmation, and the Eucharist) are all we need to become adult Christians, but they are only the entry point into the Christian life. Living as adult Catholic Christians requires coming to mature faith and charity, choosing to follow Jesus and living every day through a relationship with him.

It is important to note that Catholic school attendance is not enough in itself to bring young people to a mature faith and charity. The sociologist Christian Smith notes, from his extensive research on the life of young Catholics in the United States, that “we cannot report that Catholic schooling and youth group participation have robust effects on emerging adult

faith and practice.”<sup>5</sup> That is, simply attending a Catholic school will not make someone a disciple of Jesus. For mature faith to develop, Smith discovered a few factors that made a huge difference:

*First, Catholic youth who have strong relational bonds with highly religious parents, other adults, and friends are more likely to maintain or increase their religious faith.... Second, developing an internalized belief system involving a faith that is personally important... helps teens to sustain religious faith.... Finally, Catholic teenagers who live out their faith through certain religious practices, especially reading the Bible and frequently attending Sunday school, are more likely to become highly religious emerging adults.”<sup>6</sup>*

We could summarize these points that lead to a stronger life of faith as relationships, personal faith, and living out this faith. The influence of parents stands out as the most influential factor, supported by formation outside of the home. For young Catholics to become committed disciples, there needs to be external support along with an internal commitment that leads to living a distinct Christian life. Like any friendship, the relationship must be nurtured in the mutual love of the other.

These points can challenge us as Catholic school teachers and leaders and prompt us to ask, “what are we missing?” One important point is that we cannot

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<sup>5</sup> Christian Smith et. al. *Young Catholic America: Emerging Adults In, Out of, and Gone from the Church* (New York: Oxford University Press, 2014), 232.

<sup>6</sup> *Ibid.*, 178.

assume that our students are already committed disciples of Jesus Christ. We should see the school as a place of forming and strengthening the faith and prayer life of disciples. This requires not simply the teaching of information about the Catholic faith (understood as religion class), but also the ecclesial tasks of evangelization (proclaiming the Good News of salvation in Jesus Christ) and catechesis (the deepening of faith and the understanding of faith). The Catholic school should not simply teach about God as an idea; it must proclaim his living and active presence as a divine person and invite students to relate to him in a personal way through prayer. It also cannot presuppose faith, as it should invite students into a relationship of faith. The focus on relationship, more than information, will enable the school to serve more clearly as a place to grow in faith and discipleship.

### **Encountering Christ**

The reason the Catholic Church invests in schools is that she recognizes that Jesus should be at the center of everything that we do. It is not enough to visit him an hour a week. Our relationship with Jesus should be at the heart of our study and work, giving meaning and purpose to our daily life. Catholic schools provide an integrated experience of faith and life by uniting study, prayer, service, and character formation so that our students learn how to live a truly fulfilled and happy life. Jesus becomes the true teacher, who leads to the truth of the world and who inspires love in response to the truth. Pope Benedict XVI, when visiting the United States and speaking to Catholic educators, related, "First and foremost every Catholic educational institution is a place to encounter the living God who in Jesus Christ reveals his

transforming love and truth” (“Meeting with Catholic Educators,” April 17, 2008).

How does the school bring students into an encounter with Christ? The school should proclaim the kerygma (the announcement of the Gospel) and invite students to faith. Students at a Catholic school must come to know who Jesus is—the Son of God made man—and also what Jesus has done to save us—that he died to take away our sins and rose to give us new life. The teacher must become a spokesperson for God, sharing the divinely revealed message. Once again, this should not occur simply as information, but as a transformation, as a message from God that requires a response. Students should be invited to believe this message and to formulate a commitment to accept Jesus as Lord. We can see how this proclamation was central to the mission of the early Church in the Acts of the Apostles and summarized by Paul in his first letter to the Corinthians:

*Now I would remind you, brethren, in what terms I preached to you the gospel, which you received, in which you stand, by which you are saved, if you hold it fast—unless you believed in vain. For I delivered to you as of first importance what I also received, that Christ died for our sins in accordance with the scriptures, that he was buried, that he was raised on the third day in accordance with the scriptures. 1 Cor 15:1-4*

Paul gives an important example to teachers, as he reminds his disciples, pointing out the message’s importance, handing on what he himself has received, and giving the essential points of the message. Teachers likewise can present the kerygma in a clear

way, framed as an invitation to respond to Jesus in faith, echoing his call: “Come follow me” (Luke 18:22).

How do students respond to the invitation? If they feel truly called by Jesus and understand the nature of discipleship, they will be able to make a choice to follow Jesus in their lives. This may or may not be a dramatic moment of conversion. It could simply entail a commitment to daily prayer, wanting to learn more about their faith, feeling a vocation to serve others, or making their faith life a bigger priority. Regardless, one becomes a disciple of Jesus in prayer, encountering him in the depth of the heart and drawing closer to him. Relational prayer nurtures the life of the disciple and helps it to grow.

To summarize this first stage, Catholic school students need to come to know Christ, as revealed to the Church, in a personal way and form a commitment to him in faith. Students are to be imbued with a love for the Gospels, so that when they hear Jesus speaking to his disciples, he is speaking to them today. The Gospels become a living word, and the student comes to understand the nature of discipleship as a call from Jesus to which they need to respond. Teachers can make the invitation to their students on behalf of Jesus and give time for prayer so that students can respond. Discipleship should become integrated into the normal life of the school, although holy hours and retreats also provide important moments for making the invitation and giving a chance to respond.

### **Growing in the Christian Life**

If the first stage of discipleship is coming to know Christ and accepting the invitation to become his disciple, the second stage focuses on learning how to

live like Jesus. It is helpful to remember that the word “disciple” means student. Becoming a disciple means becoming a student of Jesus to learn how to live like him. “Take my yoke upon you, and **learn from me**, for I am gentle and lowly in heart, and you will find rest for your souls. For my yoke is easy, and my burden is light” (Matt 11:29). This second stage focuses on the need for constant growth and maturity as Christians.

Discipleship will look different at the different stages of school life, as each age will have its own appropriate marks of growth. In preschool through first grade, students are still learning about who God is, the identity of Jesus as the Son of God, coming to know the love of the Father for them, and coming to know Our Lady and the saints. The focus is on coming to know one’s identity as a son and daughter of the Father in order to experience the love and protection of the Father as Jesus experienced it. “He who has seen me has seen the Father” (Jn 14: 9).

Second and third grade have a distinct focus through the restored order of Confirmation preparation that now encompasses preparing for Reconciliation and First Communion. The goals of these two years include not only learning about the sacraments, they also include introducing relational prayer, growing in virtue, developing conscience, and beginning to receive the call to discipleship explicitly. Fourth and fifth grades provide an important opportunity to follow upon the completion of sacramental initiation by making more connections between faith in life, growing in understanding, and finding opportunities to embrace the mission given by Confirmation, including praying regularly for the gifts of the Spirit.

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In middle school, students begin asking more complex questions and are ready to begin thinking theologically by understanding the faith at a deeper level. Many vocations also begin in middle school as students begin to grow in their life of prayer and understanding of Christian mission. It is also important to start holding retreats and engaging in service outside of the school at this age.

High school truly provides a training ground for student-disciples to enter the world, entering into an even more mature understanding, capable of always giving a reason for the hope that is in them (cf. 1 Peter 3:15), making connections between faith and science, discerning vocation, assuming more responsibility for faith and the moral life, overcoming issues related to technology and sexuality, and having more retreats and opportunities for service. It is a time for engaging in a process of self-discovery and finding life's purpose. Strong peer relationships and small groups are even more important for growing as a disciple in high school. At the same time, high school often presents greater challenges requiring the differentiation of where students are in the discipleship journey (especially for students who are new to Catholic education who have not been exposed to the faith). Attentiveness to the needs of each student requires a heart attuned to the Holy Spirit, invoking often the gift of counsel in order to speak into the reality of the different persons that make up each class to assist their maturation in the Spirit.

This maturation in the Spirit that occurs in discipleship is an apprenticeship in the Christian life, requiring mentorship and support. St. Paul clearly lays out the need for this growth. We are not finished

becoming Christians at our Baptism, Confirmation, and first Eucharist. Even if all the seeds have been planted, they need to mature to their full development and realization:

*I therefore, a prisoner for the Lord, beg you to lead a life worthy of the calling to which you have been called. . . . until we all attain to the unity of the faith and of the knowledge of the Son of God, to mature manhood, to the measure of the stature of the fulness of Christ. . . . Rather, speaking the truth in love, we are to grow up in every way into him who is the head, into Christ, from whom the whole body, joined and knit together by every joint with which it is supplied, when each part is working properly, makes bodily growth and upbuilds itself in love.*  
Ephesians 4:1, 13-16

For the process of growth to occur, students need guidance, examples, and strong peer relationships. One cannot become a disciple alone. Jesus, the master (a word that meant teacher in the ancient world), gathered a group of disciples (students) around himself, trained and equipped them, and then sent them out on mission as he was sent by the Father (Jn 20:21). The disciples, in turn, were given the mission to form other disciples, bringing them to the true master and teacher to shape and form their lives as well. The mentor, however, must represent Jesus in many ways, giving practical guidance and advice, including standing in as a witness and example of the Christian life.

It is of the utmost importance, therefore, for teachers to grow in their own life of discipleship so that they can give to their students what they have experienced.

For teachers to help students encounter Christ and grow in the Christian life, they too must have regular encounters in prayer and receive support in their own spiritual growth. Although it is true that we learn by teaching (*discimus docendo*), the school looks for teachers who are prepared to form disciples and also invites its teachers into an ongoing encounter with Christ, to grow in the Christian life, and to teach and mentor students as part of the school's mission. Teachers spend a large amount of time with students each day and the success of the mission of discipleship will depend upon their ability to communicate the faith and support the Christian life of their students. Teachers must serve as mentors of the Christian faith in everything that they do within the school.

For the school to serve as a place of discipleship, it must create an interlocking web of mentorship under the active leadership of the pastor or chaplain. The principal mentors teachers and provides them opportunities to grow in faith; teachers witness to and support fellow teachers; teachers form their students and invite them to continue growing in their faith; and students striving to live as disciples provide a crucial witness to other students. It is important both in and out of the classroom to have discussions about faith, including providing opportunities for small group discussions and discipleship groups. Teachers provide a primary witness for discipleship in the school through their instruction, Christian discipline, prayer, relationship, and conversation. In addition, discipleship groups would provide additional time for a mentor to talk about the relation of faith and life, either during lunch or after school. This kind of mentorship should also be offered to parents, creating a partnership in the process of making disciples.

Parents can benefit in their own growth in faith with opportunities offered by the school for small group discussion and prayer. This will help families to support one another in growing in their own ability to form disciples in the home.

In summary, the school should encourage continued growth and maturation in the Christian life. It guides students through the stages of growth that they will move through throughout their studies. Mentorship happens in different ways, but the primary form comes through the daily interactions of teachers with their students. Faith should motivate and guide all interactions with students, making them opportunities for witness. As leaders within Catholic schools, every teacher should serve as a witness and mentor in faith.

### **Disciples on Mission**

The final stage of discipleship entails being sent out to share in the mission of the Church. Jesus sent out his disciples to proclaim the good news, bring people to the sacraments, to teach, and to serve. Mission is the goal of every disciple. Every Christian has a role to play in carrying out the mission of the Church—his or her own way of living out their faith in daily life. No matter one's vocation, state in life, or employment, faith stands at the center of the disciple's life and guides every action.

The disciple, thus, rejects the split between faith and life insisted upon by modern, secular culture. He or she does not see faith as shaping individual or single events, but as something lived out regularly in life. The school serves this third stage of discipleship by providing constant opportunities to encounter, grow,

and be on mission in appropriate ways for each stage of education. This formation extends beyond the intellect (although it presupposes knowledge of God and salvation) and reaches to the will (our free choice) by shaping concrete choices and decisions.

Pope Benedict XVI pointed to this integration as the very goal of Catholic education: “Catholic schools should therefore seek to foster that unity between faith, culture and life which is the fundamental goal of Christian education” (“Address to the Participants in the Convention of the Diocese of Rome,” June 11, 2007). For the disciple, actions matter. They form the concrete expression that makes faith come alive and to become real in the student’s life. The disciple will be judged by how his or her life either did or did not conform to Jesus: “And the King will answer them, ‘Truly, I say to you, as you did it to one of the least of these my brethren, you did it to me’” (Matt 25:40). Jesus gives a clear indicator for how the disciple should find and serve him in the world: by actions that express his love for everyone and especially those in most need.

There are some clear ways for disciples to live out the faith in their daily lives. The first is by forming regular habits of prayer, both vocal and relational prayer that extends to meditation and contemplation. One can see deep relational prayer in the lives of the saints, and that is the call of every disciple. Second, faith takes on concrete expression in daily life through relationship and common ways of expressing and living faith in a community (more on this will come in section three). Third, disciples engage in regular service, both in the school and parish community as well as the broader community (including local apostolates like the

Samaritan House, Gabriel House, and Christ in the City, for example). Fourth, the disciple needs constant refreshment and opportunities for growth, such as regular retreats and also pilgrimages to holy sites (such as the Mother Cabrini Shrine, the Cathedral Basilica, including the tomb of Servant of God Julia Greeley, St. Elizabeth of Hungary Church in Denver where Fr. Leo Heinrichs was martyred, the site of World Youth Day with St. John Paul II at Cherry Creek State Park, and the Chapel on the Rock at St. Malo). Fifth, disciples view their lives in terms of service and regularly discern God's will for their primary vocation and for their future career. Finally, the disciple actively engages in the Church's primary mission of evangelization, first by witnessing to the faith in daily life and also by inviting others into a life of discipleship.

The formation for discipleship is complete only when disciples begin to form other disciples, continuing the process of growth in others. Disciples can and should become mentors for others. Students should be able to proclaim the kerygma, assist in leading evangelization retreats, give witness to their relationship with the Lord to their peers. If students can already engage in this mission at the school, this should prepare them to continue it in college and their future careers. The lives of the saints provide concrete examples of a fully formed disciple who lives out their mission of serving others like Christ. The saints form the imagination of students by showing them what holiness looks like and helping to them to discern their own way of following Jesus' call.

In summary, schools do not simply teach about discipleship; they draw their students into the life and

mission of the disciple. They do so by providing opportunities for prayer, Christian community, service, vocational discernment, and evangelization. Doing so creates a synthesis of faith and life, leading the student into a relationship with Jesus Christ, the overarching goal of the Catholic school.

### **SECTION 3**

#### **The Life of a Disciple in the School**

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Now that we have looked at the nature of discipleship and how the stages of discipleship relate to the life of students, we can now explore how discipleship relates to the institution of the school itself. This section provides an institutional framework for how the school serves as a place of discipleship, in cooperation with the parish.

#### **Rooted in the Sacramental Life and Prayer**

When we think of the school as a place of discipleship, it is prayer that forms its spiritual center. The sacraments, in particular, provide direct and tangible access to the mysteries of the faith. They are outward signs that convey God's grace, making present to us and actualizing the realities and grace they symbolize. As we seek to provide encounters with Christ for our students, the Eucharist truly makes Christ present to the school community.

As John Paul II noted in his first encyclical, *Redemptor Hominis*, "The essential commitment and, above all, the visible grace and source of supernatural strength for the Church as the People of God is to persevere and advance constantly in Eucharistic life and Eucharistic piety and to develop spiritually in the climate of the Eucharist" (20). The regular celebration of Mass provides the central and primary way of encountering

Christ—body, blood, soul, and divinity—and constitutes the central point of each school week. The Eucharist is “the source and summit of the Catholic life” and therefore the source and summit of the life of discipleship in our Catholic schools (*Lumen Gentium*, 11).

For students to receive the benefit of the regular celebration of Mass and the sacraments, a regular life of prayer must support their celebration. It is too easy, as we know, for students to remain passive and uninterested during Mass. The solution is not to change the Mass to make it more interesting, but to teach students the spiritual realities that occur during the Mass and how to pray during each part of the celebration. The most important part of praying at Mass entails joining with Christ’s sacrifice and offering of himself to the Father that is made present during the consecration. It is also important to teach students how to pray silently during Communion. Prayer forms the most important way for students to actively participate in the liturgy. In a practical way, teachers can help students to process what is happening at Mass by giving the students time after Mass to articulate or write what resonated with them during the readings or homily and what they experienced.

Because of its centrality for the school, Mass should be celebrated as an entire community at least once a week. Upper grades, beginning in middle school, are encouraged to attend at least twice a week. Music chosen for Mass should reflect the sacred solemnity of the liturgy and reflect its prayerful, mysterious, beautiful, and contemplative nature. The Second Vatican Council made clear, “The Church

acknowledges Gregorian chant as specially suited to the Roman liturgy: therefore, other things being equal, it should be given pride of place in liturgical services. But other kinds of sacred music, especially polyphony, are by no means excluded from liturgical celebrations, so long as they accord with the spirit of the liturgical action” (*Sacrosanctum Concilium*, 116). All decisions related to the liturgy should reflect its spiritual reality as a sacred sacrifice and should be made in consultation with the pastor or chaplain.

The school community is not sufficient in itself. The celebration of the Eucharist within it is ordered toward Sunday Mass. As students learn to pray at Mass at school, they are more able to enter it with their families on the Lord’s Day. The parish completes the gathering of the local church together for the Eucharist and should provide an opportunity for school families to come together for communion with each other and to encounter other families within the parish. The school should provide frequent encouragement to attend Mass every Sunday and on holy days of obligation (including offering a Mass time at which parents could attend for holy days). Through the parish, and the adult formation it offers, school parents should be invited into a deeper practice of their faith, so as to support their children in their life of discipleship. Parents also should have opportunities for discipleship retreats and small groups.

The regular reception of the Eucharist requires the regular reception of the Sacrament of Reconciliation. The school can help students to form the habit of the regular, fruitful reception of this sacrament, ideally on a monthly basis. Within second grade sacramental preparation, students will learn to make an

examination of conscience based on the ten commandments and the virtues. This practice should be strengthened and developed throughout their studies, as their examination grows deeper and more complex as they mature.

The school cooperates with the parish for sacramental preparation, particularly in second and third grades. Parent involvement and participation in the sacramental preparation is essential to the renewal of discipleship. The pastor or chaplain provides guidance and oversight on the formation needed to receive the sacraments and may require additional formation to take place within the parish. Attention should also be given to the directives for Restored Order Confirmation given by the Archbishop of Denver and the Office of Evangelization and Family Life Ministries (see [www.saintsdenver.com](http://www.saintsdenver.com)). Second and third grade sacramental preparation have been organized in a way ordered toward discipleship and learning personal prayer. Students not yet baptized and who desire to receive the sacraments should enter into the Rite of Christian Initiation of Children in coordination with the parish.

The disciple learns how to pray within the community: “One must also learn how to pray. Through a living transmission (Sacred Tradition) within ‘the believing and praying Church,’ the Holy Spirit teaches the children of God how to pray” (*Catechism of the Catholic Church*, 2650). Personal prayer and the sacramental life of the school reinforce each other. The sacraments impart God’s grace and help the students to enter more deeply into God’s life, while personal prayer disposes and opens the student up to be able to receive this grace more fully. Every student, no matter

the age, should learn to relate to God in prayer, make acts of faith and love, learn to reflect and meditate in silence, and learn to speak spontaneously in personal prayer. The school can help students to form the habit of prayer by beginning the day with prayer, beginning each class with prayer, praying the Angelus at noon, having regular time for adoration and the rosary, and making time for personal, silent prayer. The memorization of traditional prayers is an important practice, as well as teaching the meaning of these prayers and how they lead into personal prayer for both the students and their parents. It is important also to learn different ways of praying, such as the liturgy of the hours, lectio divina, intercessory prayer, the holy rosary, meditation (including following the Ignatian method that engages the imagination), and contemplation.

### **Discipleship at the Center of School Culture**

Culture can be understood as a way of life shared by a group of people. Families and societies have their own culture—root beliefs, practices, and habits—and the same is true for schools. Culture embodies the beliefs and priorities of the school and makes them accessible to teachers, students, and families daily. Culture is a holistic way in which all the members of the community experience and live their shared values. It is the concrete way that faith becomes living and active in the school. The Catholic school should feel different as a place animated by supernatural principles and where people encounter God and others.

What are some of the key characteristics of a Catholic school culture? It puts God first, honoring him and relating everything the school does to him, in a

personal and powerful way. A Christian school culture gives respect and love to everyone within the community and who comes into contact with it, honoring them as made in the image and likeness of God and called to eternal happiness with him. This becomes even more important during conflict. The school instantiates faith in the layout of the campus, clearly signifying its Catholic identity and mission, as well as the policies and procedures of the school. Everything should relate back to the school's mission and beliefs. It also enables everyone— teachers, students, parents, and guests—to participate in the Christian life.

Culture matters greatly for discipleship, because it enables the disciple to live out the faith in an integrated and holistic way. It makes discipleship normative and easier to practice as everyone pursues it as a common and shared goal. Rather than experiencing constant tension in the surrounding culture, the school culture provides good soil for the disciple to grow and develop in living the faith. This Catholic culture, including praying regularly, treating others with Christian charity, celebrating the feast days and seasons, keeping distinctive Catholic practices and ritual alive, and having Eucharistic and Marian processions all serve to make our Catholic faith real and alive. The school can serve as a garden where the beauty, joy, and love of Christ become accessible and compelling for students. Some suggested practices include celebrating the liturgical seasons, holding a May crowning, celebrating All Saints Day, having a prayer area in each classroom, learning about the saints on their feasts days, learning distinctively Catholic music, and decorating the school and classroom with beautiful Catholic art.

The norms, practices, policies, and customs of the school should also point teachers, students, and parents toward discipleship and the Christian life. Every policy, including practical and business-related ones, should also find their ultimate purpose and meaning in communicating faith and love. The ethos and practices of faculty and staff should communicate these ideals as well. The culture should also be inviting and affirming of its workforce, supporting them in living the Christian life and enabling them to enter more deeply into it. Non-Catholic and even non-Christian faculty must support the mission and culture of the school and be invited to enter it as much as possible. Every faculty and staff member must publicly uphold the Catholic mission and identity and refrain from any public action or statement that would contradict it.

### **Discipleship Permeates the Entire Curriculum**

As we have seen, the word disciple means student. Becoming a disciple means learning the art of living, which includes learning about God, oneself, the world, and one's vocation within it. The disciple learns truth, understood as a right recognition of reality—perceiving truly the way things are. When the student understands anything, it is a glimpse of the truth. Jesus contains the fullness of truth within himself, “I am the way, the truth and the life” (Jn 14: 6), being the Word through which all things were created. Only God can see the full truth of all things at once, including himself. Therefore, God is the Truth himself and learning any partial truth points us to him.

A disciple learns how to think like a Catholic whose worldview begins and ends with God as revealed in Jesus Christ. This means not simply learning

theology, but encountering Jesus, thinking rightly about all things, learning the inherent truths of the world, coming to understanding things rightly, thinking logically, making the right connections, and applying what is learned to life. Catholic education teaches the student how to view the world and one's place within it through the lens of the Gospel. The Catholic school can teach the fullness of reality by uniting faith and reason and integrating all subjects within a comprehensive view of life. Catholic schools can give students the best perspective on why they learn and the relevance of their studies, as everything taught comes from God—through creation or revelation—and points back to him as the goal of life.

Learning is directly tied to the life of the disciple. The disciple wants to learn, growing in likeness to God and coming closer to him in everything that is learned. The disciple wants to understand the meaning that God imprinted into creation, to understand his plan of salvation, and to know the meaning and purpose of one's own lives. The disciple learns to grow and develop and to continue conforming the mind and free choice to God. Knowing the truth and choosing what is good makes us more fully alive and more like God, and sets us free, "You will know the truth and the truth will set you free" (Jn 8:32).

The Vatican document, "The Catholic School," makes the link between every subject and the life of discipleship:

*Since the educative mission of the Catholic school is so wide, the teacher is in an excellent position to guide the pupil to a deepening of his faith and to enrich and enlighten his human knowledge with the data of the faith. While there*

*are many occasions in teaching when pupils can be stimulated by insights of faith, a Christian education acknowledges the valid contribution which can be made by academic subjects towards the development of a mature Christian. The teacher can form the mind and heart of his pupils and guide them to develop a total commitment to Christ, with their whole personality enriched by human culture. The school considers human knowledge as a truth to be discovered. In the measure in which subjects are taught by someone who knowingly and without restraint seeks the truth, they are to that extent Christian. Discovery and awareness of truth leads man to the discovery of Truth itself. A teacher who is full of Christian wisdom, well prepared in his own subject, does more than convey the sense of what he is teaching to his pupils. Over and above what he says, he guides his pupils beyond his mere words to the heart of total Truth. 40-41*

Learning to read and write provides a foundation for communication through the symbols of words, learning how to express ideas, to think logically, and rightly order words in a persuasive and pleasing way. Numbers express quantity and relation and provide a way of understanding the logical ordering of the universe. The sciences help the mind to enter the mystery and beauty of creation. History brings understanding of human life and our place within the story of human life and civilization. Discipline and respect for the body, gained through physical education and sports, teach respect for our bodies as gifts from God that must be cared for and developed. The fine arts foster the imagination and wonder, and

help guide the emotions to desire the good, true, and beautiful.

Teaching from a Catholic worldview provides the overarching principles for curriculum within a Catholic school. First, it forms dispositions and habits of mind rather than practical outcomes, enabling education to form the person rather than focusing on utilitarian purposes. Second, it offers a direct engagement with reality rather than simply imparting abstract formulas and data, enabling students to be active and involved in the process of learning. Third, it can show a unified vision of life through an interdisciplinary approach that draws connections between the subjects taught. Fourth, it helps students to grasp the relevance of what they are learning, pointing their studies to their ultimate purpose for themselves and others. Fifth, it offers content-rich materials that engage the rich cultural heritage of the Christian past, using good and great books that ask the big questions using eloquent poetry and prose. Catholic school curriculum inspires students to ask the most essential questions about that which we study, and a Catholic worldview pursues these questions to their richest understanding. Finally, it draws upon beauty not only by teaching the fine arts but also by pointing to natural, artistic, and spiritual beauty in every subject.

The Cardinal Newman Society Curriculum Standards offer an important resource for assessing curriculum from a Catholic worldview for the areas of English, math, science, and history.<sup>1</sup> The standards are divided

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<sup>1</sup> “Curriculum Standards,” *Cardinal Newman Society*, <https://newmansociety.org/catholic-curriculum-standards/>.

between grades K-6 and 7-12 and supplement existing content standards with general, intellectual, and dispositional ones. The Archdiocese of Denver has begun incorporating them into our academic content standards, as well as using them in our new four-day Catholic Worldview Seminar, required for all new teachers. This seminar draws upon the four pillars of the Catechism and connects them with the liberal arts and the four major content areas addressed by the Cardinal Newman Society standards.

The way we teach, the habits we form, and the worldview we impart through every subject we teach, all form an important approach to supporting discipleship. Learning, in any subject, and faith are not unrelated. The Catholic faith, by providing the broadest and most comprehensive view of reality, serves as a principle of integration for all subjects, motivation for learning, and for applying the fruits of study to life.

#### **SECTION 4**

#### **Making Discipleship a Reality**

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The final section of this framework focuses on the actions needed to strengthen discipleship in our schools.

#### **Implementation**

As we focus more on discipleship, we know that we are not starting from scratch. There are many ways in which our schools support discipleship, even as we recognize the need to do more to help our students reach maturity in their faith. It will be important, therefore, to reflect on this framework as a school and formulate a plan for finding ways of strengthening the

approach to discipleship over the next three to five years.

A school's plan should use this framework as a guide. The group does not need to discover the nature of discipleship. Rather, the focus is on how the vision laid out in this document can come to life within the school's culture and life. To begin, all faculty and full-time staff of the school should read and discuss this framework. In addition, clergy, administrators, teachers, parish leaders, and parents should all participate in reflecting upon how to strengthen discipleship in the school. From broader meetings, a working group could be formed to oversee continuing conversations and trainings to implement the school's plan. The school can also consider having a point person from the school to work with the principal and pastor for the implementation of this framework. The school's leadership team should do a yearly assessment of the extent to which the discipleship plan is being met and lived out, with continuous improvement conversations about deepening the implementation of this framework.

Communication is an important beginning by helping everyone within the school community to focus on what discipleship is and how it is central to the life of the school. The Catholic faith centered in Jesus Christ stands at the heart of the Catholic school, shaping its mission, curriculum, formation, and culture. It is important for all members of the community to understand how the school approaches discipleship to be able to receive buy in and support for this approach. Discipleship, central to the Church's own mission and the preeminent goal in the Archdiocese of Denver for our schools, should find a prominent place in the

school's mission and vision statements. All aspects of the school should align to this mission and incarnate it. Social media communication should also reflect and promote the school's mission.

Hiring will form an important ongoing focus for strengthening discipleship. If the school's Catholic mission forms the reason for the school's existence and the center of its ongoing vitality, this must remain a priority in hiring for all positions. The interview process should engage questions of Catholic mission and identity, such as how candidates live their faith and pray, and how they themselves hold a Catholic worldview. The search should prioritize someone who can support and carry out the school's mission. It is easier to train a candidate in technical areas than to create openness and support for the school's Catholic mission. The Catholic school teacher can rightly be considered a minister within the school's religious mission because every aspect of the school's life expresses the school's efforts for discipleship. Teaching subjects other than theology or catechesis and daily interactions with students all present opportunities for discipleship.

For this framework to take root, regular prayer as a faculty will be necessary for discernment and to strengthen a shared life of faith. Brief daily prayer as a group will keep everyone united in faith and mission, although more extended periods are also necessary. It is important to have at least one full day retreat a year (although multiday retreats are encouraged), as well as holy hours throughout the year. In particular, schools should have a retreat focused on discipleship for its teachers, which could provide an excellent opportunity for forming discipleship-focused groups

that could continue following the retreat. Discipleship retreats should also be planned for middle and high school students, as well as parents. (See the final heading of this section).

### **Formation for Faculty and Leadership**

Faith, by nature, is something free that cannot be forced. It is not simple enough to go through a training to be prepared to form disciples. The life of discipleship stems from a decision to follow Jesus that is both free and inspired by God's grace. For this reason, it is important to look for and prioritize candidates who show evidence of faith and its practice when recruiting faculty, knowing that prospective teachers will be able to share about their relationship with God. The Catholic school cannot have faculty who stand against its mission or are ambivalent toward it without undermining itself.

The Catholic school, however, should support its teachers and administrators for growth in their life of faith and can invite them into a deeper life of discipleship. It should be the expectation for every employee of the school to strive for continued growth in faith and prayer. Although this cannot be assessed in an objective way, teachers can be asked to describe how they are working toward these goals. Teachers should be given the time and space to formulate goals for their own spiritual and personal growth at the beginning of each academic year.

It is most important to offer formation for new teachers in the mission of Catholic schools. New teachers should read this framework to become familiar with the nature and stages of discipleship and how it relates to their own role as teacher. This group

will also receive four days of training through the Catholic Worldview Seminar, and a retreat focused on growing in discipleship is also recommended for their formation. Throughout the hiring process, their initial training, and any certification or licensing process, discipleship should be kept in focus as an integrating factor for all that the teacher does.

All teachers should receive ongoing support and formation related to discipleship. In addition to regular prayer and annual retreats, one possibility directly related to the nature of discipleship would be to establish teacher mentors. Fellow teachers can provide mentorship and support for prayer and for growth in faith, as well as providing a prayer partner. Small groups of teachers focused on prayer, Bible studies, or other spiritual reading could meet after school or during lunch. It is also possible for schools to work with other schools for regional days of prayer and even for more extraordinary events like pilgrimages. Other creative possibilities can also support the school's efforts, including visits to other schools to observe their practices or travel to regional or national conferences. Ongoing formation should also include intellectual formation to support teaching from a Catholic worldview. This will include reading classic works from the Catholic tradition, exploring connections between faith and particular disciplines, and taking inspiration from the Church's rich artistic tradition.

Principals will have opportunities to explore approaches to discipleship on the Archdiocesan level during monthly meetings and other events. In addition, it is important for school leaders to have opportunities for growth in the spiritual and

intellectual life, such as extended retreats and seminars. In order to be able to serve as a spiritual leader for teachers, principals will need even deeper formation and should also set goals for spiritual growth each year. They will need to work with pastors and chaplains to ensure that they have a proper articulation of the school's spiritual mission and cooperate with him in overseeing the execution of the plan to strengthen discipleship.

### **Cooperation with the Catholic Community in Parish and Family Life**

The school is an important place to form disciples, but cannot stand alone in this mission. It requires the support of the parish and the broader Catholic community. The Catholic community is comprised of the faithful and families who find their spiritual center in the parish which, in turn, grounds the community of the school. First, the pastor and chaplain provide essential leadership in overseeing the Catholic mission and identity of the school. This comes most importantly through his role in bringing the sacraments to the community and serving as the chief spiritual shepherd of the community. The pastor or chaplain should play a key role in forming the implementation plan for this framework and for arranging discipleship-focused formation for staff and students. Pastors and chaplains model, lead, and guide the efforts to form disciples in the school.

A positive parish-school connection (where applicable) is also essential to our students becoming disciples. The school should draw upon the broader mission and activities of the parish and serve as an expression of them. The parish should draw families into the school (even for parishes without their own school) and

schools can help to reengage families in faith and support them in becoming more active in the parish. Large parishes require smaller groups, through which groups of disciples can meet for prayer, fellowship, and learning. Community-wide events also create important touchpoints and strengthen the relationship of parish and school. Active disciples in the school should also live the Christian life by becoming more active in the parish, taking up parish ministries and giving additional support to service projects and youth groups. The parish itself could benefit from service projects led by the school. Schools and parishes could also consider joint ministry positions such as campus ministers.

Finally, we come to the essential connection between discipleship and family life. This has not been left to the end of this document as an afterthought but as the culmination of what needs to happen to make discipleship a success in the school. Parents are the most influential mentors for the faith life of their children. They do not always realize this and may look to the school to serve this role on their behalf. Catholic schools, therefore, need to help parents to understand and to know how to better fulfill their primary role as mentors in faith. This may require helping parents to grow deeper in their faith and inviting them to a more intentional discipleship. This fits with the role of the school as supporting parents as the primary educators of their children. This supporting role implies a partnership between the family, the parish, and the school, all working toward the complete education and formation of children.

The center of the life of discipleship for our students is in the home. Discipleship will flower as the family

builds a stronger family culture, rooted in faith and daily prayer. Educators can support parents with suggestions for practical ways to implement Catholic culture and catechesis within the home. This should include teaching parents how to catechize within the home and to pray with their children, as well as providing resources for faith reading in the home. Parents need to move through the same stages of discipleship: make a commitment to follow Jesus, continue to grow in living the Christian life, and to engage in mission. Faith will come alive when the family prioritizes it together and commits to spending time together for meals, prayer, common work, and fun activities. Faith must guide the use of technology and media in the home, overcoming negative influences that would pull children away from what is true, good, and beautiful. A Catholic school will greatly benefit in all aspects of its life by having a strong group of disciple-parents. Students will also blossom in their faith more fully when their parents actively live the life of a disciple.

For discipleship to grow, the school must find ways of partnering more directly with parents. There are a number of key touchpoints throughout the year that can be used to engage parents in the mission of discipleship including school Masses, sacramental preparation, Confession, beginning of the year meetings, sporting events, and other school activities. Other creative ways can be found, such as asking parents to complete formation hours that could count alongside of – or in place of – volunteer hours, inviting them to attend a retreat, introducing parents to Families of Character, or asking committed parents to form small faith groups. Schools can engage both parents and students together through family retreats

that focus on praying together and living out the faith in the family more fully. This will make the Catholic school a place of mission that enables it to engage and transform the broader community and culture. American society needs stronger Catholic schools to serve as a source of hope, healing, and service. Schools can be marked by their ability to engage others, serving as an invitational community that proclaims the good news of the kerygma and forms true Christian fellowship that welcomes people where they are at and joyfully invites them to a life lived with Christ.

### **Conclusion**

This framework has sought to provide a vision for how schools can embrace and live out their central mission to form disciples. It is only through this mission, working in partnership with parents, that Catholic school students will grow into mature Christians, ready to practice their faith in adulthood. Discipleship is necessary for the Catholic school to be true to itself and to prepare its students to face the difficulties of living within a secular culture. The school can provide many opportunities for its students to experience the three stages of discipleship by helping them to encounter Christ, grow in their relationship with him, and to embrace their own mission to serve others. Discipleship can shape the school's culture by placing prayer and worship at its center and communicating a Catholic vision throughout its curriculum and environment. Finally, schools can partner with parents, parishes, and the Archdiocese to make this vision a reality, offering formation not only for its students but for all staff and members of the community.

Catholic schools face many difficulties surrounding enrollment, finances, and personnel. Discipleship could be seen as simply another thing to add to the list of demands and challenges. Rather than becoming another box to check, discipleship should free the school from feeling burdened. It can transform obstacles to opportunities by directing everything in the life of the school toward mission. The Catholic school has received a call to live the faith joyfully and in a contagious way. Everyone in the school community should find unity and hope in this shared mission. The school should find security and peace in its mission, so central to the life of the Church, to make disciples and teach them so that they can follow Jesus. Becoming a “school of the Lord’s service” will enable our schools to serve as oases of truth, goodness, and beauty and places where Christ can heal and transform both our students and the world.

### **Resource List**

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<b>Exhibit 9</b>
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**Early Childhood Curriculum Guidelines**

Preschool – Three- and Four-Year Olds

**Art**

This curriculum area identifies a difference in art as a topic and art as the creation of crafts. Art is self-expression and craft work is teacher directed. Art is a process; craft is a product.

***Goal 1: The child will develop basic skills to draw, color, cut, glue, and paint.***

The child will:

- hold a crayon correctly.
- identify eight basic colors.
- draw using different colors.
- color in one direction and within the lines.
- hold scissors properly.
- use scissors to cut on a line, i.e. cut out a specific shape.
- use glue appropriately.
- use a paintbrush and other tools to paint.

***Goal 2: The child will show responsibility in the use of art media and tools.***

The child will:

- clean and take care of self and materials used in activities.
- identify tools needed for an art project.
- use tools in an appropriate manner.
- return materials to proper place.

***Goal 3: The child will be given the opportunity to develop creative self-expression by using a variety of media, tools, and methods.***

The child will:

- express ideas and feelings through lines, color, and design.
- expand upon open-ended suggestions given by the teacher.
- use common objects in a unique way.
- develop ability to work alone or in small groups.
- experience different mediums for self-expression, i.e. clay, chalk, etc.

\* \* \*

***Goal 4: The child will show appreciation for his / her own artistic work and for the artistic work of others.***

The child will:

- show interest in the artworks of others.
- show pride of accomplishment.
- observe and talk about art works including those from other cultures.

***Goal 5: The child will begin to reproduce color, form, and textures.***

The child will:

- recognize basic shapes and colors.
- reproduce a given simple shape, i.e. circle, square, triangle, etc.
- identify smooth and rough textures.

***Goal 6: The child will explore and become confident using a variety of methods, textures, and media.***

The child will:

- experience and be familiar with finger paints using hands, fingers, arms, and feet.
- use play dough / clay, i.e. pat, pound, roll, pinch, shape.
- use materials with a variety of textures, i.e. chalk, sand, etc.

Pre-Kindergarten Four- and Five-Year Olds

**Art**

This curriculum area identifies a difference in art as a topic and art as the creation of crafts. Art is self-expression and craft work is teacher directed. Art is a process; craft is a product.

***Goal 1: The child will demonstrate basic skills to color, cut, glue, and paint.***

The child will:

- hold scissors properly.
- cut basic shapes with increasing control and accuracy.
- use appropriate grip for crayons, markers, and pencils.
- control tools when painting, drawing, gluing, etc.
- identify primary and secondary colors.
- draw a recognizable face.
- draw a whole body image.
- add detail to personal art.

***Goal 2: The child will show responsibility and greater independence in the use of art media and tools.***

The child will:

- clean and take care of self and materials used in activities.
- identify tools needed for an art project.
- use tools in an age appropriate manner.
- return materials to proper place.

***Goal 3: The child will be given the opportunity to develop creative self-expression by using a variety of media, tools, and methods.***

The child will:

- describe art in his / her own words.
- express personal preferences toward use of media and tools.
- expand upon open-ended suggestions given by the teacher.
- use common objects in a unique way.
- use drawing to express personal feelings.
- work alone or in small groups.
- initiate some projects.
- combine and use different mediums for self-expression.

\* \* \*

***Goal 4: The child will show appreciation for his / her own artistic work and for the artistic work of others.***

The child will:

- show interest in the artworks of others.
- show pride of accomplishment.

## JA 637

- observe and talk about art works including those from other cultures.

***Goal 5: The child will recognize and reproduce basic colors, forms, and textures.***

The child will:

- draw basic shapes, i.e. square, circle, triangle, and rectangle.
- make a cross including crossing the midline.
- trace around a pattern.
- identify types of lines, i.e. straight, zig-zag, curved.
- recognize simple shapes, lines, and forms within the world around him / her, i.e. train car has rectangles, circles, etc.
- identify degrees of different textures.

***Goal 6: The child will explore and become confident using a variety of methods, textures, and media.***

The child will:

- exercise imagination through use of a variety of art media and tools.
- distinguish between various media for desired outcome.
- compare art work to reality.

### Preschool – Three- and Four-Year Olds

#### **Literacy / Language Arts**

Language is the development of communication skills that enable a child to share his/her world with others. These skills include listening, speaking, and thinking. The child will develop awareness of the five senses. Visual discrimination and memory as well as

auditory discrimination and memory are important readiness skills that can be taught through play activities. Listening to and sharing stories, poetry, and finger plays enhance facility and ease with language. Awareness of the written word is developed through alphabet activities, and writing of stories about shared experiences.

***Goal 1: Students develop language through speaking.***

The child will:

- ask and answer questions.
- give his / her first and last name.
- speak in clear and complete sentences.
- communicate basic needs appropriately.
- share and describe personal experiences.
- recite common nursery rhymes.
- recognize the main characters in common fairy tales.
- retell common stories, fairy tales, and nursery rhymes.
- participate in appropriate role play.
- take an active part in group activities.
- take turns in a discussion.
- recognize, name, and describe simple objects and pictures.

***Goal 2: Students develop language through listening.***

The child will:

- demonstrate attentive listening skills without interrupting.
- follow simple oral directions.

JA 639

- listen and repeat words, phrases, and simple sentences.
- identify common environmental sounds.

\* \* \*

***Goal 3: Students develop reading readiness skills.***

The child will:

- recognize that individual letters have sounds.
- recognize some letters of the alphabet.
- recognize the difference between letters and numbers.
- recognize his / her first name.
- recognize some of the letters in his / her first name.
- follow patterns.
- predict the next item in a pattern.
- sequence from left to right.
- sequence three familiar, simple picture cards.
- hold a book properly.
- turn one page at a time when using a book.
- predict the outcome of a story.

***Goal 4: Students develop writing readiness skills.***

The child will:

- hold pencils and crayons appropriately.
- draw some letters using various media, i.e. sand, paint, etc.
- trace and follow dotted lines.
- use inventive symbols to “write” a story / picture.
- attempt to write part or whole first name.

Pre-Kindergarten Four- and Five-Year Olds

### **Literacy / Language Arts**

Language is the development of communication skills that enable a child to share his/her world with others. These skills include listening, speaking, and thinking. The child will develop awareness of the five senses. Visual discrimination and memory as well as auditory discrimination and memory are important readiness skills that can be taught through play activities. Listening to and sharing stories, poetry, and finger plays enhance facility and ease with language. Awareness of the written word is developed through alphabet activities, and writing of stories about shared experiences.

#### ***Goal 1: Students develop language through speaking.***

The child will:

- use appropriate complex sentences, i.e. correct pronouns, more than one subject, more than one adjective, etc.
- give his / her first and last name.
- recite his / her home address, phone number, and birthday.
- ask and answer age appropriate questions.
- speak with increasing independence, clarity, and fluidity.
- use different question words such as who, what, where, etc.
- communicate basic needs and feelings verbally.
- describe personal experiences using increasingly complex vocabulary and sentences, i.e. show-and-share, calendar time, etc.
- express time with appropriate verb tense, i.e. yesterday, today, tomorrow.

JA 641

- retell the beginning, middle, and end of a story.
- engage in group activities and discussions.
- respect rights of others in discussions, i.e. take turns, listen to others, follow established routines.
- describe similarities and differences between two or more objects or pictures.
- recite nursery rhymes, songs, prayers, and/or finger plays from memory.
- sort objects according to use and categories.

***Goal 2: Students develop language through listening.***

The child will:

- demonstrate attentive, courteous listening skills.
- maintain eye contact with speaker.
- follow at least three-step oral directions.
- listen and repeat words, phrases, and sentences.
- identify common environmental sounds.

\* \* \*

***Goal 3: Students develop reading readiness skills.***

The child will:

- sit quietly and be attentive for a whole story.
- demonstrate an awareness of printed word by associating labels with objects and pictures.
- compose and expand on stories.
- recognize some letter sounds, i.e. hard consonant sounds.

## JA 642

- recognize at least half of the letters of the alphabet.
- recognize words that rhyme.
- name the opposite of a given word, i.e. night / day, inside / outside.
- recognize first and last name.
- recognize and write the letters of his / her first name.
- recite the alphabet.
- enjoy stories for fun.
- choose a variety of different types of literature (also see Media Literacy Curriculum).
- follow a sequence from left to right.
- sequence at least four familiar picture cards.
- demonstrate proper care and use of books.
- retell the plot of a story.

### ***Goal 4: Students develop writing readiness skills.***

The child will:

- hold writing utensils correctly.
- trace lines from left to right.
- make a cross including crossing the midline.
- trace a pattern.
- print first name.
- use letters or recognizable symbols in inventive writing.
- “read” their own inventive writing.
- copy words, numbers, and letters of the alphabet from examples.

### Preschool – Three- and Four-Year Olds

#### **Math**

Math readiness at the preschool level involves the development of cognitive skills. This comes from the

understanding of colors; shapes; quantitative concepts such as size differences; basic counting skills; classifying; forming sets; and recognizing numerals. These concepts are taught through use of manipulative and play experiences. **The use of worksheets on a regular basis is discouraged.**

In all the areas of Mathematics, students should communicate, in age-appropriate terms, the mathematical reasoning behind solutions. They will explain why or how they made their selection or arrived at their solution.

***Goal 1: Numbers/Number Sense – Students will develop number sense (numeracy) and use number relationships to solve real world math problems and will communicate the reasoning used in solving these problems.***

The child will:

- count orally from 1 to 10.
- touch and count objects from 1 to 5.
- recognize numerals 1 to 5 in random order.
- recognize the difference between numbers and letters.

***Goal 2: Algebraic Concepts – Students will use algebraic methods to explore, model, and describe patterns and functions involving numbers, shapes, data, graphs, etc.***

The child will:

- separate groups of objects to form new groups, i.e. group animals as baby animals and adult animals; separate zoo animals from farm animals, separate plants from animals, etc.
- create and extend simple patterns, i.e. ABAB.

JA 644

- sort and classify objects by size, i.e. little / big, small / large, short / tall, or by color or shape.
- sort and classify objects by graduated size, i.e. small, smaller, smallest identify an object that doesn't belong in a specific group.

\* \* \*

***Goal 3: Geometric Concepts – Students will use geometric shapes, their properties, and relationships in one, two, and three dimensions to model and solve real world problems.***

The child will:

- identify location of an object, i.e. top – bottom; over – under; outside – inside.
- construct models with blocks and puzzles.
- identify basic shapes, i.e. circle, square, triangle.
- identify oval, rectangle, and diamond.
- match shapes.
- sort objects by size, weight.

***Goal 4: Measurement Concepts – Students will use a variety of tools and techniques to make and use measurement in problems and everyday situations.***

The child will:

- identify quantity and volume, i.e. more than – less than, full – empty.
- identify time, i.e. night – day, morning – afternoon.
- experiment with and manipulate dry and liquid substances.
- use the appropriate name for measuring tools.

***Goal 5: Concept of Ratio/Proportion/Percent – Students will understand, develop, and begin to use computational skills and techniques including guessing, estimation, proportion, mental mathematics and calculations, and computers to solve meaningful problems.***

The child will:

- guess the amount of objects before counting.
- guess the length of objects before measurement, i.e. longer, shorter.
- guess the relative weight of objects before weighing, i.e. heavier, lighter.

***Goal 6: Probability/Statistics/Data Analysis – Students will use data collection and analysis, statistics, and probability to solve real world problems and communicate the reasoning and process used in solving these problems.***

The child will:

- collect, discuss, and show classroom data.

#### Pre-Kindergarten Four- and Five-Year Olds

#### **Math**

Math readiness at the pre-Kindergarten level involves the development of cognitive skills. This comes from the understanding of colors; shapes; quantitative concepts such as size differences; basic counting skills; classifying; forming sets; and recognizing numerals. These concepts are taught through use of manipulative and play experiences. **The use of worksheets on a regular basis is discouraged.**

In all the areas of Mathematics, students should communicate, in age-appropriate terms, the mathematical reasoning behind solutions. They will explain why or how they made their selection or arrived at their solution.

***Goal 1: Numbers/Number Sense – Students will develop number sense (numeracy) and use number relationships to solve real world math problems and will communicate the reasoning used in solving these problems.***

The child will:

- equate “zero” to quantity of nothing.
- count orally from 1 to 20.
- touch and count objects from 1 to 10.
- recognize numerals 0 to 10 in random order.
- print some numerals 1 to 10.

***Goal 2: Algebraic Concepts – Students will use algebraic methods to explore, model, and describe patterns and functions involving numbers, shapes, data, graphs, etc.***

The child will:

- sort and classify objects by two attributes: size, color or shape, etc.
- create and extend patterns, i.e. ABabABab.
- arrange objects in graduated order from smallest to largest, etc.
- separate groups of objects to form new groups, i.e. group animals as baby animals and adult animals; separate zoo animals from farm animals, separate plants from animals, etc.
- identify an object that doesn't belong in a specific group.

***Goal 3: Geometric Concepts – Students will use geometric shapes, their properties, and relationships in one-, two-, and three- dimensions to model and solve real world problems.***

The child will:

- identify and name geometric shapes, i.e. square, circle, triangle, diamond, oval, rectangle, heart, star.
- describe the qualities of geometric shapes, i.e. number of sides.
- identify location of an object, i.e. top – bottom; over – under; outside – inside.
- construct models with blocks and puzzles of at least 20 pieces.
- draw simple shapes without a pattern, i.e. circle, square, triangle, etc.

***Goal 4: Measurement – Students will use a variety of tools and techniques to make and use measurement in problems and everyday situations.***

The child will:

- identify and explore various measurements of quantity and volume, i.e. more than – less than – equal to, full – empty – equal to, temperature – weights.
- identify coins, i.e. penny, nickel, dime, quarter.
- identify time, i.e. night – day, morning – afternoon, today – tomorrow – yesterday, day – week – month.
- recognize a clock as a measurement of time.

- name tools used to measure, i.e. ruler, tape measure, cup, scales, measuring spoons, etc.

***Goal 5: Concept of Ratio/Proportion/Percent – Students will understand, develop, and begin to use computational skills and techniques including guessing, estimation, proportion, mental mathematics and calculations, and computers to solve meaningful problems.***

The child will:

- guess the amount of objects before counting, i.e. 1-10+.
- guess the length of objects before measurement, i.e. longer or shorter.
- guess the relative weight of objects before weighing, i.e. heavier and lighter.
- perform simple mathematical operations with manipulatives.
- use a computer for math activities with adult guidance.

\* \* \*

***Goal 6: Probability/Statistics/Data Analysis – Students will use data collection and analysis, statistics, and probability to solve real world problems and communicate the reasoning and process used in solving these problems.***

The child will:

- collect, discuss, and record classroom data.
- communicate the mathematical reasoning behind solutions.

Preschool – Three- and Four-Year Olds

**Music**

Music is a channel for creative expression in two ways. One is the manner in which sounds are communicated by the music-maker. The other is the emotional and physical response that the sound evokes from the listener. Singing, listening to music, using and making rhythm instruments, dancing and other rhythmic activities are ways of developing a love and appreciation for music.

***Goal 1: Music production and performance***

The child will:

- listen and respond to music.
- sing alone and with others.
- develop a repertoire of songs to be sung from memory.
- identify a favorite song.
- recognize familiar songs when played or sung.
- identify and distinguish differences in sound.
- explore with rhythm instrument.
- use instruments to accompany movement.

***Goal 2: Expressing rhythm through various movement to music***

The child will:

- move to music with scarves, ribbons, etc.
- move freely to music.
- move to a beat
  - walk and clap
  - walk fast and slow
  - run fast and slow
  - march

JA 650

- swing arms
- swing one leg
- gallop
- hop
- keep time to music with body movements.
- reproduce simple patterns.

\* \* \*

***Goal 3: Familiarity with musical instruments***

The child will:

- use rhythm instruments alone or to accompany music.
- use instruments to accompany movement.
- identify some instruments.
- recognize sounds of different instruments.

***Goal 4: Music from various cultures, genres, and music with a storyline***

The child will:

- retell a story told in a song.
- listen to music from various cultures.

**Pre-Kindergarten Four- and Five-Year Olds**

**Music**

Music is a channel for creative expression in two ways. One is the manner in which sounds are communicated by the music-maker. The other is the emotional and physical response that the sound evokes from the listener. Singing, listening to music, using and making rhythm instruments, dancing and other rhythmic activities are ways of developing a love and appreciation for music.

***Goal 1: Music production and performance***

## JA 651

The child will:

- listen and respond to music.
- sing alone and with others.
- develop a repertoire of songs from memory.
- identify a favorite song.
- recognize familiar songs when played or sung.
- recognize familiar tunes.
- identify and distinguish differences in sound.
- explore with rhythm instrument.
- use instruments to accompany movement.
- listen quietly and relax with appropriate music.
- establish good listening habits.
- use music creatively for self-expression, i.e. draw with music, create a song, make up a dance, etc.

### ***Goal 2: Expressing rhythm through various movement to music***

The child will:

- move to music with scarves, ribbons, etc.
- move freely to music.
- keep time to music with body movements.
- reproduce simple patterns.
- move to music through participation in singing, folk games, free and directed rhythmic responses such as clapping, marching, running, skipping, swaying, etc.

\* \* \*

### ***Goal 3: Familiarity with musical instruments***

The child will:

- use rhythm instruments alone or to accompany music.
- use instruments to accompany movement.
- identify some instruments.
- recognize sounds of different instruments.
- demonstrate appropriate use and care of instruments.
- recognize some musical symbols.

***Goal 4: Music from various cultures, genres, and music with a storyline.***

The child will:

- retell a story told in a song.
- listen to music from various cultures.

Preschool – Three- and Four-Year Olds

**Health, Safety, and Physical Education**

Motor skills are a vital part of the young child's development and are crucial to the learning skills he/she will need in the future. The preschool child learns with his / her body. These motor skills are not overlooked in favor of cognitive skills.

Gross motor skills are those skills that involve body coordination as appropriate to the child's developmental age and physical maturity. These skills are advanced through large muscle activities such as walking, running, jumping, hopping, skipping, etc. Arm-eye coordination is developed by throwing a large ball or bean-bag, catching, and aiming at a target. Rhythm and movement provide an outlet for creative expression and the joy of using the body in dance, games, and organized play.

## JA 653

Fine motor skills are developed through manipulating clay, stringing beads, hammering, pasting, coloring with crayons, painting, pouring, lacing, and using scissors. Dexterity and strength of the small muscles are developing skills that enhance reading readiness. Use of natural hand preference is encouraged, but hand dominance is not yet achieved. Eye tracking promotes left-to-right progression skill required for reading readiness.

### ***Goal 1: Develop locomotor skills***

The child will:

- walk on a straight line on the floor or balance beam with assistance forwards.
- walk on the floor backwards.
- walk on tip toes.
- stand on one foot, alternate feet.
- jump up and down in place 5 times.
- jump from a height of at least 8 inches.
- step over a rope 4 inches off the floor.
- climb up stairs using alternate feet.
- run, changing directions.
- gallop.
- use playground equipment appropriately.

\* \* \*

### ***Goal 2: Develop non-locomotor skills***

The child will:

- demonstrate bending and stretching.
- demonstrate pulling and pushing.
- demonstrate the ability to twist and turn.
- demonstrate correct posture while standing, sitting, and kneeling.

- demonstrate body-space awareness and personal control.

***Goal 3: Develop eye-hand and eye-foot coordination***

The child will:

- place pegs in a pegboard.
- throw a bean bag up and catch it with both hands.
- kick a stationary ball.
- roll a ball at a target.
- throw a ball underhand and overhand.
- use lacing card.

***Goal 4: Develop fine motor skills***

The child will:

- work a puzzle with 8 to 12 large pieces.
- build a tower of at least 6 blocks.
- string one-inch beads.
- develop pincer control skills.
- fold paper.
- tear paper.
- screw and unscrew.
- work with clothespins.
- use tongs and tweezers.
- develop self-help skills.
- dressing self with minimal help.
- pouring.
- snapping with assistance.
- zippering with assistance.

\* \* \*

***Goal 5: Develop age-appropriate personal hygiene skills***

## JA 655

The child will:

- wash hands before eating, after toilet, after outside playtime, after coughing, sneezing, nose blowing, or when asked.
- use toilet facilities appropriately.
- use tissue to blow nose, and dispose of it properly.
- clean up personal space after lunch, snack time, etc.

### ***Goal 6: Develop cooperative group skills***

The child will:

- stand in line appropriately.
- take turns with guidance when playing games.
- respect the abilities of others.
- walk with a partner.

### ***Goal 7: Personal health and safety***

The child will:

- recite his / her first and last name.
- recite the first and last names of his / her parents.
- follow personal safety rules when in an unfamiliar situation or in contact with an unfamiliar person.
- follow school rules.
- demonstrate emergency procedures, i.e. call 911.
- discuss appropriate dress for various types of weather.
- discuss ways to identify and express anger and other feelings in an appropriate way.
- discuss some healthy foods and good nutrition habits.

- discuss some safety rules and basic traffic symbols.
- describe the appropriate use of medications, and the difference between healthy and unhealthy substances.

### Pre-Kindergarten Four- and Five-Year Olds

#### **Health, Safety, and Physical Education**

Motor skills are a vital part of the young child's development and are crucial to the learning skills he/she will need in the future. The preschool child learns with his / her body. These motor skills are not overlooked in favor of cognitive skills.

Gross motor skills are those skills that involve body coordination as appropriate to the child's developmental age and physical maturity. These skills are advanced through large muscle activities such as walking, running, jumping, hopping, skipping, etc. Arm-eye coordination is developed by throwing a large ball or bean-bag, catching, and aiming at a target. Rhythm and movement provide an outlet for creative expression and the joy of using the body in dance, games, and organized play.

Fine motor skills are developed through manipulating clay, stringing beads, hammering, pasting, coloring with crayons, painting, pouring, lacing, and using scissors. Dexterity and strength of the small muscles are developing skills that enhance reading readiness. Use of natural hand preference is encouraged, but hand dominance is not yet achieved. Eye tracking promotes left-to-right progression skill required for reading readiness.

#### ***Goal 1: Develop locomotor skills***

## JA 657

The child will:

- walk on a straight line on a balance beam or other raised object forwards and sideways.
- walk backwards on the floor.
- walk on tip toes.
- stand on one foot, alternate feet.
- hop on one foot with both left and right foot.
- jump up and down in place 10 times.
- jump from a height of at least 12 inches.
- step over a rope 6 inches off the floor.
- climb up and down stairs using alternate feet.
- run, changing directions.
- gallop, leap, slide.
- skip.
- use playground equipment appropriately.

\* \* \*

### ***Goal 2: Develop non-locomotor skills***

The child will:

- demonstrate bending and stretching.
- demonstrate pulling and pushing.
- demonstrate the ability to twist and turn.
- demonstrate correct posture while standing, sitting, and kneeling.
- demonstrate body-space awareness and personal control.

### ***Goal 3: Develop eye-hand and eye-foot coordination***

The child will:

- place pegs in a pegboard.
- use a hammer with nails, tool bench, etc.

JA 658

- throw a bean bag up and catch it with both hands.
- kick a stationary and rolling ball using dominant and non-dominant foot.
- toss a ball at a target.
- throw a ball underhand and overhand.
- catch a ball thrown by someone else.
- use lacing and sewing cards.

\* \* \*

***Goal 4: Develop fine muscle skills***

The child will:

- work a large 20 piece puzzle without a frame.
- build a tower of at least 10 blocks.
- string beads.
- develop pincer control skills.
- fold paper.
- tear paper.
- screw and unscrew.
- work with clothespins.
- use tongs and tweezers.
- use eyedroppers.
- punch holes.
- develop self-help skills.
- dressing self including shoes, boots, coats, hats, mittens, etc.
- pouring.
- snapping.
- zippering.
- buckling.
- buttoning.
- organizing backpacks and personal belongings.

***Goal 5: Develop age-appropriate personal hygiene and safety skills***

The child will:

- wash hands before eating, after toilet, after outside playtime, after coughing, sneezing, nose blowing, or when asked.
- use toilet facilities appropriately.
- use tissue to blow nose, and dispose of it properly.
- clean up personal space after lunch, snack time, etc.
- recognize limits in play, rest when tired, get a drink when thirsty, etc.

\* \* \*

***Goal 6: Develop cooperative group skills***

The child will:

- stand in line appropriately.
- demonstrate willingness to participate as an individual and as a member of a team.
- demonstrate effective participation skills such as taking turns, sharing, getting along with others, keep winning and losing in perspective.
- participate in directed games with rules and limits.
- apply safety practices.

***Goal 7: Personal health and safety***

The child will:

- recite his / her first and last name.
- recite the first and last names of his / her parents.
- recite address, phone number, and birthday.

## JA 660

- follow personal safety rules when in an unfamiliar situation or in contact with an unfamiliar person.
- follow school rules.
- demonstrate emergency procedures, i.e. call 911.
- discuss appropriate dress for various types of weather.
- identify feelings and exhibit appropriate ways to express them.
- discuss the relationship between behaviors and their consequences.
- identify some healthy foods and good nutrition habits.
- identify some safety rules and basic traffic symbols.
- describe the appropriate use of medications, compare and contrast healthy and unhealthy substances.

### Preschool – Three- and Four-Year Olds

#### **Religion**

Religion is an integral part of the Catholic School early childhood program. It begins the preparation for further formal instruction. Religious readiness is the development of a positive self-image in relation to a loving God. A deep love of God comes from examples set by the family and the spiritual life of the parish community. A child's sense of God comes from the warm atmosphere of love and acceptance in the preschool environment where the child learns about God's wonderful world. Prayer and simple paraliturgies prepare the child to participate in the worship and prayer life of the local church.

***Goal 1: Developing a relationship with our loving God and learning about God's gifts***

The child will:

- recognize his / her own goodness.
- recognize Jesus as friend and teacher.
- exhibit the ability to share, care for, love, and forgive others.
- recognize the love others have for her/him.
- discuss that God's love makes him/her special.
- list some of the people who love him/her.
- use Jesus as a role model.
- recognize that all God's creation is good.
- acknowledge that everything/everyone is created by God.
- begin to accept responsibility for their world and all living things.

***Goal 2: Awareness of church as being family of God***

The child will:

- participate in faith experiences such as extended prayer services in classroom and/or in church. Mass participation may be included where appropriate.
- discuss that he/she belongs to a human family, God's family, and the world.
- identify the priest (and religious sisters and brothers) and discuss his (their) special role in the local church.
- experience signs and symbols of church, i.e. Sign of the Cross, genuflecting, kneeling, bowing, tabernacle, blessing with holy water.
- acknowledge that Jesus is with us in a special way at Mass.

- acknowledge that Mary is the Mother of Jesus.
- identify the patron saint of the school or the event after which the church is named.

\* \* \*

***Goal 3: The importance of prayer (spoken, sung, spontaneous, rote, etc.) and God's Word in one's life***

The child will:

- experience that God speaks to us through the Bible and its stories.
- discuss the difference between Old Testament and New Testament.
- know that prayer is talking and listening to God.
- recite simple prayers, i.e. The Sign of the Cross, meal blessing, Angel of God, Hail Mary, etc.
- know that God listens to our prayers.
- use singing and creative movement as a form of prayer.
- listen respectfully to God's word.
- verbalize spontaneous, personal prayers.
- discuss that he/she may pray at any time or in any place.

***Goal 4: Developing a sense of right and wrong behavior***

The child will:

- discuss that each person has feelings.
- discuss ways to express sorrow, anger, happiness, and love.
- identify own feelings.

- express feelings and emotions in a developmentally appropriate manner.
- respect the feelings of others.
- realize that God loves us and forgives us.
- practice ways to forgive others.
- discuss consequences of inappropriate behavior.

Pre-Kindergarten Four- and Five-Year Olds

**Religion**

Religion is an integral part of the Catholic School early childhood program. It begins the preparation for further formal instruction. Religious readiness is the development of a positive self-image in relation to a loving God. A deep love of God comes from examples set by the family and the spiritual life of the parish community. A child's sense of God comes from the warm atmosphere of love and acceptance in the pre-Kindergarten environment where the child learns about God's wonderful world. Prayer and simple paraliturgies prepare the child to participate in the worship and prayer life of the local church.

***Goal 1: Developing a relationship with our loving God and learning about God's gifts***

The child will:

- recognize self-worth and build positive self-esteem through recognition of his / her own gifts and talents.
- recognize five senses as gifts from God and appreciate God's creation through use of the senses.
- identify ways to care for creation, i.e. picking up trash and not littering, not being wasteful of resources, discussing pollution prevention, caring for pre-kindergarten environment.

JA 664

- use Jesus as a role model.
- experience God as always loving and knowing each one by name.
- recognize the gifts and talents of others.
- discuss and demonstrate ways of caring for others, i.e. being nice to siblings and classmates, outreach to nursing homes, making cards for sick classmates, collecting food for food bank, etc.

\* \* \*

***Goal 2: Awareness of church as the family of God***

The child will:

- develop a sense of membership in community of people loved by God.
- identify self as a member of the Catholic community.
- discuss the saints and the Blessed Virgin Mary as members of God's family.
- identify the patron saint of the school or the event after which the church / school is named and his / her personal patron saint.
- participate in faith experiences.
- identify religious holidays and liturgical seasons.
- discuss the sacraments.
- experience signs and symbols of church, i.e. Sign of the Cross, genuflecting, kneeling, bowing, tabernacle, blessing with holy water, crucifix, Rosary, statues.
- acknowledge that Jesus is with us in a special way at Mass.
- discuss the responsibilities of the members of the church with special ministries.

***Goal 3: Importance of prayer (spoken, sung, spontaneous, rote, etc.) and God's Word in one's life***

The child will:

- recite simple prayers, i.e. The Sign of the Cross, meal blessing, Angel of God, Hail Mary, Our Father, Glory Be, etc.
- experience that the Bible and its stories are God's word.
- identify some of the people of the bible stories in both Old and New Testament.
- know that prayer is talking and listening to God.
- use singing and creative movement as a form of prayer.
- verbalize spontaneous, personal prayers.
- discuss that he/she may pray at any time or in any place.
- listen respectfully to God's word.
- demonstrate reverent behavior during prayer and in church.

\* \* \*

***Goal 4: Developing a sense of right and wrong behavior***

The child will:

- discuss that each person has feelings.
- discuss ways to express sorrow, anger, happiness, and love.
- identify own feelings.
- demonstrate respect for the authority of parents, teachers, and community workers.

## JA 666

- demonstrate Christian attitudes of sharing, taking turns, listening, helping, celebrating, thanking, apologizing, changing inappropriate behavior, and forgiving.
- respect others' feelings, property, opinions, space, etc.
- realize that God loves us and forgives us.
- discuss and practice making appropriate behavioral choices.
- discuss and take responsibility for the consequences of inappropriate behavior.

### Preschool – Three- and Four-Year Olds

#### **Science**

Science readiness encourages the preschool child to be aware of God's world. This awareness is heightened by encouraging the use of the five senses in science activities. Both guided and creative experiences provide the foundation for scientific reasoning. The child begins to question, experience, discover, and project results based on given experiences.

#### ***Strand 1: Life Science***

The child will:

- identify major parts of the body, i.e. face, parts of the face, hands, feet, head, back, shoulders, knees, toes, etc.
- discuss the five senses.
- experience and identify various sounds, smells, textures, and flavors.
- recognize physical differences and similarities in human beings.

JA 667

- discuss skill development / stages of development, i.e. crawling to walking; drinking, holding a pencil / crayon appropriately, etc.
- become familiar with plant growth.
- become familiar with the ways plants and animals are used by people.
- become aware that living things need air, water, sun, and food.
- discuss familiar animals.
- discuss prehistoric animals.

***Strand 2: Earth and Space Science***

The child will:

- discover that air surrounds us.
- observe changes in weather.
- discuss appropriate dress for various weather.
- observe the changes in the seasons.
- observe the difference between day and night.
- discuss sun, moon, and stars.
- name major land forms, i.e. mountains, rivers, lakes, oceans, etc.

\* \* \*

***Strand 3: Physical Science***

The child will:

- discuss basic physical properties of matter, i.e., soft, hard, heavy, light, etc.
- experience change in properties of matter, i.e. ice / snow melts.

***Strand 4: Nature of Science***

The child will:

- make predictions.

- come to conclusions based on observations.
- measure things relative to other things, i.e. larger-smaller, higher-lower, etc.
- group objects based on common attributes.

### Pre-Kindergarten Four- and Five-Year Olds

#### **Science**

Science readiness encourages the pre-Kindergarten child to be aware of God's world. This awareness is heightened by encouraging the use of the five senses in science activities. Both guided and creative experiences provide the foundation for scientific reasoning. The child begins to question, experience, discover, and project results based on given experiences.

#### ***Strand 1: Life Science***

The child will:

- identify parts of the body.
- discuss organs, bones and muscles as components of the body.
- list five senses.
- experience and identify various sounds, smells, textures, and flavors.
- distinguish between living things and non-living things.
- explore the parts of common plants.
- identify mature animals and offspring.
- discuss animal habitats.
- discuss life cycles of plants and animals.
- discuss pre-historic animals and their habitats.

#### ***Strand 2: Earth and Space Science***

The child will:

- identify characteristics of the seasons.
- identify the weather of the day.
- discuss appropriate dress for the weather.
- discuss the difference between day and night.
- discuss the planets, sun, moon, and stars.
- use a map to locate various land forms.
- discuss the water cycle.
- discuss recycling as good use of resources.

***Strand 3: Physical Science***

The child will:

- use five senses to investigate states of matter.
- recognize liquids and solids.
- discuss changes in the properties of matter, i.e. cooking an egg, freezing / thawing.

\* \* \*

***Strand 4: Nature of Science***

The child will:

- make predictions.
- collect data concerning an experience.
- graph data collected.
- form conclusion based on observations.
- communicate the findings of an observation.
- measure using non-traditional means, i.e. manipulatives, footsteps, etc.
- identify similar and different attributes.
- group items with similar attributes.
- identify the use of common tools and machines, i.e. broom, vacuum cleaner, silverware, dump trucks, etc.
- use appropriate technology tools, such as computers, CD players, etc.

Preschool – Three- and Four-Year Olds

**Social Studies**

Social Studies is experienced in the everyday early childhood environment. The child learns the patterns of appropriate behavior. A secure environment supervised by caring adults, allows the child to practice the acquired skills of playing, sharing, turn-taking, and respect for others. Holidays, traditions, seasons, historical events, and cultural differences broaden the preschool Social Studies experience.

***Goal 1: Historical Perspective – Students will use the process of historical inquiry to understand the past, develop a sense of the present, and build perspectives on the future. These studies contribute to the development of the student’s historical self.***

The child will:

- use vocabulary such as before and after.
- place three pictures in a simple story in sequence.
- sing and rhyme to explore vocabulary associated with calendar, i.e. day, week, month, year.
- describe personal life events with concepts of past and present.
- discuss growth and change from baby to preschooler.
- recognize various holidays and celebrations.

***Goal 2: Geographic Perspective – Students will develop and use geographic knowledge and concepts to understand the relationships between human and physical geography.***

The child will:

- demonstrate awareness of location and direction by using vocabulary like up, down, far, close, above, inside, outside, next to, over, and under.
- describe the purpose for various places, i.e. school, church, hospital, etc.
- discuss the relationship between weather and dress.

\* \* \*

***Goal 3: Civic Perspective – Students will become aware of political systems and how people govern themselves.***

The child will:

- recognize the flags of the United States and Colorado.
- recognize the importance of rules and laws.
- state reasons for some rules and laws.
- discuss the relationship of actions and consequences.
- list some characteristics of appropriate behavior, i.e. good citizenship.
- be responsible for personal items.
- respect others and their property.
- cooperate with others.
- show kindness toward others.
- take an active role in class i.e. standing up for self.

***Goal 4: Economic Perspective – Students will examine choices, the impact on themselves, and the consequences of their choices for their environment.***

The child will:

- identify needs, i.e. shelter, food, parents, etc.
- realize that resources are limited.
- realize that we must not waste.
- realize that we must keep our Earth safe and clean.
- accept responsibility for classroom jobs and assignments.

***Goal 5: Social, Cultural, and World Perspective – Students will develop an awareness of the larger world around them.***

The child will:

- identify and describe the family unit.
- become aware of community helpers and a variety of occupations.
- realize that people depend on each other.
- identify methods of transportation.
- explore similarities and differences between countries, i.e. customs, traditions, homes, jobs, food, dress, etc.

#### Pre-Kindergarten Four- and Five-Year Olds

#### **Social Studies**

Social Studies is experienced in the everyday early childhood environment. The child learns the patterns of appropriate behavior. A secure environment supervised by caring adults, allows the child to practice the acquired skills of playing, sharing, turn-taking, and respect for others. Holidays, traditions, seasons, historical events, and cultural differences broaden the preschool Social Studies experience.

***Goal 1: Historical Perspective – Students will use the process of historical inquiry to understand the past, develop a sense of the present, and build perspectives on the future. These studies contribute to the development of the student’s historical self.***

The child will:

- use vocabulary such as before, after, yesterday, today, tomorrow.
- place up to six pictures in a simple story in the correct sequence.
- sing and rhyme to explore vocabulary associated with calendar, i.e. day, week, month, year, yesterday, today, tomorrow.
- describe own life events with concepts of past and present.
- discuss growth and change from baby to pre-kindergartener.
- recognize various state and national holidays and celebrations.
- recognize the difference in others and celebrate diversity.

***Goal 2: Geographic Perspective – Students will develop and use geographic knowledge and concepts to understand the relationships between human and physical geography.***

The child will:

- demonstrate awareness of location and direction by using vocabulary like right, left, far, near, above, below, across, between, inside, outside, next to, over, and under.
- design a map of the classroom or their house.

JA 674

- describe the purpose for various places, i.e. school, church, hospital, etc.
- discuss the weather of various parts of the world.
- discuss the relationship between weather and dress.
- observe and explore ways of adapting to the natural environment (dress, housing).
- recognize the names and locations of some states.

\* \* \*

***Goal 3: Civic Perspective – Students will become aware of political systems and how people govern themselves.***

The child will:

- recognize the flags of the United States and Colorado.
- identify other symbols of the United States, i.e. Eagle, Statue of Liberty, Liberty Bell, etc.
- recite the Pledge of Allegiance.
- recognize the importance of rules and laws.
- state reasons for some rules and laws.
- discuss the relationship of actions and consequences.
- list some characteristics of appropriate behavior, i.e. good citizenship.
- be responsible for personal items.
- respect others and their property.
- cooperate with others.
- show kindness toward others.

***Goal 4: Economic Perspective – Students will examine choices, the impact on themselves, and***

JA 675

***the consequences of their choices for their environment.***

The child will:

- label needs and wants.
- realize that resources are limited.
- realize that we must not waste.
- realize that we must keep our Earth safe and clean.
- use toys, materials, and tools appropriately.
- accept responsibility for classroom jobs and assignments.

\* \* \*

***Goal 5: Social, Cultural, and World Perspective – Students will develop an awareness of the larger world around them.***

The child will:

- identify and describe the family unit.
- become aware of community helpers and a variety of occupations.
- realize that people depend on each other.
- identify methods of transportation.
- explore similarities and differences between countries, i.e. customs, traditions, homes, jobs, food, dress, etc.
- explore various cultures through dance, music, stories, using various media.
- identify the various communities to which he / she belongs, i.e. family, class, school, parish.

**Exhibit 17**

**PARENT / STUDENT HANDBOOK  
2023-2024**

ST. MARY  
CATHOLIC VIRTUE SCHOOL  
LITTLETON

6833 S. Prince Street  
Littleton, CO 80120

Fr. James de Cendra, DCJM, Principal  
Joyce Russell, Assistant Principal

This Parent/Student Handbook is provided as a guide for both parents and students for the purpose of helping both to become more familiar with the culture and procedures of our school. By becoming familiar with our procedures, parents will be able to become part of the Educational Covenant which goal is to help your child(ren) flourish. Students are expected to become familiar with the policies and regulations of the school as well. All our policies and regulations have been developed and implemented to ensure a safe and positive learning experience for all students at St. Mary Catholic Virtue School. The four-digit numbers you will find in parentheses after some headings in this handbook refer to the Archdiocese of Denver Catholic Schools Policy Manual. This will assist you should you want to make a complete reference to the information discussed. *Statements in this handbook are subject to amendment with or without notice. The school principal will attempt to keep the school families informed of all changes as soon as practical. Some changes might have to be made immediately due to*

*unforeseen circumstances.* (Inclusion of this statement required by policy 1100)

The enrollment of a student at St. Mary Catholic Virtue School is to enter our Educational Covenant with our staff and ordained priests. It is understood that we will all work together for the growth of your child. Together parents, teachers, clergy, administration and especially the student will know what is expected and how to work with one another to be successful. This is an agreement on the part of a student and his/her parent/guardians that they will comply with all the school procedures, rules, and regulations as set forth in this handbook. Please read the handbook with your child(ren), sign the Family Commitment Agreement found on the last page, and return to school by September 15<sup>th</sup>.

**St. Mary Catholic Virtue School  
(303) 798-2375**

**Office Hours 7:30-4:30**

\* \* \*

<b>School Culture at St. Mary</b>
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**Root beliefs**

At St. Mary Catholic Virtue School we believe that:

**1. Education is about helping the student to flourish in the various stages of life.**

- Each student is unique and unrepeatable with his or her own talents and vocation.
- Flourishing integrates all dimensions of the person.

- The end (telos) of this flourishing is a full life where the hero, the genius, the saint that each student carries within comes out.

**2. Education requires an educational alliance with God between the child, his parents, the teachers, and the priests.**

- Communion among persons educates the student in an indirect way.
- Parents are the primary educators; teachers and priests are witnesses to a greater truth.
- The educational alliance seeks to educate the child in his constitutive relationships (as a son, brother, friend...), that is, to bring to fullness his vocation to love.

**3. Education in the virtues through pedagogical practices is essential to give form to the desires of the child.**

- Through age-appropriate pedagogical practices, the student learns to desire what is good and great and to put it into practice.
- Virtues are acquired progressively through itineraries that include rites of passage and promises.
- The path of growth includes intellectual and moral virtues that integrate academic excellence and character formation.

**4. Narrative pedagogy shapes the imagination of the learner, opening him or her to a great and beautiful life.**

- Through stories the child learns the unity of life (narrative intelligence).

- In the stories he receives an ideal of a good life and models of excellent life that inspire his moral imagination.
- Narrative pedagogy encourages the pupil to become the protagonist in the development of his own story.

**5. Integral wisdom has its keystone in the subject of religion.**

- Theology is the interpretative key to all knowledge and the path to wisdom.
- Friendship with Christ (charity) generates a new way of seeing reality (sacramental vision).
- In friendship with Christ the student discovers the vocation to true love that is cultivated in prayer.

**Core Virtues**

- **Concord:** *“be of the same mind, having the same love, being in full accord and of one mind.”* Concord to weave the good with others in communion of means and ends. Concord is founded on the friendship with God that binds teachers, students, religious and parents so they want the same and reject the same (*idem belle, idem nolle*) with “one heart and one mind”. Concord implies “leadership” (to imagine the good that it is possible to generate with others and to make it be) and it arouses ‘just-generosity’: the recognition of the gifts received to commit oneself into a covenant.
- **Magnanimity:** *“Strive for the better gifts!”* Magnanimity to think, act and plan big, recognizing that what is at stake in education is the good of the communion. In this way, each one

assumes a leading role in the governance of his life and brings to fulfillment the relationships in which he or she lives.

- **Industriousness:** to persevere faithfully to the end in the tasks entrusted and to generate new paths with creativity.

- **Wisdom:** to recognize the origin and destiny of our lives and to relate the different areas of knowledge from the vision of the whole.

### **Mission Statement**

*In alliance with the family, St. Mary promotes the flourishing of the students in a story of friendship with Christ through the virtues.*

<p><b>Principal's welcome</b></p>
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Dear Parents & Students,

Welcome to St. Mary Catholic Virtue School, a place where your children will be educated to the fullness of life in a genuinely Catholic community, which has always been characterized by its academic excellence.

At St. Mary, we are introducing your sons and daughters to the Art of Living. What does this mean? First, it responds to the question: What makes a life great and beautiful? Second, it responds to the deepest desires that your children have and that you have for your children. Namely, that they will become not only successful professionals, but also faithful spouses and caring parents; future leaders serving and promoting the common good in all that is entrusted to them; individuals of virtuous character who can appreciate and create culture, play fairly, and share trustworthy expertise; and children of God who understand the

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greatness of their personal vocation. For that to happen, we focus on helping your children to develop a “moral imagination” and a “narrative intelligence” so they will be able to imagine themselves as great people and find the way to make it happen.

The aim of the educational project of the Disciples of the Hearts of Jesus and Mary is helping your child to flourish in all the dimensions of his/her person: heart, mind, body, and soul. The four pillars in which our vision is sustained are: academic excellence, friendship with Christ, educational covenant, and narrative pedagogy.

God Bless You,

Fr. James de Cendra, DCJM  
Principal

<b>Chaplain's welcome</b>
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Dear Parents and Students,

Thank you for choosing St. Mary Catholic Virtue School for your children. You have made a wise decision! In choosing a Catholic education you know what you want for your children or, to better say, you know what your children really need. They must fully understand that they need a life focused on eternity, they need to follow their true vocation: holiness. And our mission and desire is to help you in that difficult journey, to foster in your children and your family a profound love for Christ. Every single person in this school is fully committed to that goal, for that is our vocation.

We hope your children will help to make this world a better place. We have placed our hope, not in mere

knowledge or skills, but in God. If children learn how to listen to His voice, if they learn how to recognize Him in every matter and subject, whether in mathematics, science, literature or history, they will be able to find Him throughout their own lives and the lives of those around them and that will make this world a better place.

Thank you for trusting in us. We need your full support to make this happen. We need you to embrace our “Educational Covenant” in order to better help your children. Please, count on us for anything your family might need.

May God Bless You,  
Fr. Juan Puech, dcjm

Chaplain

<b>Section I. How the school is governed</b>
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**Archdiocese of Denver, Office of Catholic Schools**

St. Mary Catholic Virtue School is affiliated with the Catholic Archdiocese of Denver and is supported by the Office of Catholic Schools. Archdiocesan school policy is referenced throughout this book with policy numbers shown in parenthesis of the corresponding section heading when there is archdiocese policy governing the topic.

**Disciples of the hearts of Jesus and Mary  
(dcjm)**

**[HTTP://DCJM.ORG/EN/ABOUT-US/DCJM/](http://dcjm.org/en/about-us/dcjm/)**

### **1. Who Are We?**

The Disciples of the Hearts of Jesus and Mary are a Religious Order of the Catholic Church that was established in 1987 and was approved in 2002. It is present in three nations: Spain, with communities in Cuenca and Madrid, Italy, with a community in Rome, and the United States with communities in Washington and Denver. We are currently 40 members from whom 20 are priests and the rest seminarians.

### **2. What Is Our Identity?**

Our desire is to learn from Christ, who is meek and humble of heart. Our desire is also to further study the mystery of His Heart, to share the relationship He has with His Father and to be able to share the huge love that God has for us. In our identity, the spirituality of St Ignatius of Loyola is present.

### **3. What Is Our Mission?**

We work in several different areas:

- *College education.* We have teachers in residence in different colleges: San Damaso in Madrid and the John Paul II Institute for the family and marriage in Rome and Valencia.

- *School education.* We currently have two schools in Madrid (Stella Maris-La Gavia and Stella Maris College) and we work in two schools in the United States (Queen of Apostles-Alexandria, VA- and St. Mary Catholic Virtue School-Littleton, CO.)

- *Parish:* We run three parishes, one in Madrid and two in the United States

- *Publications*: We have begun a collection with Monte Carmelo, called Didaskalos in which we publish books for the formation of the family.

In all these areas, our work is based on a triple foundation: the spiritual exercises of St Ignatius of Loyola, pastoral for the family and the youth, and a strong human and theological formation.

### **St. Mary Catholic Virtue parish**

St. Mary Catholic Virtue School is a ministry of St. Mary Catholic Virtue Parish in Littleton, Colorado. The school is wholly and completely under the auspices of the parish and our pastor, Father Jose Noriega.

### **School advisory council (SAC)**

The School Advisory Council is established by the pastor, in accord with the Archdiocesan policy and Canon Law to assist the pastor and principal in the educational mission of the parish school. The Council advises the pastor and principal in developing policy, planning, finances, and public relations. Council members are appointed for three-year terms from among school parents and the published list of members is found in the school directory each year.

### **Parent association (SMPA)**

The Parent Association (formerly known as the Home and School Association) operates under the jurisdiction of the pastor and principal of St. Mary Catholic Virtue School. This organization is comprised of all the parents enrolled in the school. The purposes of the St. Mary Parent Association (SMPA) are to build community among parents and teachers and to provide support to the school for school programs.

SMPA Board meetings are held regularly. General meetings for the entire membership are held twice during the year. Dates and times for all these meetings can be found on the school calendar. Meetings are open to all parents and concerned parties.

**Section II. Enrollment, registration, attendance**

**Admissions policies (2000)**

Every new family who applies for enrollment at St. Mary will have to attend an admission interview with the school Principal prior to registration.

No student is admitted to St. Mary Catholic Virtue School without first subscribing to the philosophy, curriculum, religious activities, and educational and disciplinary guidelines of St. Mary Catholic Virtue School in their entirety. No student is admitted unconditionally to St. Mary Catholic Virtue School unless that student has reasonable hope of successfully completing this school's program. In a case where there is some doubt regarding academic, behavioral, and/or social success, a child may be admitted to St. Mary Catholic Virtue School on a probationary status.

**Title IX education act assurance statement (6020)**

The Catholic schools of the Archdiocese, under the jurisdiction of the archbishop, and at the direction of the Superintendent, attest that none of the Catholic schools discriminates based on sex in its admission policies, its treatment of students or its employment practices.

**Assurance Statement of compliance with the purposes of Title IX Education Act**

The Catholic schools of the Archdiocese, under the jurisdiction of the Archbishop, and at the direction of the Superintendent, attest that none of the Catholic schools discriminates on the basis of sex in its admission policies, its treatment of students or its employment practices.

**Notice of Student Non-Discrimination Policy**

The Catholic schools of the Archdiocese of Denver, under the jurisdiction of Archbishop Samuel J. Aquila, S.T.L. and at the direction of the Superintendent, state that all of their Catholic schools admit students of any race, color, national or ethnic origin to all the rights, privileges, programs and activities generally accorded or made available to students at the schools. Furthermore, Archdiocesan schools admit disabled students in accord with the policy on Admissions in the Archdiocese of Denver Catholic Schools Administrator's Manual. These schools do not discriminate on the basis of race, age, disability, color, and national or ethnic origin in the administration of their educational policies, employment practices, scholarship and loan programs, athletic or other school-administered programs.

**Admissions priorities (2020)**

Because of limited enrollment opportunities, the following priorities have been established for admitting students.

1. siblings of current families.
2. parishioners of St. Mary Catholic Virtue Parish.
3. parishioners of other Catholic parishes.

4. children from Catholic families not affiliated with other parishes, or children from non-Catholic families.

After the initial enrollment period each spring, if an opening develops in a particular grade level the above priorities are used to fill seats from those students expressing interest but not yet fully enrolled.

All Catholic preschools, elementary schools, and Archdiocesan high schools are open to families and students who sincerely seek a Catholic education and meet the requirements as delineated in Admission, Policy #2000. As such, all Catholic schools in the Archdiocese of Denver, at the choosing and approval of the Pastor, Principal, and Superintendent, may enroll both full-time and limited-status students. Limited-status students are not eligible to earn diplomas.

### **Definition**

Full-time students are those students who participate in the full scope of a school's program.

The enrollment of part-time students, that is, students who attend only certain classes or only a portion of a school day, is not permitted. This does not include partial day Preschool or kindergarten programs which offer hours less than those of the full school day. (2020)

### **Extra/co-curricular Activities and/or Programs**

Limited-status students may participate in extra/co-curricular activities and/or programs (e.g., CSAL/athletics, tutoring programs, after school activities), according to the policies and procedures set by the school and/or the Catholic Schools Activities Board.

**High Schools only:** A "borrowed athlete" is a student who is officially enrolled in another school yet

plays a sport for a Catholic high school due to the lack of an athletic program at the home school. CHSSA guide- lines outline the parameters for a student to participate in this capacity.

**Tuition policy (5010)**

Each year the tuition rate is reviewed and established based on the projected expenses of the school. St. Mary Catholic Virtue School does not charge full per-pupil cost to educate our students. The difference in the tuition collected and the cost of the school is provided through the parish offertory. It is because of this subsidy that an affiliated Catholic tuition rate and a non-Catholic/non-affiliated rate are assessed. Every family claiming St. Mary Catholic Virtue Church as their home parish agrees to support the parish as outlined in the church's separate policy for registrants and parishioners. The policy states:

***To receive the AFFILIATED tuition rate, all four of the following criteria must be met.***

- 1. You are a registered parishioner at St. Mary or another Catholic parish.***
- 2. You attend Mass on a regular basis.***
- 3. You offer services within the parish or school on a faithful basis.***
- 4. You establish a regular pattern of giving to the Sunday offering, for example weekly, bi-weekly or monthly using the parish envelope system or through Online Giving. Or you may indicate in advance and in writing to the parish office what your intention is regarding financial support of the parish, for example if you were to donate quarterly.***

St. Mary Catholic Virtue School utilizes a tuition management system called FACTS for the processing and collection of tuition and other school fees. FACTS provides several payment options, including online payments, payments by phone or mobile device, and payments from either bank accounts or credit cards. All school families are required to utilize a FACTS account for the timely payment of tuition and fees.

Applications for tuition aid are made in the spring and reviewed by FACTS and by the parish staff. Applications are completed online. Full details are available in the news section of Sycamore.

**Financial requirements (5020)**

All tuition and school fee payments must be completed by the **fifteenth** day of each month **from July through April**. St. Mary Catholic Virtue School will assess a \$50.00 late fee each month until the outstanding balance is paid. Failure to pay tuition in a timely manner may result in students being unenrolled from the school. If your account is 120 days or more past due and there is not a feasible plan for payment in place, your student(s) will be unenrolled, and the account may be referred to an attorney or collection agency; all costs relative thereto will be the responsibility of the family.

*IMPORTANT NOTE:* Re-registration for the following school year is contingent upon all tuition and fees, including extended day care, being current and up to date. Families that are not current on payments by March 15 will be placed on a waiting list and will be unable to enroll for the following school year until full payment is made; this situation could result in the loss of seats for your students. Additionally, families that

are still not current by April 15 will not be eligible to re-enroll for the following school year and will be referred to an attorney or collection agency.

A **non-refundable** registration fee, which includes a book fee, must be paid at the time of registration. For students not attending a full year, tuition will be prorated over the school year.

**Admission and retention of students with special needs (2000-C)**

St. Mary Catholic Virtue School may be able to accommodate students with learning challenges who require curriculum modifications. Adaptations and modifications should be regularly discussed with parents and will be noted on the report card and permanent record. St. Mary Catholic Virtue School may agree to enroll a child with special needs, but the student's progress will be continually evaluated to determine the school's ability to provide an appropriate educational setting in meeting the student's needs. St. Mary Catholic Virtue School does not discriminate with regard to disabilities; however, we may deny enrollment to students who cannot successfully complete our academic program with the resources we have available to support them at this school in accordance with Archdiocese of Denver Office of Catholic School's policy.

**Kindergarten**

Children will be accepted into St. Mary Catholic Virtue School kindergarten program only if the student has reached his/her fifth birthday by October 1st of the current school year and achieves satisfactory results in the kindergarten entrance screening.

Entrance screenings to determine readiness are given each spring after registration.

### **Homeroom placement / creating class lists**

Homeroom placement of students is determined by the administration and classroom teachers' recommendations. Although information from parents regarding a student's educational needs is welcome, parent requests for a specific teacher are not generally accepted.

### **Transfer students**

To enroll at St. Mary Catholic Virtue School, transfer students must submit current grades from their current school as well as standardized test scores. At some grade levels, an entrance screening may be required. An interview with the principal or the principal's designee may be required. The parents of the student must pay all necessary fees before registration can be completed. Transfer students are on academic probation for their first grading period.

### **Length of school days (1260)**

Instructional time on all regular school days in all Archdiocesan schools will be a minimum of 6.0 hours per day, which may include no more than one hour total for both recess and lunch breaks. Students in grades kindergarten through 2nd grade may be allowed an extra recess break provided that instructional time is a minimum of 5.5 hours (*Appendix R2, Minimum Time Requirements per Curriculum Area Effective August 2009*).

### **Process**

1. Minimal school days may be taken a maximum of ten (10) times per year for the purpose of

professional development or for extended faculty meetings.

2. On minimal school days, schools must be in session a minimum of 3.5 hours of instructional time.
3. Parental notice of minimal school days should be given well enough in advance for parents to make arrangements for after school care.
4. Whenever possible, minimal school days will be noted on the annual school calendar.
5. The Pastor and Superintendent or his/her designee in elementary schools and the Superintendent or his/her designee in Archdiocesan high schools must approve requests for exceptions to the minimal school day requirements.

### **Student attendance (2120)**

Student attendance at school is an important aspect of a child's development of lifelong attitudes and habits. Both academics and virtues are involved and impacted by the student's regular attendance. There are four aspects that need to be considered in this regard.

- Quality of instruction and learning: the degree to which a student learns depends very much on his or her exposure to the teacher's instruction. Therefore, the more he or she is absent, the more the learning will be negatively affected. Tardies also directly affect the quality of instruction for they disrupt the normal flow of instruction at the beginning of the session.
- Common good: the common good of a class is the environment that allows every student in

particular and as a group to develop fully according to their potential. Absences and tardies affect the common good of the class and ultimately of the entire school community.

- Virtues: punctuality is a key stone of virtues building. St. Mary is a “virtue school” which means that every aspect involved is used as a tool and an opportunity to teach virtues. Diligence, temperance, industriousness, are some of the virtues involved in being at school in time.
- Educational Covenant: to achieve virtues is impossible without the help and support of a community. Being punctual and attending regularly can be sometimes challenging. Our desire and mission is to help families and students to achieve this goal together.

School attendance is such a critical aspect of a child’s academic success that it is also governed by state law. It is the responsibility of parents to comply with compulsory attendance. Parents are requested to make medical, dental, and other personal appointments after school hours or during vacation whenever possible.

In following Archdiocesan policy, our school days must contain a minimum of five hours of instructional time. Our final morning bell rings at 8:00 a.m. All students arriving at 8:05 or later are tardy and must report to the office where their parents must sign them in. All tardies and absences must be excused by the parent or guardian. Please report your child’s absence to the school office as early in the morning as possible but no later than 9:00 a.m. If a student absence or tardiness

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is not reported by the parent/guardian by 9:00 a.m., the school office staff will initiate a safety call to the parent and continue calling until we are able to verify your child is safe. If a child is absent without permission from the custodial parent, they will be considered truant and may not make-up any missing work. Repeated truancy may be grounds for dismissal from St. Mary Catholic Virtue School.

To address the importance of attendance for all students the following table will be used

<u>Absence Threshold</u>	<u>Steps</u>	<u>Responsible Party</u>
1-8 absences (95% attendance)	<ul style="list-style-type: none"> <li>• No action needed</li> </ul>	<ul style="list-style-type: none"> <li>• Classroom teacher</li> </ul>
9-12 absences (93% attendance)	<ul style="list-style-type: none"> <li>• Parent phone call</li> <li>• Option for makeup? Saturday school/after-school/recess study hall?</li> </ul>	<ul style="list-style-type: none"> <li>• Classroom teacher Orientation Team</li> <li>• Administration calls parents and alerts them to next steps</li> </ul>
12-17 absences (90% attendance)	<ul style="list-style-type: none"> <li>• Official Doctor's note with signature required for future absences</li> </ul>	<ul style="list-style-type: none"> <li>• Orientation Team discusses attendance contract specifics</li> </ul>

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	<ul style="list-style-type: none"> <li>• Student is placed on an attendance contract</li> <li>• Parent conference</li> </ul>	<ul style="list-style-type: none"> <li>• Administration notifies parents in person</li> </ul>
18-35 absences (80% attendance)	<ul style="list-style-type: none"> <li>• Violation of attendance contract</li> <li>• Administration considers next steps on a case-by-case basis</li> </ul>	<ul style="list-style-type: none"> <li>• Administration</li> </ul>
36+ absences (<79% attendance)	<ul style="list-style-type: none"> <li>• Recommendation for expulsion</li> <li>• Consider referral to Arapahoe County Truancy Court</li> </ul>	<ul style="list-style-type: none"> <li>• Administration</li> </ul>

If a student has been absent from school due to a serious illness, parents are asked to send a note from the physician. If a student is going to be absent for an extended period because of illness, the parent is asked to call the school office by 9:00 a.m. to request make-up work and/or homework. This work can be picked up in the office at the end of the school day. Communication process.

**Punctuality**

For the above mentioned reasons, punctuality, like attendance, is a crucial aspect of education.

## JA 696

Therefore, in order to foster punctuality in our school the following policies will apply\*.

- Middle School: Daily school starts at 8:00. Doors are open for Middle School between 7:55 and 8:00.

If a student arrives at school after 8:00, he or she will report directly to the front office. Students will remain under supervision until the next class period. This applies to students who are tardy during the school day as well. A student who misses class due to being tardy will not be excused from the missed class, any missed work will be due on the same timeline as those who were in class. Students who have a pattern of tardiness will need to meet with the homeroom teacher to address the missed classes, instruction and course work.

- Elementary: After the class door closes, report to the front office with your child and sign in.
- Kindergarten: after the class door closes, report to the front office with your child and sign in.

\*Exceptions will be made in exceptional situations.

- Doctor's appointment: the student will report to the front office to wait for his/her parents. On returning to school the student will wait in the front office to be escorted to class.

### **Student drop-off / pick-up procedures**

To ensure the safety of your children, procedures have been established for picking up and dropping off students before and after school. These procedures are covered in a flier sent home in the summer mailing

and discussed at the New Parent Orientation meetings. Parents may drive through the carline to drop-off and pick-up students, or they may choose to park in the east lot next to the rectory and escort their children to and from the school. Children must be escorted to the parked vehicle and will not be permitted to walk or wait for parents in the parking area.

For their safety, under no circumstances should children be dropped off on campus before 7:45 am. Again, for their safety, all children must be picked up by 3:20 pm. Children arriving or remaining at school other than these times will be sent to SMEED at the parent's expense.

If students are participating in an extracurricular activity, they are not allowed to loiter on the grounds nor in the building while waiting for the activity to begin. It is the responsibility of the parent to arrange for their children to be supervised until these activities begin.

Parents must notify the front office in writing if their child will be walking home from school. Only students in grades 6-8 are allowed to walk home from school. Younger students may walk home from school only if accompanied by an older sibling in grades 6-8. A list of students authorized to walk home is maintained in the front office.

### **Early release of students**

If a child needs to be excused during school hours, the person calling for the child must sign him or her out from the office. If the student is not waiting in the office, the person picking up the student may wait in the main office while a staff member calls for the child.

Please do not request that your child meet you in the parking lot. If it is possible for the parent to call the school office about 5 minutes prior to arriving at the school, we will do our best to have your child waiting to be signed out from the office.

### **Vacations**

Parents are strongly encouraged to avoid planning vacations or other out-of-school activities during school days. Because of tests, this is particularly crucial during the last week of the academic trimester. While parents have the prerogative to excuse their children from school, the administration will not typically grant approval for these absences. It is the obligation of the student and parent to request, as well as to pick up, assignments, and to have assignments turned in to the teacher(s) as soon as possible on the student's return.

Parents may request work prior to an absence but it is not always possible for teachers to provide all the assignments prior to the absence. Students should be prepared to make-up for missing assignments when they return to school.

### **Extended care program – SMeed**

St. Mary Catholic Virtue School offers a before and after school program, St. Mary Extended Enrichment Day (SMEED). Parents wishing to use this service must register with the program. Registration information is included with the summer mailing or may be picked up in the school office.

### **Emergency closing and bad weather days (1270)**

Shall the school close due to weather or other emergency conditions, all local television stations

share the news on their website. Please note that there are several schools with the name St. Mary. We are identified as “St. Mary, Littleton” on most of these services. Closure information will be posted on our Sycamore site and an email will be sent out to parents as soon as practical.

School will not be closed due to weather unless the storm is a major event. It is generally not helpful for you to call the school office to see if school is closed.

St. Mary Catholic Virtue School may post a delayed start. Although this is a rare occurrence, we recognize that some parents must be at work on time without regard to the weather. Therefore, we provide supervision for students who must be delivered to school at the regular start time on these days.

Ultimately it is up to each parent to determine if it is safe to be on the roads. If you believe it is unsafe to drive from your part of town, please call and excuse your child until he or she can safely be transported to school.

On a stormy day, parents may want to pick up their child before dismissal. Students must be signed out by the parent or authorized adult prior to dismissal.

Normally, school will not be dismissed early. If school does close early, the school will follow the instructions parents provided on the Emergency Closing Form.

### **Communication**

Communication between the home and school is essential for your child’s success. To facilitate sharing news with our entire community, our FACTS student information system is used to send mass emails. St. Mary Catholic Virtue School’s news posts and

calendar are integral components of communication between home and school. Each family is provided with a FACTS login which allows them to view grade books, progress reports, report cards, assignments, calendars and updates from the administration and teachers. Parents are also able to send communications through FACTS to faculty and staff members. We strongly encourage all parents to use FACTS for school information and communication. Each teacher has an email address using the first letter of their first name and their last name spelled out followed by @stmarylitleton.com, you may use this format for contacting teachers as well.

### **Section III. Academic Program**

St. Mary's academic program is intended to form the intellect and the soul of our students. Our goal is to help our students to gain wisdom which goes beyond mere the acquisition of mere knowledge or skills. Wisdom implies a mix of knowledge and virtues that only can be acquired through practices. Our academic program includes different virtues and practices per grade level which are vital for the acquisition of the mentioned wisdom. Only if our students engage in those practices will they become protagonists in their own education and will flourish.

#### **Curriculum and academic programming (4000)**

St. Mary Catholic Virtue School uses curricula provided by the Office of Catholic Schools of the Archdiocese of Denver as the basis for instruction in all classes. The curricula guides are maintained online on the archdiocese website.

<https://archden.org/schools/office-catholic-schools/curricula/>

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However, St. Mary is allowed to enrich its curriculum with other sources of information in line with the Archdiocese's curriculum.

We provide a rigorous academic program that includes theology, catechesis, english, literature, mathematics, science, history, Spanish, music, physical education, and art in grades K-8.

### **Programs**

According to the Disciples' vision, programs are to be completed throughout the year. No student may be excused from Focus, Polaris, Teen Star, Blaze, and/or Manliness without the approval of the principal after having an appointment with both parents of the student.

### **Textbooks (4020)**

Textbooks are selected from a list approved by the Office of Catholic Schools. All textbooks are the property of St. Mary Catholic Virtue School and are loaned to the students for their use. All classroom hardback textbooks are to be always covered to prolong the life of these books. Each student is responsible for the textbooks issued to him or her at the beginning of the year. In the case of damage or loss, the student is responsible for the replacement of the textbook. If a student is issued a damaged textbook at the beginning of the year, parents are asked to bring this damage to the attention of the homeroom teacher as soon as possible.

### **Library program**

Over 28,000 books are available for the students' use. Volunteer aides assist our trained librarian in providing library experiences for the students.

**Field trips (4340)**

Field trips are a part of the students' school experience. Every student is required to return the signed field trip form indicating the date, destination, purpose, departure and return times, expense, and means of transportation prior to the trip. No student may leave the school grounds without first returning this signed form. As a part of the school's goal of developing personal responsibility, students are not allowed to use the phone for verbal permission when the permission slip has not been returned. At times, volunteer parents who have appropriate documents on file are used to transport students on field trips.

**Classroom supplies**

Students are expected to have the supplies found on the supply list which is sent to the parents in the summer mailing. Parents are asked to wait for teacher direction before marking supplies with the student's name and grade. Personal property such as lunch boxes and sweatshirts should be marked with the student's name.

**Homework (4130)**

It is important that each child accept personal responsibility for homework along with an understanding of the consequences from not doing homework. Late homework will be accepted and docked a percentage of points accordingly. Homework provides essential practice in needed skills, trains students in good work habits, affords opportunities for increasing self-direction, helps children learn to budget time, extends, and enriches school experiences, and promotes growth in personal responsibility. As a matter of course, you should expect your students to

## JA 703

have no more than the following amounts of homework per day:

Grades 1 & 2	20-30 minutes
Grades 3 & 4	30-45 minutes
Grades 5 & 6	45-90 minutes
Grades 7 & 8	60-105 minutes

Students in grades 2-8 have a student planner which is to be filled out daily as a tool to both support the student and to communicate with parents in a daily manner.

Homework is generally not given over weekends or over extended vacations such as Christmas and spring break. Some children may choose to work on long-term projects on the weekends.

Assignments that are not turned in on time will receive a maximum of 50% when turned in within the week it was due. Homework not submitted will receive a 0 in the grading book and will only be adjusted if the homework is turned in during the week it was due. (Exception 1 to this timeline are absences due to illness. The three day policy upon return to school following an absence applies. Exception 2 to this timeline are students with explicit accommodations.)

### **Make-up work**

If your child will be absent for **two or more days**, arrangements should be made to obtain your child's assignments by both calling the school office no later than 9:00 a.m. of the day the assignments will be picked up and sending an email to your child's homeroom teacher.. Assignments maybe collected at the end of the school day. In Middle School, when a

student is absent (excused), it is his/her obligation to make arrangements whether before or after school, with the teacher for make-up work which must be completed at school. Parents should not expect teachers to provide make-up work in advance of a scheduled holiday from school. When possible, make-up work will be provided to students when they return from their personal vacations. Ordinarily, work should be made up within three days of the absence.

**Parent-teacher conferences (4410)**

Parent-teacher conferences are an important time for an educational dialogue between parents and their children's teachers. It is a living expression of our educational covenant, which helps both sides to understand the child and his educational needs. It is of vital importance that the parent and teacher have ongoing communication throughout the school year particularly if the child or family is struggling. Parents should contact the teacher to provide additional information and if additional support is needed for their child.

We have scheduled the opportunity for the homeroom teacher and the parents in each trimester. To foster a better understanding of each student's situation and growth, homeroom teachers will spend more time with their students and will gather information about them from the other teachers. Each homeroom teacher will be the point person for the parents to get information about their child. In case parents will need further information about particular subjects, the homeroom teacher will invite them to arrange a meeting with those teachers. Thus, Parent-Teacher conferences will be led by the homeroom teacher.

**Academic support**

Teachers will make themselves available to assist their students outside of scheduled class time if requested by the parent or student.

**Exceptional Student Support**

St. Mary Catholic Virtue School provides an orientation team formed by specialists including a reading interventionist teacher, for students in grades K-2. St. Mary strives to accommodate students with physical, emotional, social, or learning challenges. However, families must fully disclose the nature and known extent of such challenges at the time of registration. The School has limited resources to meet specific challenges and reserves the right to recommend educational alternatives that better serve some students' needs.

We operate a fully inclusive Special Education model with pull out services only for Reading Intervention. Beyond K-2, students must have an identified disability for continued academic support through the Special Education department. Families of students that require occupational, physical, or speech therapy contract with different service providers through their private insurance. language development in students that may exhibit some delay in their reading and writing skills, a gifted and talented teacher for students in grades 4-8, and a school counselor.

**Tutoring (3600)**

While tutoring of students by faculty members is acceptable, it is the policy of St. Mary Catholic Virtue School that teachers may not accept pay for tutoring a student from his/her own class or subject area during

JA 706

the academic year. In rare instances, the principal may grant an exception. Students with special needs may receive tutoring from private parties during the day with permission from the principal.

**Grade standard (4400)**

The Archdiocese of Denver Office of Catholic Schools provides the grading scale used at St. Mary Catholic Virtue School. Students are graded on the following achievement scales:

**Grades K – 2**

**Grades 3 – 8**

M = Mastered	A+= 100%	
Dev = Developing	A = 93% - 99%	C = 73% - 76%
NI = Needs Improvement	A- = 90% - 92%	C- = 70% - 72%
	B+ = 87% - 89%	D+ = 67% - 69%
	B = 83% - 86%	D = 63% - 66%
	B- = 80% - 82%	D- = 60% - 62%
	C+ = 77% - 79%	F = 59% and below

Any student in grades 6-8 who fails two or more subjects in a trimester may be placed on academic probation for the following grading period. Parents will be contacted through written notification by the principal and a parent conference will be arranged within two weeks. The administration, faculty, parents, and the student will meet to develop an “Academic Action Plan,” to assist the student for the next grading period. The plan may include tutoring, outside counseling, academic testing and possibly summer school. Failure to initiate or comply with the Academic Action Plan may result in the student being asked to leave St. Mary Catholic Virtue School.

## JA 707

If a student in the 6<sup>th</sup>, 7<sup>th</sup> or 8<sup>th</sup> grade fails two or more core subjects (Language Arts, Mathematics, Religion, Social Studies, Science, and Literature) two out of the three grading periods, he/she may be asked to find a more suitable academic environment outside of St. Mary School.

### **Mid-term progress reports**

At the midpoint of each trimester, the second and third grade teachers provide progress reports in FACTS. Parents are asked to read over these reports and follow up with the homeroom teacher. The grade book for fourth through eighth grade students is always available in FACTS, which gives parents the ability to monitor their child's progress throughout the school year.

### **Report cards**

Report cards are issued at the end of each trimester. They are posted on-line through the FACTS system. Parents must contact the main office if they wish the school to issue a paper copy of the document. Report cards should be viewed and signed digitally.

### **Graduation (2460)**

Typically, graduation exercises shall take place no earlier than one week preceding the closure of school. Tuition must be paid in full before a student may participate in graduation exercises or activities. The graduation ceremony and the awarding of certificates take place within the context of the Mass. The dress code is to be followed in a reasonable and dignified manner.

It is an honor and a privilege to participate in the school graduation ceremony and related activities.

## JA 708

Any eighth-grade student that engages in an activity that causes harm verbally or physically to another person or the school may be prohibited from participation in the graduation ceremony.

### **Honor roll**

Honor rolls for students in grades 6-8 are based on the following subjects: Theology, Literature, Science, History, Mathematics, English, Spelling, as well as Spanish, Art, Music, and Physical Education.

Students can be named to one of two types of honor rolls each trimester:

**PASTOR'S HONOR ROLL:** The student must earn a 4.0 grade point average of all subjects.

**PRINCIPAL'S HONOR ROLL:** The student must earn at 3.5-3.9 grade point average of all subject.

### **Retention (4420)**

The retention of a student at St. Mary Catholic Virtue School is a school decision not requiring parental approval. Retention is a result of a child not meeting school standards for a given grade level and is generally used as a last resort after careful consideration of many factors. It is used after extensive discussions with the teacher(s), parents, and the principal. If there is a suspicion that a child is in danger of not meeting school standards, the following steps will be taken by the teacher as soon as possible:

- 1) Parents will be notified in writing as soon as possible when a real danger of failure becomes apparent. This initial notification will be made no later than the end of January of the current academic year.

## JA 709

- 2) The parents are to be kept informed in writing where evaluations and reports made to the parents must indicate the lack of student progress.
- 3) Once a teacher begins considering retention of a student, the principal is consulted.
- 4) The principal will notify the parents in writing as to the decision to retain. It is the general practice of St. Mary Catholic Virtue School that a retained child will repeat the grade in another class of that grade.

### **Student Withdrawal (2630)**

After the school has made attempts to meet their individual needs, students clearly unable to profit from the school by reason of academic and/or behavioral problems or emotional difficulties may be required to withdraw from school.

### **Access to student academic records (2320)**

A cumulative record is the student's official record and shall only contain academic transcripts including attendance, academic test results and report cards.

The student's parent or legal guardian has the right to inspect all the student's records in the presence of the principal and/or his/her designee. However, behavioral records such as counseling reports shall be inspected only in the presence of a person qualified to interpret the records. The school shall comply with requests to inspect student records according to its established procedures outlined by Archdiocesan policy.

Upon written request, the school shall release official transcripts to another school in which the student

## JA 710

intends to enroll, or in compliance with court order to release information concerning a student. Unless the custodial parent has initiated the request, a reasonable attempt will be made to notify the custodial parent of any request for records. All other requests for release of permanent record may be granted only with the written authorization of the parents or the student if he/or she is of 18 years or older.

### **Release of student information (2340)**

Our school publishes an annual school directory intended for the use of our school community. During registration each year, parents have the option of opting out of having their information published in the directory.

### **Standardized testing program (4430)**

St. Mary Catholic Virtue School uses the STAR assessments for students in second through eighth grade at three different times in the school year to monitor student growth and progress in reading and math content areas. Results of these assessments may be shared with parents to show student growth and achievement. Additionally a test of cognitive skills (COGAT) is administered to students in third, fifth and seventh grade.

### **After school enrichment activities (5070) (Smarts)**

From time to time, St. Mary Catholic Virtue School arranges for private entities to provide enrichment activities on our property. Such providers carry their own insurance and comply with all protection of youth policies outlined by the Archdiocese of Denver. The costs of these programs are separate from tuition and

are billed through the program provider. Options for these programs will be communicated to families at three different times in the school year.

**Archdiocese co-curricular activities (4180)**

St. Mary Catholic Virtue School is fortunate to be a member of a large archdiocesan school system with an active co-curricular board. Information is published regarding registration and meeting times for the various activities offered.

Students participating in any co-curricular program should understand that all school rules regarding behavior are observed

<p><b>Section IV. Religious education &amp; sacramental preparation</b></p>
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**Religious education at St. Mary Catholic Virtue School (4120)**

Religious education at St. Mary School is not confined to a set period but permeates the entire day for its goal is to help our students to build a strong and deep friendship with Christ. That friendship constitutes the keystone of our educational program.

Formal religious instruction is done daily in the classrooms using a variety of materials. Staff members constantly strive to build a Christian community among not only themselves, but with and among the students as well. Parents are seen as the primary educator of their children. It is imperative that they fully participate in the religious formation of their children by regular family participation in parish liturgies and in opportunities involving religious and sacramental formation of their children. A Catholic

## JA 712

education should also include training at home in important moral values.

Students K-8 actively participate in weekly all-school Masses, typically on Friday mornings and holy days throughout the year. The weekly mass days are posted at the beginning of the school year. However, it is important for parents to understand that these Masses do not substitute for the mandatory Sunday Mass. Additionally students are taken to Adoration on a weekly basis.

The sacrament of Reconciliation is scheduled during the school year for all students who have received the sacrament. Students will have several opportunities to go to Reconciliation throughout the school year, but parents are also encouraged to take their children to this sacrament regularly in their home parish.

A moral framework for human sexuality is taught using curriculum and materials approved by the Archdiocese of Denver, namely Theology of the Body and TeenStar. Parents are asked to support us in these efforts by being closely involved with conversation at home.

Finally, we consider a priority to teach our students how to pray and build an intimacy with Christ. School of Prayer was created to provide our students from k to 8<sup>th</sup> grade with an environment and a plan to meet Christ in the Sacrament of the Eucharist (adoration) every week and learn how to pray. The Disciples of the Hearts of Jesus and Mary guide those sessions in cooperation with the teachers.

### **Sacramental preparation**

The Archdiocese of Denver practices the “Restored Order” of the sacraments of initiation. This means that children receive the sacrament of Reconciliation in second grade and the sacraments of Confirmation and First Holy Communion in third grade.

St. Mary Catholic Virtue School children are expected to be fully prepared for each sacrament in the classroom as a part of the typical classroom religion instruction. Parents of students in these grades will receive additional information from teachers and parish staff regarding parent meetings and family retreat days to assist in each child’s preparation.

However, the final decision on whether a child is ready to receive the sacraments of Confirmation and First communion corresponds to the Principal and the Pastor. The mere attendance of third grade does not automatically grant the right to receive the mentioned sacraments.

<b>Section V. Student uniform code</b>
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### **School attire and appearance**

The school uniform is related to the school’s discipline. Discipline means both an “art, science or faculty” and “the observance of the laws and rules of an institution”. At St. Mary, we teach a very particular discipline or art, the “art of living” which is impossible without a certain order and rules. Wearing a uniform is a rule and it has a very important and specific reason behind it. It helps our students to grow a sense of belonging to the school and to a common cause that impacts positively in their identity. It also helps them to keep focus in learning, removing potential distractions. The exercise of a discipline is a powerful

## JA 714

means to grow in virtues and the uniform is a concrete practice.

For these reasons, clothing worn to school should reflect the seriousness and importance of the learning environment; therefore, student attire is expected to be dignified, clean, and respectful always. The uniform code is based on modesty, neatness, cleanliness, good taste, and safety.

Students in grades K-8 are to begin wearing uniforms the first day of school and every day thereafter unless otherwise specified on the monthly calendar. If for any reason, a student is unable to be in uniform, a note explaining the reason must accompany the student each day he or she is out of uniform. During the time the student is out of uniform, he or she should follow the out of uniform code outlined below. If a student comes to school out of uniform with no explanation, parents will be contacted. On uniform days, jackets (blue jean jackets, ski parkas, etc.) should not be worn in classrooms. During cold weather, students may wear a uniform sweater or a Dennis Uniform school sweatshirt on campus. No other styles of sweatshirt or sweater, including “hoodie” sweatshirts, may be worn in class or on campus. Winter jackets or raincoats may be worn outside. Additionally, hats and bandana scarves may not be worn in the school buildings. 8th grade students are not allowed to wear the jacket from their 8th grade field trip to Washington D.C. within the school buildings.

### **Uniforms**

Uniforms worn at St. Mary Catholic Virtue School can be purchased from:

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**Dennis Uniform**

8600 Park Meadows Drive, Lone Tree, CO 80124  
303-738-2255  
www.dennisuniform.com

Another nearby retail outlet for families to consider is:

**Educational Outfitters**

8170 South University Blvd., Centennial, Colorado  
80122  
720-200-6666

Note: Educational Outfitters offer suitable navy pants and navy shorts; however, no plaid or logo items may be purchased at this store.

**Boy's standard uniform (all grades)**

Shirt:

White oxford cloth-long or short sleeve, button down collar.

White polo shirt with collar.

No logos or emblems other than the school logo.

**Marian Blue polo shirts may be purchased at the Dennis Uniform store.**

White turtleneck.

Plain white T-shirt only may be worn under the uniform shirt.

**Students may not wear long sleeved tee**

	<b>shirts with short-sleeved polo shirts.</b>
Pants:	Navy pants purchased from Dennis Uniform or Educational Outfitters
Shorts:	Navy walking shorts purchased from Dennis Uniform or Educational Outfitters, knee-length only.
<b>Sweatshirts (girls and boys)</b>	Sweatshirts with school logo from Dennis uniform. No other sweatshirts are permitted on campus.
<b>Girl's standard uniform (all grades)</b>	
Blouses:	White oxford cloth-long or short sleeve, button down collar. White polo shirt with collar. White peter-pan collared shirt, short or long sleeve. No logos or emblems other than the school logo. <b>Marian Blue polo shirts may be purchased at the Dennis Uniform store.</b> White turtleneck.

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Plain white T-shirt only may be worn under the uniform shirt.

**Students may not wear long sleeved tee shirts with short-sleeved polo shirts.**

Girls' uniform (grades K-8)	<b>Culottes:</b>	Dunbar plaid
Girls' uniform (grades K-3)	<b>Jumper:</b>	Dunbar plaid
Girls' uniform (grades 4-8)	<b>Skirt:</b>	Dunbar plaid, knee length
Girls' uniform ( <b>grades 6-8</b> )	<b>Skirt:</b>	Navy, <u>Style 035220</u> , knee length

**Note: SKIRTS MUST TOUCH THE KNEE CAP**

Pants	Navy pants purchased from Dennis Uniform or Educational Outfitters
Shorts	Navy walking shorts purchased from Dennis Uniform or Educational Outfitters, knee-length only
Sweater	Dennis uniform solid navy uniform sweater, vest, or cardigan..

**Mass uniform code**

The Mass uniform is required for all school Mass days, beginning with our first Mass of the school year, and for other special occasions or field trips as announced.

Students are to remain in Mass uniform until they have reached their classroom. If after Mass a student is to choose to remove their uniform vest and/or tie, they must be in the building.

**Boys Mass Uniform**

- K-8 Shirt: White Long-Sleeve Oxford, Button-Down Collar (May be purchased anywhere, however, no visible brand name logos, tags, or emblems allowed)
- K-8 Vest: Navy Sweater Vest with Logo (purchase at Dennis Uniform only)
- K-8 Tie: Boys Dunbar Plaid Tie (purchase at Dennis Uniform only)
- K-8 Pants: Navy Pants (purchase at Dennis Uniform or Educational Outfitters only). No Shorts on Mass Uniform days.
- K-8 Footwear: dress shoe or athletic shoe (see footwear information below for details)

**Girls Mass Uniform**

- K-8 Shirt: White Long-Sleeve Oxford, Button-Down Collar (May be purchased anywhere, however, no visible brand name logos, tags, or emblems allowed)
- K-8 Vest: Navy Sweater Vest with Logo (purchase at Dennis Uniform only)
- K-8 Tie: Girls Cross-Over Snap Plaid Tie (purchase at Dennis Uniform only)
- Girls may wear either pants or a skirt/jumper for Mass Uniform. No skorts, shorts, or box-

## JA 719

pleat skirts on Mass Uniform days. See specifications below:

- K-8 Pants: Navy Pants (purchase at Dennis Uniform or Educational Outfitters only)
- K-3 Jumper: Plaid with knife pleats (purchase at Dennis Uniform only).
- No skorts, or shorts on Mass Uniform days.
- 4-8 Skirt: Plaid with knife pleats only (purchase at Dennis Uniform only) and MUST touch the kneecap. No skorts, or shorts on Mass Uniform days.
- K-8 Footwear: dress shoe or athletic shoe (see footwear information below for details)

### **Gym clothing**

All students are required to wear athletic shoes for safe running and jumping during gym class. Girls in grades K-3 are to wear shorts (not cut-off jeans) under their skirts on PE days. Students in grades 4-8 are required to have a plain white or solid color t-shirt (no design, picture, or words) and a pair of shorts for gym class as well as a pair of gym shoes reserved exclusively for gym class.

- Grades K-3: Extra pair of non-marking soled tennis shoes – cloth bag with handle or strap for shoes.
- Grades 4-8: Extra pair of non-marking soled tennis shoes – cloth bag with handle or strap for shoes. Solid colored t-shirt and elastic waistband shorts. Shorts must be no more than three inches above the kneecap.

**Boys and Girls (all grades)**

• **Footwear:**

- Girls and boys may wear brown, black, or navy dress oxfords or loafers. Girls may also purchase brown, black, or navy Mary Jane style shoes for school. Athletic shoes are permissible but must be predominantly black, white, gray, or navy. (The shoe, nor the shoelaces, may be overly colorful). If a student has athletic shoes which are not predominantly black, white, gray or navy, he/she will receive a written warning which parents will be required to sign and return to school. A reasonable time period of one week will be given for the student's shoes to become compliant with the uniform policy.
- Altar servers must wear appropriate dress shoes when serving Mass.
- Boots are to be worn only in the case of inclement weather (e.g., it is raining, snowing, freezing temperatures) and not on clear, temperate days. Boots are not a standard part of the uniform and should only be worn if weather conditions warrant. If worn, boots must be predominantly neutral in color (e.g., brown, black, or navy) without any embellishments such as sequins.
  - Children may not wear cowboy boots or other fashion boots with their uniform.

- **Socks:**
  - Grades K-8: Plain black, navy or white crew socks, no stripes, or logos.  
No sport/basketball socks may be worn by either gender.  
**Socks must be visible.**  
Girls may wear navy blue or white knee-high socks or tights.
- **Belts:** Plain black, brown, or navy (no metal studded belts). In grades 3-8 belts must be worn if the pants have belt loops.
- **Hair** is to be clean, combed, off the collar, and not covering the ears for boys. Bangs may not extend beyond the eyebrow. It is the policy of St. Mary Catholic Virtue School that students come to school with naturally colored hair. Any form of dyed hair, including highlighting is not acceptable. Boys are to be clean-shaven. Girls' hair accessories are limited to simple neutral-colored (black, white, navy, or red) or Dunbar plaid hair bands, bows, scrunchies, or barrettes. No flowers, feathers, or other embellishments.
- **Jewelry** on both boys and girls is limited to the following: a watch, a religious medal necklace, or crucifix necklace, girls may wear a pair of earrings that do not hang beyond the earlobe. No other jewelry may be worn with the uniform.
  - No electronic devices, such as Apple Watches or FitBits, may be worn.
- **Make-up:** girls in the 7th and 8th grades may wear very light make-up. Girls should not wear

eye shadow or heavy mascara to school. Girls in grades K-8 may wear clear or transparent light pink nail polish to school. No other nail polish is acceptable.

- **Perfume, Cologne, Aerosols, etc.:** No perfume, cologne, aerosols, etc. may be applied at school or brought to school.

### **Out of uniform days**

Out of uniform days are announced periodically. Out of uniform days are a privilege that require the student to exercise good taste and judgment. All clothing must be modest and neat. Athletic wear, such as gym shorts/pants are not allowed. For dress up days, girls may wear knee length skirts, blouses, knee length dresses or dress slacks and tops. Skirts /dresses must touch the kneecap. Girls may not wear leggings on out of uniform days. Skintight clothing should not be worn at school. Boys must wear a shirt with collar and casual dress pants. Jeans or denim skirts are not appropriate for school wear on dress up days.

Blue jeans, jeans skirts, St. Mary sweatshirts/T-shirts are permitted on spirit days. Closed toe shoes and socks are to be always worn.

<b>Section VI. Student health</b>
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### **Health and emergency information. Medications at School (2240)**

No medication, including aspirin, cold medication including cough drops, or other over the counter or prescription medications can be administered by school personnel, including a nurse, except with the written orders of a physician. In such a case, medication should be brought to the school office to be

## JA 723

administered. Students are not to keep any kind of drug on his/her person, in a locker, desk or lunch box. This prevents misuse by any other student. Students are asked to be responsible for going to the office for medication.

The procedure for administering medications by school personnel is as follows:

- 1) The parent is requested to be present to administer the medications.
- 2) If the parent is unable to be present, only a Registered Nurse (RN) or trained personnel to whom an RN has delegated the task of administering medication may do so according to the physician's written instructions.
- 3) A complete Physicians Authorization form, signed by the physician, shall be on file in the school office.
- 4) The medication must be brought in a container appropriately labeled by the pharmacy or physician and match the prescription.
- 5) If a student has a condition that might require medication on an emergency basis (e.g. in the case of a child's allergic reaction, asthma attack, etc.), the parents and RN will create a Student Health Plan.

A student can carry his or her own medication with a doctor's permission and a completed form on file in the school office.

### **Communicable diseases (1400)**

Any student with a communicable disease will be handled on a case-by-case basis. The Superintendent

must be consulted prior to any action on the part of the Pastor or Principal.

When required by law, the school will report a communicable disease to the Colorado Department of Health and Human Services.

### **Head lice (1420)**

Head lice are occasionally found in schools, but they have not been shown to spread disease. Personal hygiene or cleanliness in the home or school has nothing to do with getting head lice. Head lice is a parasitic insect that can be found on the head, and at times, the eyebrows, and eyelashes of people. Head lice feed on human blood several times a day, live close to the human scalp and are found worldwide.

If a health care provider or our school's health aide confirms a case of head lice, the school will notify other parents in that student's classroom. Parents will be asked to check their own child's hair. If head lice are found in several students in one classroom or in more than one classroom in our school, trained personnel might respectfully examine all students. Students with head lice may not return to school until after proper remedies have been applied.

### **Statement regarding allergens**

St. Mary Catholic Virtue School is fully committed to providing children with a safe and healthy school environment; however, we do not guarantee an allergen free environment. If your child suffers from serious allergies, you must provide us with information and directions for the care of your child in the event they have an allergic reaction at school.

### **Sickness**

If your child complains of feeling ill at home in the morning, please check symptoms and temperature. **If your child is sick, please do not send him or her to school.** If your child becomes ill at school, we will contact you to take them home during the school day. For the health and wellbeing of other students and staff, students are not admitted back to class unless the child is fever and vomit free for 24 hours without medication.

### **Staying in from recess**

Unfortunately, our school staffing doesn't provide for us to safely supervise children who are not able to go outside for recess due to a physical impairment or illness. In these cases, it is suggested that parents make arrangements to keep their child home from school for that time period.

### **Exclusion from physical education class**

If a student must be excused from P.E. classes for reasons of health, please write a note to the PE teacher excusing your student from the activity. Please share the reason the student cannot participate in P.E. that day. Students cannot be excused from P.E. class without this written note. If a child needs to miss more than one P.E. class a doctor's excuse should be provided.

### **Immunization requirements (2080)**

A child may not attend St. Mary Catholic Virtue School unless the parent can present to the school a valid certificate of immunization against communicable diseases as specified by the State Board

of Health. Requests for exemption can be granted only in accordance with Colorado law.

### **Physical examinations**

All new students should have a physical completed before entering school. All current students who have new medical information should have their physician complete a new form for our records. "Physical Examination" forms can be obtained from the school office. The school strongly recommends that your child have an annual physical examination if he/she participates in a sports program.

<b>Section VII. Student safety</b>
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### **Emergency information form. Accidents and illness at school (2220)**

The emergency information form is kept in the school office for each family. Please make certain that any change of address, telephone numbers, and place of employment, doctors, dentists, orthodontists, and persons to contact in case of an accident is sent to the office. It is crucial these forms be kept up to date in the event we need to reach you concerning an emergency. In case of emergency paramedics will be called and then we will attempt to reach a designated person as quickly as possible.

If a child is seriously injured or ill at the end of a school day, s/he shall not be allowed to go home unless accompanied by a parent, guardian, or other parent delegate.

### **Emergency / lock-down & lock-out procedures (1300)**

## JA 727

The faculty and staff are provided with detailed instructions on how to handle emergency situations at school. Appropriate notification of any emergency will be given to parents through the FACTS site. Students are prepared for emergency situations with regular fire, shelter in place, and lock down drills. Parents volunteering in the classroom should review the posted evacuation procedures in the event they are present during an emergency. Parents will be informed of lockdown and evacuation drills immediately following the drill.

Parents will be notified of lock down situations through FACTS. In the event of a school lock down, no one may enter or leave the school buildings until the police have notified the administration that it is safe to exit. When the police indicate it is safe, parents may go to the school office to sign out their child(ren) while we are in lock down. Parents or individuals listed on the emergency form will be required to sign a log indicating the date and time of release of students from school care.

### **Conceal Carry (3450)**

Pursuant to Colorado law CRS 18-12-105.5(1), all school administrators, teachers, and staff are prohibited from possessing firearms on school premises at all times, even if the individual possesses a permit to carry firearms. Exceptions are granted only for staff for whom it is within the scope of their job to carry a firearm (e.g., licensed and trained security guards).

### **Threat Assessment (1320)**

The Archdiocese of Denver prohibits threats and acts of violence on parish/school property, within

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parish/school facilities, at any parish/school sponsored events, while engaged in any educational or athletic activities, and while traveling in parish/school vehicles. Prohibited conduct includes, but is not limited to:

- Injuring another person physically;
- Engaging in behavior that creates a reasonable fear of injury to self or others;
- Engaging in behavior that would subject a reasonable person to, and does subject another individual to, extreme emotional distress;
- Possessing, brandishing, or using a weapon while on school premises (reference Weapons in School, Policy #2621 and Conceal Carry, Policy#3450);
- Intentionally damaging property;
- Threatening to injure an individual (including oneself) or to damage property;
- Committing injurious acts motivated by, or related to, domestic violence or sexual harassment;
- Retaliating against any employee or student who, in good faith, reports a violation of this policy.

A threat is a concerning communication or behavior that suggests a person may intend to harm someone else. The threat may be spoken, written, or gestured, and is considered a threat regardless of whether it is observed or communicated directly to the target of the threat or observed by or communicated to a third party

and regardless of whether the target of the threat is aware of its existence in any fashion.

Students who violate this policy will be subject to disciplinary action as outlined in the local school handbooks. Additionally, students who are identified as engaging in the use of threatening language or behavior may be required, as a condition of enrollment, to participate in mental health evaluations as part of a threat assessment process and receive approval from the mental health evaluator that they are not a risk to themselves or others.

Shall a threat be identified and reported to the principal, him along with a threat assessment team would investigate the matter to evaluate and respond appropriately to it. Parents would be informed and involved in the process that would include a written safety plan.

#### **Standard response protocol**

**Hold** is followed by the Directive: “**In Your Room or Area**” and is the protocol used when hallways need to be kept clear of occupants.

**Secure** is followed by the Directive: “**Get Inside. Lock Outside Doors**” and is the protocol used to safeguard people within the building.

**Lockdown** is followed by “**Locks, Lights, Out of Sight**” and is the protocol used to secure individual rooms and keep occupants quiet and in place.

**Evacuate** and may be followed by a location and is used to move people from one location to a different location in or out of the building.

**Shelter State the Hazard and Safety Strategy** for group and self protection.

**Media policy (2350)**

St. Mary Catholic Virtue School will not release the name or image of a student without written permission from the parent. There are occasions when news organizations will report on an event from our school and student images could be included in the report. If you do not want your child to appear in such reports, please indicate this on the Photograph Release Form at the start of each school year to indicate your preference.

**Use of School facility by outside agencies (5070)**

St. Mary will not approve any request from an outside agency not associated with an event sponsored by the Church, Parish or school to use its grounds for a professional or amateur film or photography unless the promoters clearly demonstrate that the project can provide a positive benefit to the Catholic Church and its efforts to evangelize. The approval of amateur projects depends on the principal or pastor whereas professional projects will need the approval of the Office of the Chancellor.

**Child abuse and neglect policy (2200)**

Colorado Revised Statutes mandates the reporting by school personnel of suspected cases of child abuse and neglect to the appropriate county department or local law enforcement agency. School administrators and/or counselors will cooperate with local law enforcement and archdiocesan procedures when required.

**Protection of youth policy (3140)**

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All school and parish employees are required to complete Safe Environment Training provided by the Archdiocese of Denver. Additionally, anyone 18 years or older that wishes to volunteer within the school must also complete the Safe Environment Training and produce proof of completion. The training sessions are offered throughout the archdiocese on a regular basis. Information regarding locations and dates for training are available on the Archdiocese website, [www.archden.org](http://www.archden.org).

Adults may not volunteer to work with children in the school, coach athletic teams or chaperone school events without verification of Safe Environment Training. The training involves attendance at a training session, and it is strongly recommended that adults complete the session as soon as they enroll their children in St. Mary Catholic Virtue School. Parents and volunteers must complete an on-line recertification training every five years.

Each volunteer shall complete a volunteer application and an authorization to obtain a criminal background check. All volunteers will be required to produce their date of birth and/or Social Security number for the purpose of conducting this background check through the approved vendors.

### **Child custody issues (2140)**

The school recognizes custodial parents/legal guardians as the primary decision makers for their children. The custodial parents/legal guardian **MUST** provide legal documentation regarding custody and visitation to the school at the time of registration. The school shall be notified immediately regarding any changes to custodial/visitation provisions.

Non-custodial parents shall have the same access rights to student records as the custodial parent unless restricted by an order of the court. Further, non-custodial parents have a right to ask for copies of all materials sent home with the child(ren). Non-custodial parents may not use the school for the purpose of circumventing custody orders or visitation rights. Where the courts have established visitation restrictions for non-custodial parents, custodial parents MUST submit to the principal or assistant principal written information regarding the custody or visitation orders. Without these official orders, the school cannot refuse access to the child to non-custodial parents.

**Contact with students during school hours (2280)**

Persons (other than custodial parents/legal guardians), agencies, or organizations desiring to contact individual students during the school day MUST FIRST receive permission from the principal/preschool director (in standalone preschools within the Archdiocese of Denver).

**Internet use policy (4030)**

All school employees, students, and parents accessing the WIFI via the guest log in, are required to comply with the acceptable use policy for the Internet. The policy is provided to parents and students in FACTS. Anyone who fails to read and return a signed statement for acceptable use may not access the Internet at St. Mary Catholic Virtue School. Inappropriate student use of the internet may result in disciplinary, temporary, or permanent revocation of computer use at St. Mary Catholic Virtue School.

**Asbestos Management Plan (1600)**

St. Mary will have an Asbestos Management Plan in place to ensure the safety of its students and staff. Parents will be notified on yearly basis about this plan that will be available for review. All maintenance and custodial employees will receive the appropriate training.

**Radon Management Plan (1610)**

St. Mary will conduct yearly tests upon the Radon Management Plan

<p><b>Section VIII. Discipline and behavior (2500)</b></p>
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**Discipline philosophy**

When a family chooses to enroll their child at St. Mary Catholic Virtue School, they are entering into a covenant with the school collectively and individually with the staff. One important aspect of this covenant relates to the discipline of our students.

Discipline means both an “art, science or faculty” and “the observance of the laws and rules of an institution”. At St. Mary, we teach a very particular discipline or art, the “art of living” which is impossible without a certain order and rules. The art of living means a life based on virtues and thus they are at the very foundation of our discipline plan.

Discipline needs to be directed toward the development and preservation of the Common Good of the school, the flourishing of the student, and when necessary, the restoration of the student’s soul and justice. Therefore, our discipline plan is very positive for three reasons. First, because it seeks to provide our students with a tool to learn “the art of living”.

Secondly, because it seeks to prevent the potential issues by nurturing a culture of common good and healthy relationships. Thirdly, because the corrections applied seek to restore the relationships that have been hurt by the lack of discipline.

We will follow a restorative discipline methodology seeking the restoration of the personal relationships hurt by our actions.

Becoming self-disciplined is a developmental process that involves the whole child physically, emotionally, socially, morally, intellectually, and spiritually. As partners with the parents, the school endeavors to teach students the necessary skills and virtues to become responsible and self-directed adults. We believe that every child must become the protagonist in his/her own story by making the right choices.

Our approach to discipline will be presided and inspired by the school core virtues of wisdom, industriousness, magnanimity, and concord along with other virtues such as charity, faith and humility. It is focused on inspiring our students to seek what is good, beautiful and true. Discipline shares the same root as discipleship and it is a path towards excellence and holiness. Discipline aims to give a path and a tool to our students to flourish. Sometimes, correcting a student will be necessary. In that case, it will be understood as an act of charity that shows care for him or her. It is also an act of fatherhood that must characterize every teacher. Because the correction comes from charity, it must be done with charity as well, seeking the growth of the child both in maturity and friendship with Christ. Humility is important to this matter as well, for the teachers must understand that they are exercising an authority received from

God that they cannot use improperly. The students need humility as well to accept the correction and to learn from their mistakes. Industriousness is crucial because it keeps the students on task, using their intelligence and energy to achieve the good. Finally, concord is important because it makes both teachers and students seek the same common good. That is the goal and reason for all discipline in the school.

### **Parent/teacher discipline agreement**

Registration of a student at St. Mary Catholic Virtue School constitutes an express agreement on the part of the student and the parents to comply with all the rules and policies of St. Mary Catholic Virtue School and of the Archdiocese of Denver, and to accept and support discipline administered by the school authorities. Corporal discipline is not used at our school. We reserve the right to suspend or expel any student whose conduct or effort is deemed unsatisfactory.

The principal (and/or pastor) is the final recourse in all disciplinary situations and may waive all regulations for just cause at his/her discretion.

### **Behavior expectations**

The opportunity that our students have received to be members of St. Mary goes along with a big responsibility. Every student is expected to contribute to the common good of his/her room by creating an optimal learning environment and by not interfering in the education of his/her fellow students. It is the responsibility of each student to respect the rights of everyone involved in the mission of St. Mary Catholic Virtue School. Every member of the school community, including students, staff, and parents, has the

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responsibility to conduct themselves in an orderly manner both in and out of the school. Our learning environment is free from insults, harassment, and injury. Our goal is to maximize learning opportunities for all students. Therefore, the following are student behavior expectations while on the school grounds, facilities, or at school-sponsored events:

- 1) Arrive at school and each class on time.
- 2) Be prepared with necessary materials to do assigned work in class.
- 3) Work in ways that are not disruptive.
- 4) Turn in assigned work as directed, and to bring notes and other communications to and from school as required.
- 5) Observe basic rules of respect to those placed in authority over them.
- 6) Observe basic rules of respect toward their peers.
- 7) Observe basic rules of order and safety when on school property.
- 8) Refrain from physical violence or any form of verbal or physical harassment of any member of the school community.
- 9) Observe the school uniform code.
- 10) Refrain from using, possessing, buying, or selling alcohol, narcotics or other dangerous drugs.
- 11) Refrain from using, possessing, or transmitting any kind of weapon.

- 12) Behave with attention and respect while in church or during religious services.
- 13) Refrain from using cell phones during the school day.

**Disciplinary definitions (2520, 2560, 2600)**

**Detention**

Detention is used only for 7<sup>th</sup> and 8<sup>th</sup> graders. It is held during the lunch and lunch recess periods. If a student fails to report to detention when asked, he or she will be assigned an additional detention. The student will serve detention either the day of the corresponding infraction or on the following day.

**Probation**

Probation is defined as the supervision and evaluation of the student's conduct or work for a specified time, at the end of which a determination is made as to whether the pupil has overcome his/her problem or is in need of further measures. Probation can be imposed for academic, disciplinary, or special needs. A student may be placed on probation by the principal for a relatively serious offense, for continuing serious academic deficiency, for continued inability to adjust to the school's expectations, or for continued misconduct after a warning, when the conduct does not require more serious action.

**Suspension**

Suspension is defined as a temporary dismissal by the principal of a student from the school and its activities for a specified and limited period, not exceeding five school days. Students may be suspended for serious misconduct on or off school property during school

related activities, on or off campus or for continued misconduct after having been placed on probation.

### **Expulsion**

Expulsion means the permanent exclusion of a student by the principal from attending classes or participating in school activities. This measure is a last resort after other efforts of motivation and counseling have failed, where attendant circumstances of crime, scandal, immorality, or disruption constitute a threat to the physical or moral welfare of other persons.

### **Harassment & bullying (2610)**

The Archdiocese of Denver and St. Mary Catholic Virtue School prohibit the harassment and or bullying of one student by another student, parent, or staff member. The Archdiocese of Denver Office of Catholic Schools has established the following definitions for the identification of harassment, bullying and teasing:

**Harassment** is defined as any verbal, physical or visual conduct on the part of students that has the purpose or effect of substantially interfering with an individual's academic performance, or of creating an intimidating, hostile, or offensive educational environment.

**Bullying** is defined as a conscious, willful, and deliberate hostile activity that is intended to harm, induce fear through the threat of further aggression, and/or create terror. Bullying includes these three elements - imbalance of power; intent to harm; threat of further aggression.

**Teasing:** Children may regularly interact in a manner that would be unacceptable among adults. Students

are still learning how to interact appropriately with their peers. It is understandable that, in the school setting, students often engage in teasing, insults, banter, shoving, and/or pushing that is upsetting to students. Teasing behaviors - while needing to be addressed by school officials- **do not constitute bullying or harassment** and the interventions and consequences are of another level.

**Sexting:** Sexting is sending, receiving, or forwarding immodest, suggestive, enticing, and/or sexually explicit messages, photographs, or images, primarily between mobile phones, of oneself to others. Sexting has become more common with the rise in camera phones and smartphones with Internet access that can be used to send explicit photographs as well as messages. It may also include the use of a computer or any digital device.

Sexting has been promoted further by several direct messaging applications that are available on smartphones. The difference between using these applications and traditional texting is that content is transmitted over the Internet or a data plan, allowing anyone with Internet access to participate. Additional information regarding Sexting can be found at <https://en.wikipedia.org/wiki/Sexting>.

### **Rules regarding harassment and bullying**

Harassment is an act of tormenting or attacking a person. It may be focused on physical, sexual or gender issues. Harassment can be use of words, spoken or written or actions that torment, intimidate or physically harm a person. Behaviors often include but are not limited to

- verbal and/or physical threats,

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- repeated and targeted teasing through looks, comments, or gestures,
- habitual name calling or taunting remarks
- kicking, hitting, biting, pushing, or touching in a combative manner
- inappropriate written notes or graffiti directed toward another,
- gossiping about others,
- bullying of any kind by teachers, parents, or others,
- not following reasonable requests by teachers, staff, or administration
- inappropriate use of cell phones/texting or social networking sites resulting in bullying, threats or spreading of rumors/gossip about others.

### **Procedures for Reporting Harassment and Bullying:**

Harassment and bullying are always taken seriously and should be reported verbally or in writing immediately to an adult or supervisor.

- Students report to teachers or an adult supervisor present verbally or in writing.
- Teachers report to the principal or pastor verbally or in writing.
- Principal reports to the Pastor. The Office of Catholic Schools and the police are contacted when appropriate.
- Athletes report to the coach or to the Athletic Director verbally or in writing.
- The Athletic Director reports to the principal and to the pastor orally or in writing.

## JA 741

- Parents should report to teachers or to the principal verbally or in writing immediately when a child has been harassed.
- Reports are confidential and are not shared with others who have no need of such knowledge.

### **Actions to be Taken:**

All reports of harassment and bullying will be treated seriously and investigated. An investigation may include the following steps:

- Statements will be taken from those involved in the incident(s) including witnesses.
- If the evidence indicates that harassment has occurred, the parents of each child involved will be contacted.
- If evidence indicates no harassment occurred, no further actions will be taken.
- If harassment has occurred, penalties as outlined below will be imposed.
- A student who is a repeat offender may be considered for expulsion.

### **Penalties for Harassment and Bullying:**

Harassment and or bullying of any kind will not be tolerated by the administration, faculty, and staff of this school. Consequences will reflect the seriousness and frequency of the offense. These consequences may include, but are not limited to, the following interventions:

- DAF & points,
- reprimand,
- detention,
- conference,

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- behavior contracts,
- suspension,
- required counseling,
- counselor clearance to return to school,
- expulsion,
- report to legal authorities followed by their investigation.

The procedures, actions to be taken and penalties for cases of sexting will be the same as those applied to cases of harassment and bullying.

*The principal and pastor may review individual situations and waive any and all penalties based on facts and circumstances.*

### **Disciplinary consequences (2500)**

It is understood that a parent may not always agree with the specific consequence a student receives from a staff member, but it is the staff member's responsibility to make the most reasonable decision given the information known at the time. The parents' support of the staff members actions is imperative for a strong partnership and a natural consequence of the Educational Covenant.

### **Mandatory expulsion (2600)**

- A. **Expulsion is mandatory** for deadly weapon possession and/or use in accordance with state and federal law.
- B. The principal, upon consultation with the Pastor and the Superintendent, shall initiate expulsion proceeding as outlined in *Expulsion Policy #2600* for any students who carry, bring, use, or possess a deadly weapon/weapon/facsimile.

- C. Expulsion shall be for no less than one full calendar year for a student who is determined to have brought a deadly weapon/weapon/facsimile to school or a school-sponsored activity.

**Withdrawal for breaking the educational covenant (2660)**

Normally a child is not to be deprived of a Catholic education or otherwise penalized for actions of parents. However, parents may so significantly reduce the school's ability to effectively serve its students that parents may be requested to remove their student from the school for any of the following reasons: refusal to cooperate with school personnel, refusal to adhere to Archdiocesan or local policies and/or regulations, interference in matters of school administration or discipline. If parents refuse to accept the withdrawal, the procedures for expulsion shall be followed. (See page 28, Expulsion)

**Search of students and property (2300)**

The principal or pastor may conduct a reasonable search of a student on the school premises if he/she has probable cause to believe the student is in possession of an item which constitutes a criminal offense under the Colorado law. The search will be made in the presence of a third party. The principal or pastor may conduct a search of any aspect of the school, including lockers and desks. Lockers and desks are the property of the school. A student should not assume a right to privacy of any items kept in the locker or desk.

School principals or designated officials have the right and duty to protect the health, welfare, and safety of students against drugs, weapons, and other

contraband materials. All searches must be reasonable, related to the school official's duties and in following archdiocesan policy.

### **Bicycles, skateboards, and scooters**

Some of our students live close enough to school to safely ride a bicycle to school. Extreme care is to be taken when riding on school grounds and the shortest path to the bike lock area should be followed. Bicycles are not to be ridden on the remaining school premises during school hours. Skateboards, roller blades and scooters are not to be brought to school for any reason; if a student does bring one to school, it will be kept in the school office until the end of the school day. Skateboarding and rollerblading are strictly always forbidden on all parish properties.

### **Student valuables**

Students are not to have audio equipment, cell phones, e-readers or like devices, cameras, toys, or other expensive possessions at school. Cell phones and other mobile devices are not permissible at school, if a student does bring a cell phone to school it is to be given to the homeroom teacher for safe keeping during the school day. At days end, cell phones will be returned to students; however, they may not use them while on school grounds. If a student needs to use his/her cell phone before or after school, while on campus, he/she must ask a teacher and use the phone under supervision. Any electronic device or toy being used inappropriately may be confiscated by the teacher and/or principal and returned only to the parent.

## **Weapons in school (2621)**

### **Possession and Definition**

- A. Possession and/or use of a weapon by students is detrimental to the welfare and safety of the students and school personnel. Possession is defined as having physical possession of a deadly weapon/weapon/facsimile, or the deadly weapon/weapon/ facsimile being under the control of a student whether it be in a car, locker, backpack, or other location, under the control of or belonging to the student while on the school grounds and/or participating in a school-sponsored activity.
- B. Carrying, bringing, using or possessing a deadly weapon/weapon/facsimile on school grounds, when being transported in vehicles to/from a Catholic school, during a school-sponsored activity or event, and off school property when the conduct has a reasonable connection to our school or any school-sponsored event without the authorization of the school is prohibited.
- C. A deadly weapon/weapon/facsimile is defined as:
  - 1. A firearm, whether loaded or unloaded.
  - 2. Any pellet, BB gun or other device, whether operational or not, designed to propel projectiles by spring action or compressed air.
  - 3. A fixed blade knife with a blade that measures longer than three inches in length or a spring-loaded knife or a pocket knife

with a blade longer than three and one-half inches.

4. Any object, device, instrument, material, or substance—whether animate or inanimate—used or intended to be used to inflict death or serious bodily injury.

### **Tobacco, alcohol, and other drugs (2620)**

Possession and or use of tobacco, possession, use, being under the influence of alcohol or drugs is prohibited on school premises and at all school-sponsored activities. The possession, use, sale or attempted sale of tobacco or drugs may result in expulsion from the school and notification of the proper authorities.

### **Off-campus misconduct (2180)**

Since Catholic schools are partners with parents in their children's formation and in providing for their safety, the school administration may notify parents when they become aware of concerns about student life or behavior, even when off-campus. Both civil law and the Gospel demand that whatever can be done to protect God's children must be done.

- A) Students may be subject to the full range of discipline policies, penalties, and procedures that apply to unhealthy, dangerous, or immoral conduct that occurs off-campus, including conduct that adversely affects the education process or the mission of the school community. Examples of such off-campus behavior include, but are not limited to, the following:
  - 1) Electronic/internet or cell phone threats or harassment;
  - 2) Threats of violence;

- 3) Alcohol use;
  - 4) Fighting;
  - 5) Hazing;
  - 6) Drug possession or sales;
  - 7) Reckless driving;
  - 8) Sexual assaults;
  - 9) Inappropriate sexual activity.
- B) Intervention may include, but is not limited to:
- 1) Required private assessment and counseling;
  - 2) Detention, suspension, or expulsion;
  - 3) Removal from participation in school activities, class trips, student government positions and other leadership positions, and graduation ceremonies.

<b>Section IX. Athletics</b>
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Any extra-curricular athletic program exists at St. Mary Catholic Virtue School as a secondary and supplemental activity to the religious and academic programs of the school. The athletic program supports and reinforces the Catholic philosophy and mission of the school and should never serve as a source of division. Our athletic program teaches children the basic skills of each particular sport, but, more importantly, it teaches our athletes good sportsmanship, teamwork, virtues and keeping the sport Christ centered. At St. Mary Catholic Virtue School, our athletic program will strive to be a source of pride for the school because of the Christian behavior and the quality of sportsmanship shown by our athletes, coaches, and parents. To that end, all Catholic School Athletic League (CSAL) coaches are required to attend the Play Like A Champion (PLAC) coaches training program. Parents with students in fifth through eighth grade wishing to participate in

sports must attend the Play Like A Champion (PLAC) parent-training program. Please contact our athletic director for more information.

St. Mary Catholic Virtue School offers co-ed cross country, golf, and flag football for grades 5-8 during the fall season (August-October). Basketball is offered for boys and girls in grades 5-8 from November to February. During the spring season (March-May) baseball is offered for boys while volleyball is offered for girls in grades 5-8. Additional sports are offered as interest warrants. Please visit [www.csalden.org](http://www.csalden.org) or our athletic director for more information.

Basketball is offered for girls and boys in grades three and four through our Widgets sports program

### **Coaches**

The athletic director, with the approval of the principal, selects coaches based on the coach's agreement with the school's athletic philosophy, knowledge of the sport, and interest in the program at St. Mary Catholic Virtue School. The coaches agree to accept the school's eligibility program for all athletes, have a sincere desire to work with and help children, and be of good moral character. All coaches fill out a coaching application and have read and signed the Sexual Misconduct Policy of the Archdiocese of Denver. They must also attend the safe environment awareness training offered through the Archdiocese. Coaches must also complete the Play Like A Champion training.

All coaches are requested to have a current first aid and CPR certificate. If coaches need training to obtain these certificates, the athletic director will arrange such training. In addition, all coaches are strongly

urged to attend coaches' training certification offered by the CSAL. The athletic director has times and dates for that training.

**Responsibilities of coaches**

- 1) Complete the required Play Like A Champion coaches training program.
- 2) Be familiar with and follow the school's Athletic Philosophy.
- 3) Base any rules for an individual team regarding hair, dress, behavior, etc., on the general rules of the school and the Catholic Schools Athletic League.
- 4) Communicate in writing to parents times and places of games and practices.
- 5) Behave as a Catholic Christian role model for the members of the team.
- 6) Submit any sportsmanship reports, protests concerning officiating, and problems with spectator behavior to the athletic director or principal.
- 7) Always supervise members of the team. Students are never to be left unsupervised.
- 8) Wait for fifteen minutes after games and practices with students who have not yet been picked up. If a particular parent is consistently late, please notify the athletic director.
- 9) Refrain from bringing anyone to practice unless they are directly connected with the team.

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- 10) Refrain from buying individual trophies/plaques for members of any team.
- 11) Hold a parents' meeting before the season at which all rules for the team and coach's philosophy are presented in written form.

### **Responsibilities of parents**

- 1) Complete the required Play Like A Champion parents training program.
- 2) Read over and familiarize yourself with the Athletic section of the St. Mary Catholic Virtue School handbook.
- 3) Support the coach, as you would want the coach to support you as parents. It is important that our children learn to respect lawful authority even when there is disagreement with that authority.
- 4) Help the child understand the nature of competition that everyone need not be a star to contribute to the team.
- 5) Reinforce the importance of sportsmanship and that academics come before athletics without exception in this school.
- 6) Conduct yourself at games and practices in accordance with the guidelines of the Catholic Schools Athletic League regarding behavior of adults connected with our athletic program. This includes any misconduct toward an official, a coach, or any player. Such misconduct includes any verbal or physical behavior that would be unacceptable from an athlete.

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- 7) Provide the athletic director with the forms necessary for the child's participation.
- 8) Bring your child to practices promptly and pick them up from practices promptly
- 9) Volunteer to work concessions sales, scorekeeping, or officiating when needed.
- 10) If a team forfeits a game by parent choice the fine will be assessed to the families of the players who elected not to participate.

### **Responsibilities of student**

- 1) Attend all games and practices unless excused by the coach.
- 2) If a child is not at school, they may not practice or play in a game that day.
- 3) Observe all school rules and policies as a representative of St. Mary Catholic Virtue School.
- 4) Behave in a sportsmanlike fashion to members of this school's team and to members of teams from other schools.
- 5) Realize that every member of the team is important and contributes to the success of the team.
- 6) Maintain the academic and behavioral standards set forth by St. Mary Catholic Virtue School.
- 7) Respect the coach as a representative of the principal and of the athletic director.
- 8) Maintain and be proud of the school uniform which you wear on the playing field.

- 9) Return his or her uniform as directed by the athletic director.

### **Practices**

Practice times are set by the coaches and the athletic director in keeping with the age level of the athletes. Normally practice times for all sports should not exceed 1 1/2 hours for each practice. If a practice needs to be canceled, the coach will contact the school office by noon so that the students can be notified. Coaches will notify parents. For outdoor sports, this time limit may not always be met because of the unpredictability of weather conditions. Cancellation of school for any reason will automatically cancel athletic practices for the day.

### **Tournaments and clinics**

St. Mary Catholic Virtue School teams may not participate in any tournament without permission from the athletic director and principal. Tournament will not be held at St. Mary School without permission of the principal. Teams may not participate in more than three (3) tournaments during any sport seasons; this includes pre-season, regular season, and postseason tournaments. This rule does not include the league play-offs sponsored by the Catholic Schools Athletic League.

### **Sports uniforms**

The athletic director distributes uniforms. The time and date of distribution will be sent home by the Athletic Director with the students. Uniforms are to be returned immediately following the end of the season. Uniforms are to be washed and, in a bag, clearly marked with the student's name and team

designation. A \$75.00 uniform replacement cost will be charged if the uniform is lost or damaged because of improper care. An athlete will not be able to participate in future sport seasons until uniforms are returned for previous seasons.

### **Sports registration and fees**

Registration for all sports must be completed on the Catholic School Athletic League (CSAL) website ([www.csalden.org](http://www.csalden.org)). Registration must be completed by the deadline indicated on the CSAL website. The athletic fees will be charged to the family FACTS tuition account. **Late registration will not be accepted unless the student is a transfer from another state.** A student must be registered separately for each sport in which the student participates. Students may not participate in either practices or games without having completed the registration process for that sport. No refund of registration fees will be given to a student once the teams have been selected and posted.

Fees for participation will be set prior to each sports season. A student will not be denied the opportunity to participate in sports because of an inability to pay fees. Special arrangements for partial payment or the waiving of fees can be made on an individual basis with the athletic director.

### **Concussions (2190)**

St. Mary Catholic Virtue School is dedicated to a caring and orderly environment where students are provided safety in a community of faith. Sports and physical activity are a great way for children and teens to stay healthy and grow in virtue. Medical researchers have discovered that young athletes,

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especially children and teens, don't often recognize their own limitations; especially when they have a concussion.

In compliance with Archdiocesan Policy and based on the Colorado Jake Snakenberg Youth Concussion Act, the following guidelines must be followed:

- All coaches will complete the online concussion-training course approved by the Office of Catholic Schools prior to assuming any coaching duties.
- The following steps provided by the Centers for Disease Control and Prevention (CDC) are **REQUIRED** to be taken by the coach or supervisor whenever an athlete has experienced a bump or blow to the head or body and evidence any of the symptoms or signs of a concussion:
  1. Remove the athlete from play immediately.
  2. Inform the athlete's parents or guardians about a possible concussion. Give them the CDC fact sheet on concussions for parents.
  3. Ensure that the athlete is evaluated by a health care professional. This would include a Doctor of Medicine, doctor of osteopathic medicine, licensed nurse practitioner, licensed physician assistant, or licensed doctor of psychology with training in neuropsychology or concussion evaluation and management.

4. Keep the athlete out of play and practice the day of the injury and until a health care professional, experienced in evaluating for concussion, states in writing the athlete can safely return. The arrangements and cost of the health care provider are the responsibility of the parent.

Concussion guidelines are included in the sports covenant that athletes and parents sign prior to uniforms being issued each season.

#### **Player elimination (cutting)**

No child will be cut from any program. Player evaluations will be conducted by the athletic director or the athletic director's designee to ensure students are placed on teams at a level commensurate with their ability and maturity.

<b>Section X. Other important policies</b>
--

#### **Lunch program**

Wholesome Food Services, an independent school food service, caters our school lunch program. Lunch orders are made on-line. Specific instructions for ordering will be sent home with the summer packet. Please contact the Wholesome Food Services if you need assistance with the ordering process.

#### **Birthday celebration**

Birthdays are special events when children may bring a treat to share with their classmates in K-8. Parents of preschool students are asked to consult with the preschool director regarding birthday treats. Please let the teacher know in advance if you plan to bring

treats. Please do not have balloons or flowers delivered to school for your child. Student birthday gifts or similar items delivered to the front office will be held in the front office until 3 p.m. Please do not distribute party invitations at school unless the entire class is being invited.

### **Visitors to the classrooms**

Parents are welcome to visit our classrooms or lunchroom; prior arrangements should be made with the office or classroom teacher so the visit will be most productive. **All visitors are required to check in at the office to pick up a visitor's pass before going to a classroom or the cafeteria.** Please do not visit your child's classroom unexpectedly during the day. Teachers are rarely free for conferences during the school day; to attempt to conference during instructional activities takes the teacher away from the students. Instructional time belongs to all the children. If you wish to speak to the teachers, please ask to schedule an appointment. Teachers are often occupied before and after school with class preparation and meetings, so it is most polite to pre-arrange such meetings.

Students from other schools who are not accompanied by a parent are welcome to visit during school hours if they have an appointment or a sponsoring staff member to supervise him or her while at our school.

### **Volunteer hours & fundraising (5090)**

Our school community relies on parents volunteering throughout the school year. It is asked that a family volunteers a minimum of 15 hours throughout the school year or 10 hours for parents of a kindergartener or a single parent family. For families unable to

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volunteer a voluntary donation of \$150 per year is suggested. To log your hours you are asked to use the following steps.

1. Log-in to FACTS Family Portal. Click “Family” on the left menu and select “Family Home”
2. Select the desired person in the drop down the middle-top section. service hours in
3. Click “Add+” in the Service Hours section.
4. Enter date, number of hours, and description. Click “Save”

Our Parent Association (SMPA) provides fundraising opportunities throughout the year. It is by means of these fundraisers that we are able to offer our students many enrichments to our school. Families are strongly encouraged to participate in all fundraisers if possible.

### **Fundraising (5040 & 5050)**

No organization may promote a fundraising project in the school’s name without prior approval of the school principal or pastor. All funds collected by the various activity groups of the school shall be deposited in an authorized school/parish account.

Unless previously designated and approved by the principal/pastor, all funds raised on behalf of the school, or its activities association are ultimately used at the discretion of the principal/pastor.

### **Lockers (2300)**

Lockers are available for use by 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> grade students. These lockers are the property of St. Mary Catholic Virtue School. Students provide their own locks and are responsible for the security of their own locker and possessions. Students must provide the combination/key for their locks to their homeroom

teacher the first week of school. It is understood that lockers, and other school property, can be searched at any time without notice or announcement.

### **Lost and found**

All personal articles or clothing that are clearly marked will be returned to the owner. If the articles or clothing are not marked, these items will be placed in the Lost and Found Box outside the school's main office. Parents are asked to please check these boxes for student possessions. Lost and Found Boxes will be emptied throughout the school year and the unclaimed articles will be donated to a charitable organization.

Money, purses, wallets, watches, glasses, and other valuable articles are turned in to the office.

Please mark all coats, sweaters, and sweatshirts with your child's name.

### **School pictures**

The school contracts with a professional photographer to take student pictures annually. This service is generally provided during the months of September or October. Please see the monthly calendar for information regarding pictures.

### **Social activities policy (2700)**

School-sponsored social activities may be held with the approval of the pastor and/or principal. Faculty members and parents will appropriately supervise all school-sponsored activities. Participation at certain activities will be limited to eligible St. Mary students. This includes but is not limited to all school dances, lunchtime, recess, and athletic teams.

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### Requirements for Parish/School Sponsored Groups and Clubs

All groups or clubs that are supported by the Pastor and/or Principal and are offered to students of the Parish/School must adhere to the following requirements:

- A) All leaders of Parish/School sponsored clubs must adhere to the Code of Conduct of the Archdiocese of Denver, specifically:
  - 1. Leaders must have a positive and supportive attitude toward the Catholic Church, her teachings, and her work.
  - 2. Leaders must refrain from approving, promoting, or engaging in any conduct or lifestyle considered to be in contradiction with Catholic doctrine or morals.
  - 3. Leaders must promote the dignity of the human person and expressions of human sexuality that accord with the natural law, and therefore with Catholic teaching.
- B) All members of the group and clubs must:
  - 1. Have a positive and supportive attitude toward the Catholic Church, her teachings, and her work.
  - 2. Refrain from conduct or lifestyle considered to be in contradiction with Catholic doctrine or morals.
  - 3. Respect their own personal dignity and that of others.

**Use of school name and logo (1050)**

Faculty members, staff, students, parents, and parish members may use or authorize the use of the school's name and/or logo only with written permission from the principal and pastor.

**Non-discrimination statement (6020)**

The Catholic schools of the Archdiocese of Denver, under the jurisdiction of Archbishop Samuel J. Aquila, S.T.L. and at the direction of the Superintendent, state that all their Catholic schools admit students of any race, color, national or ethnic origin to all the rights, privileges, programs, and activities generally accorded or made available to students at the schools. Furthermore, Archdiocesan schools admit handicapped students in accord with the policy on Admissions in the Archdiocese of Denver Catholic Schools Administrator's Manual. These schools do not discriminate based on race, age, handicap, color, national or ethnic origin in the administration of their educational policies, employment practices, scholarship, and loan programs, or athletic or other school-administered programs.

**Accreditation and licensing (1010)**

St. Mary Catholic Virtue School is accredited by AdvancED and certified as Catholic through the Catholic School Endorsement of the Office of Catholic Schools. The purpose of accreditation is to acknowledge the professional education standards of the school.

St. Mary Catholic Virtue preschool and the SMEED (extended day) program are licensed by the Colorado Department of Health and Human Services.

**Grievance and appeals process (1500)**

Every attempt should be made to resolve conflicts between the parties directly involved in a matter. Occasionally, a situation may arise that requires the objective review of a third party to assure the maintenance of positive relationships with the school community. To facilitate reconciliation, communication and strengthening of the community of faith, the following guidelines shall be followed:

- In any conflict, an effort shall first be made to resolve the issue in a spirit of fairness and justice by the following of regular communication channels between the people involved.
- If the conflict cannot be resolved to the satisfaction of the parties involved, recourse may be made to the person with the next highest level of accountability up to and including the principal and pastor.
- If the conflict cannot be resolved following the two previous steps, then a parent or employee may have recourse to the appropriate superintendent in the Office of Catholic Schools.

The principal, pastor and members of the Office of Catholic Schools may not be able to assist in a resolution if the problem is not initially addressed at the level of those directly involved in the conflict.

**Controversial and political issues (4300 & 4310)**

A controversial issue is defined as a current problem or subject which has publicly evoked opposing viewpoints on the part of any mass medium or communication or any organized group, or as any

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subject that arises in the classroom on which strong emotional bias is expressed by members of the classroom group. Catholic school administrators and teachers have the obligation of teaching and advocating Church doctrine, which is contained in the Catechism of the Catholic Church or other authentic teaching documents of the Catholic church.

The teaching of political matters should evoke faithful citizenship, an obligation to study the issues and political involvement. However, the faculty, parents and students are prohibited from advocating a specific party affiliation or political agenda in the school building. The posting of political materials in Archdiocesan schools is strictly prohibited.

**2023-2024 Family Covenant Agreements**

***Please sign THIS PAGE and return it to the school office***

St. Mary Catholic Virtue School is built on the foundation of trust which is lived out by entering several different covenants. These covenants are formed between **Students and Teachers, Staff, and Clergy** in addition to being between **Parents and Teachers, Staff, and Clergy**.

- By signing below, I commit to entering a covenant of support with all St. Mary Catholic Virtue School students, parents, faculty, administration and clergy.
- I acknowledge that I have access to an electronic version of the St. Mary Catholic Virtue School Parent/Student Handbook and that I have read, understood, accept, and agree to comply with the policies, rules and regulations.
- As a student, I commit to be a positive member of our St. Mary Catholic Virtue School community by treating others with respect and working hard to complete all studying and work my teachers ask of me throughout the school year.
- I recognize that our Catholic school community requires strong parental support and therefore I will support the school through volunteering my time and talents.
- As a parent, I support school staff and administration in disciplining my child as necessary in accordance with this

JA 764

Parent/Student Handbook and Archdiocesan policies. I agree to cooperate and support St. Mary Catholic Virtue School disciplinary actions.

- As a student, I will be cooperative with school staff and administration in disciplinary actions as necessary in accordance with this Parent/Student Handbook and Archdiocesan policies.
- I understand that St. Mary Catholic Virtue School reserves the right to dismiss a student at any time for just cause and that neither this Handbook nor any other document limits that right.

PRINT FAMILY NAME \_\_\_\_\_

\_\_\_\_\_  
Signature of Parents or  
Legal Guardians

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Student

\_\_\_\_\_  
Signature of Student

\_\_\_\_\_  
Signature of Student

\_\_\_\_\_  
Signature of Student

\_\_\_\_\_  
Signature of Student

\_\_\_\_\_  
Signature of Student

**Please return this form to the office no later than 3p.m. on Friday, October 13.**

## JA 765

We recognize that parents provide their children with cell phones and/or smartwatches for safety reasons. Therefore, we understand the potential for students to be bringing cell phones or smartwatches to school. However, we will not be allowing the use of cell phones or smartwatches during the school day. When a student brings either a cell phone or a smartwatch to school, he/she will turn the items in at the start of the school day to his/her homeroom teacher until the end of the day. Students may call or text their parents upon arrival or at dismissal after asking for permission from a school representative (teacher, chaplain, or administrator) while standing in the presence of the carline supervisor. During the school day if a child needs to contact his/her parent, he/she will need to use the school phone. If a parent needs to contact his/her child, he/she should phone the school office and the message will be relayed in a timely manner so as to not interrupt the school day.

Students may not photograph or take videos of any staff members, other students, or themselves while on the school campus.

Cell phones and smartwatches that are being used to communicate, play games, record, take pictures, etc will be confiscated.

In an effort to enforce this policy we will implement the following procedures:

- Students observed using phones anywhere at school will have the phone taken for the remainder of the school day. The teacher who takes the phone will turn it into the homeroom teacher, assistant principal, or the main office.

JA 766

- A student will have the opportunity to have his/her phone returned to him/her at the end of the day for the first offense.
  - On a student's second offense, his/her parent will have to accompany the student to the office to retrieve the phone/smartwatch from the assistant principal or homeroom teacher.
  - For a student who has three or more offenses of not following the cell phone policy, a parent conference will be required to help determine the appropriate path.
- My child \_\_\_\_\_ does not own a cell phone or a smartwatch.
- I will contact my child's homeroom teacher, \_\_\_\_\_ if this changes.
- I am not planning on allowing my child \_\_\_\_\_ to bring a cell phone to school for the 2023-24 school year.
- I will contact my child's homeroom teacher, \_\_\_\_\_ if this plan changes.
- I have read over the policy, procedures, and consequences with my child. We agree to comply. \_\_\_\_\_ has my permission to bring a cell phone to school and will turn it in daily to \_\_\_\_\_ during homeroom. \_\_\_\_\_ understands the rules listed above.

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

Homeroom\_\_\_\_\_

\* \* \*

**Acceptable Use Policy  
Middle School**

We are so pleased that we can offer technology and internet access to our students here at St. Mary. Each student, sixth through eighth grade, is provided a school Google account. Students will use these school accounts to complete work here at school. Our goal here at St. Mary is to provide students an opportunity to work collaboratively and enhance their knowledge through interdisciplinary projects. We would like to thank you in advance for following these guidelines.

1. Please remember, the use of technology is a privilege not a right. Proper care of equipment and appropriate use of the Internet provide the safest environment for learning. Accessing personal email, social media or other unauthorized sites will result in disciplinary action.
2. Please Log-in/Sign-on using your assigned St. Mary Catholic Virtue School Google account ONLY.
3. Sharing of Google *Docs, Sheets, Slides, Drawings*, etc. should be for collaborative classroom work ONLY, as directed by the teacher. Please remember sharing outside teacher directives will result in disciplinary action.

JA 768

4. Please be sure to sign off your school Google account and shut down a device prior to storing it in the proper place within the Chromecart.
5. Students will only access sites that uphold Catholic values. “In the event that a student accesses an inappropriate site by accident, the student must notify a teacher immediately.”
6. Google defines plagiarism as “the practice of taking someone else’s work or ideas and passing them off as one’s own.” Students should paraphrase information when using it in school work. Direct quotes must have quotation marks and citing of all sources, electronic or otherwise must be done.
7. Please be considerate of other students. Please do not touch another student’s device. If you alter or delete another student’s work, this may result in disciplinary action.
9. Please understand, if a student “posts or distributes any pictures or documents that are considered defamatory, inaccurate, abusive, obscene, threatening, offensive or contrary to the teachings of the Catholic church” disciplinary action will take place.
10. Please know that the classroom management system, Netvision or a like system may be in use to ensure students stay on task and to help facilitate instruction. A student is prompted and must allow their screen to be shared with their teacher when signing onto their assigned chromebook. This management system works in conjunction with Google Classroom and is

generally active while using a device connected to the school network.

11. Please know that Network administrators conduct periodic review of files and history to maintain system integrity and to ensure that all users are using the school equipment and systems correctly.
12. Students will be provided links via a class specific
13. The school recognizes that wear and tear along with accidents happen with equipment, however, a family may incur a replacement cost for damaged or destroyed equipment depending on the circumstances.

\* \* \*

**Student Agreement and Parent Permission  
Form**

Student Name \_\_\_\_\_ Homeroom \_\_\_\_\_

Teacher \_\_\_\_\_

As a user of the network, I agree to comply with the above stated guidelines.

Student Signature \_\_\_\_\_ Date \_\_\_\_\_

Parent/Guardian Name \_\_\_\_\_

As the parent or legal guardian of the student signing above, I grant permission for my son or daughter to access networked computer services, such as the Internet and school designated applications. I have read, understand, and explained this policy to my

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child. I agree that my child will follow the outlined terms. I understand that access is being provided to the student for educational purposes only. However, I also understand that although every effort is made, it is impossible [sic] for St. Mary to restrict access to all offensive and controversial materials and understand my child's responsibility for abiding by these guidelines.

Parent Signature \_\_\_\_\_ Date \_\_\_\_\_

Resource Document: Archdiocese of Denver Catholic Schools Policy 4030 *E-mail and Internet Use* and Appendix S2 *Recommended Student Acceptable Use Policy*

\* \* \*

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**Exhibit 18**

ST. MARY  
CATHOLIC VIRTUE SCHOOL  
LITTLETON

**PRESCHOOL PARENT  
HANDBOOK  
2023-2024**

*Focused on Students  
Centered in Christ*

Dear Parents,

The staff of St. Mary Catholic Preschool welcomes you to our school community! If this will be your child's first classroom learning environment, we are glad that you have chosen this path and anticipate a wonderful experience for your child. If you are returning this year, we look forward to building upon last year's growth and development.

Our dedicated professional staff will provide a well-balanced curriculum that is developmentally appropriate for young children. Our curriculum begins the moment your child enters the preschool and greets those around him / her and continues until he / she leaves at the end of the day eager to share all that they learned. Experiences throughout the day prepare him / her for a variety of learning opportunities that foster faith, creative thinking, problem solving, social interaction, as well as emotional, intellectual and physical growth.

Our program enables children to proceed through their preschool experience at their own pace. Although children pass through stages of development in a

predictable sequence, their growth in our program is individually observed, assessed and recorded. A balance between free choice, intentional centers and structure encourages independence, responsibility, self-confidence and growth. We are looking forward to helping your child discover the joys of learning!

This handbook was written to help familiarize you with the policies and procedures in our preschool and is a supplement to the St. Mary Catholic School Handbook. This document is not meant to supersede the school's handbook. We hope you read this guide and keep it as a handy reference.

**St. Mary Catholic Preschool respects parents as the primary and most important provider of faith formation, care and nurturing for their children. We believe parents and teachers are partners in your child's growth and education and look forward to establishing this partnership.**

We know how important these early years are to you and your child. Our staff and I are available to answer any questions you may have about your child and our program. We consider it an honor to serve this community and this program.

Sincerely,

Tracy Seul, M. Ed.  
Director of Preschool Ministry

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**School Staff**

Our staff is also available through Sycamore Education (Pass-A-Note), phone call or email.

Principal	Father James de Centra [REDACTED] [REDACTED]
Director	Tracy Seul [REDACTED] (call or text) [REDACTED]
Teachers:	Mary Ann Graham Marcela Threlkeld Jeanne Dotson Linda Christopher Taylor Vea
Teacher Assistants:	Melissa Denny Renaee Dotson Mary Sue Ortiz
Catechist:	Laura Perrotte

**Mission Statement**

At St. Mary Catholic Preschool, we provide a dynamic and enriched environment that strives to take children as they come and challenge children's developmental growth within the wholeness of the Catholic faith. We nurture their progress through child-centered experiences and quality opportunities that make play their work. We empower parents to be the first educators and life-long advocates for their children. We encourage professionalism and personal growth of

our staff to accomplish our goals and make every day count.

**Purpose**

As a ministry of St. Mary Catholic Church with St. Mary Catholic School, we serve children, families and the community by providing quality early childhood education and extended care to children 2-6 years of age.

Our academic preschool day operates as a half day preschool for 3- and 4-year olds. The preschool session runs from 8:00am (doors open at 7:45) to 12:00pm, Monday through Friday, with a flexible extended enrichment program available from 7am to 5:30pm.

St. Mary Catholic Preschool serves 2-6-year-old students who are grouped according to age, days attending and developmental needs. We are a non-profit, church ministry that follows the precepts of the K-8 school. Lead teachers are all group leader qualified and have many years experience working in early childhood education. The licensed capacity each day is 60 children per day.

**Statement of Philosophy**

*We Believe:*

- Our faith is at the center of everything we teach, however, we strive to support the family and to respect the privacy, individual cultural and religious differences among our children.
- Your nurturing, love and support is the most important factor in your child's development.
- Parents and teachers are partners in your child's care and education.

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- Each child should be encouraged to have a positive self-image, and it is the responsibility of the parent and teacher to nurture the child's self-esteem.
- Our role as educators is to provide the best academic and social/emotional start your child can have that supports the stellar education they receive in our K-8 school. We ensure students thrive academically as well as socially in order to make friends, empathize with others and negotiate with others to solve problems and creatively think beyond a textbook throughout their educational career.
- Teachers have a responsibility to continue their own education so that they will be able to plan classroom curriculum that is developmentally appropriate, free of bias, consistent with current knowledge of Early Childhood Education and challenges each child beyond her potential.
- Children deserve a nurturing, safe and happy environment that promotes their natural curiosity and desire to learn.
- Curriculum begins when your child enters the building and continues until you leave with them at the end of the day. There are curricula that teach certain objectives that come in a box and are helpful, but not the end all to our day. While those objectives are important to learn, we assess each child to understand her developmental skills and project growth beyond where a curriculum can predict.
- A child's work is his play. As a play-based center, we teach with intention. Intentional play gives play a purpose so that items like blocks and

scissors become our tools to learning. With focused and open-ended questions, we encourage problem solving and creative thinking as your child works.

**Program Goals and Objectives**

Our program is child-centered and based on the belief that play is the best way for children to learn. Children are encouraged to choose freely from a wide range of play and learning experiences including:

- Creative expression through media of movement, musical rhythms and art
- Development of manipulative skills and motor coordination through puzzles, carpentry, blocks, bikes and other gross motor opportunities
- Increase of knowledge through special events, in-house field trips, cooking, and science explorations
- Integration of sensory skills through water, sand, playdough and other sensory materials
- Growth of language and literacy through stories, songs and fingerplays
- Development of social and emotional skills through dramatic play
- Spiritual and Catholic faith expression through daily prayers, Scripture stories and songs

Our preschool is a balanced program, offering both child-directed and teacher-directed experiences. The daily schedule includes free choice of time spent in learning centers, as well as group times for creative movement, music, storytelling, gross motor coordination, storytelling and dramatization. St. Mary Catholic Preschool's goal is to provide happy, worthwhile play experiences in a Catholic

## JA 777

environment that helps your child learn and develop under the guidance of qualified, understanding and professional teachers.

It is also our goal to help prepare your child for his or her role in tomorrow's world. We offer a program that will enrich life and enhance development in a way that your child can work and play more cooperatively at home and adjust more readily to elementary school.

Our program is designed to accomplish the following objectives:

1. Broaden the child's scope beyond the immediate environment
2. Develop a sense of cooperation and understanding of others' feelings and emotional needs
3. Confident communication skills
4. Coordination of large and fine motor muscles
5. Introduce a lasting appreciation for music, art and literature
6. Develop independence
7. Encourage natural curiosity
8. Nurture Catholic faith by appreciating scripture and practicing prayer
9. Create life-long learners who have a joy of learning and devotion to faith

### **Curriculum**

Our curriculum goals and objectives for each child, as well as your child's developmental progress help us to assess what your child's needs to know and how your child learns to ensure a life-long love of learning. There are "boxes" of curriculum that help us to guide your

child's learning and create developmentally appropriate lessons to ensure progress, however, the passion and experience of our teachers expand on the objectives in the curriculum to spark creative thinking, problem solving and social/emotional experiences.

Some of our curriculum guides include: Jumpstart (phonics and reading), Handwriting without Tears, Creative Curriculum, Math in Focus, Scholastic's My Big World, National Geographic's Explorer, Young Athletes, and Butterfly Park (phonics).

### **Partners in Education**

A number of organizations partner with us to provide the best possible start for your child.

ACECC - Arapahoe County Early Childhood Council provides coaches and training for our staff and support for parent education and resources.

Children's Advisory Network - is a non-profit organization that screens for vision, hearing, speech and language. They also provide deeply discounted therapy and hippotherapy.

Special Olympics - we participate in a grant program that offers curriculum and support through an inclusive exercise and sports program called Young Athletes. Teachers have been trained as coaches so that the students can participate in exercise and sports activities during a focused time.

STEP Therapy - provides occupational and physical screenings annually, as well as observations when requested.

Navigating Education - provides academic and cognitive assessments and observations when requested.

**Days and Hours of Operation**

St. Mary Catholic Preschool offers a part day preschool program with full day availability when needed. Children must be 2, 3 or 4 years of age by October 1 of the school year to be eligible for enrollment.

Preschool day - 8am - 12pm

Hot Lunch Bunch 12pm - 1pm

Enrichment care (SMEED) - 7am - 8am and flexible pick up times from 12pm - 6pm

The preschool follows St. Mary Catholic School's calendar year. The school is closed for Federal holidays, teacher in-service days, Christmas break, spring break and Catholic religious holidays. A calendar with dates specific to the current school year will be distributed in the summer mailing.

**Class Sizes**

We are committed to limiting our class sizes to national rather than state standards for student to teacher ratios, 1:8 (3 years) or 1:10 (4 years). At the last hour of the day, when students may be combined with the elementary school SMEED, (4:30 pm – 5:30 pm) we follow the ratio guidelines for the youngest child in our care.

**Admission and Enrollment**

*Non-discrimination policy*

The Catholic Schools of the Archdiocese of Denver, under the jurisdiction of Archbishop Samuel J. Aquila, S.T.L. and at the direction of the Secretary for Catholic Schools, state that all their Catholic schools admit students of any race, color, national or ethnic origin to all the rights, privileges, programs and activities generally accorded or made available to students at

the schools. Furthermore, Archdiocesan schools admit handicapped students in accord with Archdiocesan Policy No. 2000 concerning student admission. These schools do not discriminate on the basis of race, age, handicap, color, national or ethnic policies, employment practices, scholarship and loan programs or athletic or other school administered programs.

The Catholic Schools of the Archdiocese of Denver, under the jurisdiction of Archbishop Samuel Aquila, S.T.L. and at the direction of the Superintendent of Catholic Schools, attests that none of their Catholic schools discriminates on the basis of sex in its admission policies, treatment of students or its employment practices.

*Eligibility*

Children entering the program must be 2 ½ years old any time in the school year to enter the younger threes class (Cherubs), or either turn 3 for the 3-year-old program or 4 for the 4-year-old program, by October 1st of that year for the rest of the classrooms.

*Child Records*

Prior to your child's start date, these forms must be returned to the school:

- Child Profile Form, Emergency Contact Form
- Registration Form
- Child Authorization Form and Health Information
- General Health Form (physical)
- Immunization Record
- Topical Treatment Release
- Compliance Form

- Young Athletes Permission Form
- Screening Release

*Special Needs*

St. Mary Preschool provides equal opportunity for children with special needs. A reasonable effort will be made to accommodate any child's needs to integrate the child with other children, within the capacity of the existing staff. Upon enrollment of a child with special health care needs, we must obtain a copy of an existing individualized health care plan for the child that can be reviewed, adopted, and implemented by our staff. We will inform our nurse consultant about the needs of the child working together, with you the parent, to develop an accommodation plan. Admittance will be evaluated on a case-by-case basis. After the evaluation, we would admit special needs children on a trial basis for one month. During this time, we will work closely with parents, the nurse consultant, teachers and other specialists to ensure the setting is the best fit for the child. At the end of the month, we will meet with all parties to determine if we are meeting the child's needs. If we are not able to meet the child's needs, we will give parents the time and assistance needed to find more appropriate care.

If your child requires accommodations or has an IEP, please indicate that on the registration and Child Profile Form and provide us with a copy of any treatment or assessment information relevant to your situation.

*Admissions Priorities*

Enrollment begins in late January and continues throughout the year as space allows. First priority is given to students that have siblings enrolled in St.

Mary Catholic School. Families registered with St. Mary Catholic Church have priority over non-parish and non-affiliated families. Date of registration and availability will determine enrollment when a waiting list exists.

*Tuition and Fees*

Tuition is explained on the contract and collected by FACTS Management. Any additional charges incurred throughout the year will be added as incidental charges through FACTS (i.e., staying extra hours in a day or adding days to your child's schedule).

The registration fee collected at the time of registration is used for classroom supplies.

Other tuition information is available in the St. Mary Catholic School Handbook. A tuition schedule is included in Appendix A.

*Scholarships and Discounts*

All scholarships and discounts are handled at the St. Mary Catholic School level. Please notify the office to see how you might qualify.

**Confidentiality**

St. Mary Catholic Preschool keeps information that is personal in nature regarding children, families and staff on file, locked and inaccessible to people other than staff members. Staff members are expected to keep this information confidential, not discussing, releasing or sharing the information outside of the school staff unless prior written permission is granted. Individuals that have access to student files as part of our regulated inspections include sub-contracted registered nurse consultant, Colorado Department of Human Services officials and Tri-county health department.

**Outdoor activity and Sunscreen**

St. Mary's Catholic School generally follows the Littleton Public School closing recommendations for weather and other emergency conditions. The radio and television stations will announce the closing. St. Mary's does not generally have a late start schedule. Watch for specific school information if delays are expected in the area. Snow days will also be posted on the school's online communication system (Sycamore).

In the event of extreme hot or extreme cold weather (below 20 degrees or above 90 degrees), the Director will determine the safety of children playing outdoors. As a rule of thumb, if the weather conditions are extreme, alternate indoor large motor activities will be available. We immediately return to our classrooms when we hear thunder or see lightning. If there is a warning in the area, we do not leave until the warning has been cleared.

*Emergency Evacuations*

If we need to evacuate the building and cannot return to the building for an extended period of time, teachers and children will walk to Mackintosh Academy located south on Prince St. Each parent will be notified by phone and will be asked to show identification when coming to pick up a child in an emergency situation. It is important that you notify the school of any changes in your phone number!

*Guidelines for outdoor play*

We play outside every day. Please provide outdoor clothing or layers that accommodate the weather - boots, mittens, hats, coats, etc. You may even want to pack an extra set of clothes because we might get wet, too!

*Sunscreen*

According to state regulations, students need to come to school with sunscreen already applied, year-round. When you sign your child in, you are acknowledging that sunscreen is applied. Please let the teacher know if that did not occur that morning and we will be happy to help your child with sunscreen before we go outside.

Any child at the preschool for longer than 2 hours will have sunscreen applied to exposed skin prior to going outside. Sunscreen will be reapplied before going outside if it has been longer than 2 hours since the last application. Sunscreen may be applied by a child over 4 years of age with direct supervision of a staff member. Sunscreen may not be applied if there are open wounds or broken skin unless there is a written order by a prescribing practitioner. A medical provider's note is required if sunscreen will not be used (skin condition, allergy), and alternate protection from the sun is required.

Sunscreen will be applied according to the manufacturer's instructions. The preschool will provide and reapply sunscreen (or use sunscreen provided by the parents for their child, labeled with your child's first and last name to be kept at the preschool).

**Health**

Your child's health is a matter of importance to all of us. This program is in compliance with the Nurse Practice Act and has a nurse consultant that delegates the administration of medications. Upon enrollment, we ask that you file with us a current health form signed by a physician, a certificate of immunization and a student information and consent form that includes all

allergies, chronic illnesses and special health situations.

*Sickness*

If your child complains of feeling ill at home in the morning, please check symptoms and temperature. If your child is truly sick, please do not send him or her to school. We have neither a full-time health aide, nor space in our clinic to care for sick children. In the event that your child becomes ill at school, we will contact you to take them home during the school day. For the health and wellbeing of other students and staff, students are not admitted back to class unless the child is fever and vomit free for 24 hours without medication.

Additional guidelines are provided in Appendix B.

*Illness Notification*

Please call the office if your child is staying home for the day. If your child becomes ill during the school day, we will notify parents to pick up the child. For the safety and wellness of the other children, we will bring the student to the main office until parents arrive.

For the safety of other children and families, please let the Director or the school office know if your child contracts a communicable disease (chicken pox, strep, influenza, etc.). A notice of exposure needs to be sent to other parents and we are responsible to report clusters of illness to the health department for help in identifying epidemics.

*Medication*

It is recommended that medications be given at home. If medications are to be given while your child is attending school, there are forms that must be completed by you and your physician (see Director or

school nurse for those forms when necessary). Medications need to be provided in the original container and not expired. Prescription medications need to have a current pharmacy label attached. Medications will be stored according to the prescriber, the medication administration manual and the state.

Certain staff may administer medications and have had state approved training and delegation by the Nurse Consultant. This is in compliance with the Delegatory Clause of the Nurse Practice Act (Section 12-38-132-C.R.S.).

If your child has any allergies, emergency medication, special medical needs or even specific lotions or lip balms, please consult with the Director to ensure proper care. **PLEASE DO NOT LEAVE ANY TYPE OF MEDICATION IN YOUR CHILD'S BACKPACK.**

#### *Allergies*

We are an allergy-aware program but cannot guarantee an allergy-free environment. For the safety of children who have allergies, please refrain from providing nuts or items that contain nuts in your child's snack or lunch. Please let us know if your child has significant food or drink allergies so that we can avoid those items in our classroom. An allergy list will be posted in the classroom to alert the staff to the allergies regularly.

#### *Accidental Injuries*

All accidents and injuries that have occurred at the preschool will be reported to the parents, school office and regulating authorities as needed. All staff members are required to have First Aid and CPR training. Minor injuries will be treated with first aid and TLC by a trained staff member. Parents will be

notified at the end of the day (for scrapes and scratches) with an Accident Report Form. If we fail to mention something you notice at home, please contact us for clarification if needed. If a child falls or hits his head, parents will be notified immediately as a precaution, and proper care given. If the injury poses an emergency, the paramedics will be called. Every attempt to contact the parents will be made as well.

Please notify the Director if the child was taken to the doctor or dentist following an accident at school.

#### *Immunizations*

All families with children enrolled in the preschool must submit a current record of immunization issued from a physician, a statement of exemption or an in-process letter annually. Please note that non-immunized and under-immunized children may be enrolled in the program. Non-immunized and under-immunized children may be excluded from school in the case of a communicable disease outbreak.

Immunization requirements and schedule chart is included in Appendix C.

#### *Infectious Diseases*

All staff are trained in the use of Standard Precautions for infectious diseases and bloodborne pathogens. For all incidents when a staff member comes in contact with bodily fluids, the staff will use gloves and clean up with a disinfectant. The children will be taught how to use Standard Precautions for their own safety as well as others (use gloves when picking up foreign materials, wash hands after sneezing, etc).

#### **Child Supervision**

Children attending St. Mary Preschool are supervised by a qualified adult at all times. Attendance is kept

and children's absences noted. Children are counted frequently during the day, especially when exiting and entering the classroom, before and after outdoor time and for special programs. When going outside the classroom, one adult leads while the other follows the last child out. Headcount is recorded a minimum of twice a day. Should a special activity be planned at St. Mary Preschool, staff will remain with the children while they attend the activity.

*Lost Child*

In the event of a child missing from our count:

- The teachers will recount and look in the surrounding area for the child, confirming that the child is missing.
- One teacher will stay with the children while the other teacher retraces steps, notifies the office by radio and alerts the Director.
- The Director will notify other staff throughout the building as the search widens. All other staff will confirm their head counts to make sure the missing child isn't with another group.
- The Director and all available staff search in and outside the building for 10 minutes.
- If the child is not located within 10 minutes, the Director will call 911 and the parents.
- The lost child incident will be reported to the Colorado Office of Early Childhood.

**Emergency Procedures**

Please reference emergency procedures, evacuations, outages and drills outlined in the St. Mary Catholic School Handbook.

*Evacuations*

The facility will be evacuated in case of a fire, water pipe break, electrical problem or any other situation that could pose a threat to the staff and children. We practice the following drills monthly and at varying times in the day to ensure our staff understands the procedures:

*Fire/tornado*

The preschool has two exits in the event of a fire or explosion. The children are trained and practiced in performing fire drills monthly and at varying times in the day.

*Shelter in Place*

Any situation where children and staff will be safer to remain in the building. Some examples are tornados, severe weather, power outages, loose animals or fires in the area. Students will be kept in an inner room, away from windows and doors until an “all-clear” has been given by the teacher or Director.

*Power Outage*

If a power outage occurs, the power company will be contacted and an estimated duration of the outage determined. If the power company estimates a long period of time before power can be restored, the Director will determine if the children can safely remain at the preschool or if parents should be contacted. Some deciding factors include, temperature, lighting to safely supervise children and warm water to meet requirements for hand washing. If the Director and Principal determine that it is not safe, parents will be contacted. If the building is determined to be unsafe, the staff and children will be evacuated to an off-site location.

*Lockdown*

Any situation where there is a dangerous external threat (active shooter, disgruntled adult, employee or church visitor, intruder, etc.) In the event of an area lockdown or other threat in the area, the school will be notified. All children and staff will leave playgrounds, hallways and bathrooms immediately until further instruction.

*Off-site evacuation*

If the school administration feels that it is safer to move the children and staff to an off-site shelter, the children and staff will exit the building quietly and immediately. The church office and emergency responders will be notified of the evacuation. We will walk the children to:

Macintosh Academy  
7018 S Prince St  
Littleton CO 80120

*Reunification with Families*

When all children are safely gathered in an off-site holding area, a name and face attendance is taken. Parents will be notified of the location. Students will be signed out by an authorized adult with identification. No child will be released to an unknown adult or an adult that is not on the authorized pick up list for that child.

*Parking Lot and Playground Safety*

Please drive SLOWLY in the parking lot! Park in indicated spaces and be very cautious backing up. We recommend that children are walked to and from the building holding hands with an adult. Do not leave an unattended child in a car for any length of time. If you

have a sleeping sibling, text a teacher or call the office to alert us and we will bring your child to you.

### **Security**

We take the security of your children very seriously. Entrances to the building are locked and some are monitored by cameras during the day. Our north entrance into the preschool will be unlocked for 10 minutes before and after pick up and drop off times. All other times that you need to retrieve your child, you will need to enter into the main school office where they will call us to bring you your child if necessary.

In addition, you will sign your child in and out of the building each day. You will let us know who is authorized to pick up your child as well. Please alert others that are on your authorized pick up list that we will ask for identification if we do not recognize them.

Please see the Emergency Procedures section of this or the St. Mary Catholic School Handbook for more information on our safety policies.

### **Discipline and Guidance Policy**

The preschool's staff makes every attempt to discipline and guide children with love, dignity and respect. The term guidance is used for several reasons. It is a positive term and implies working with the child to develop internal control of his/her behavior. Discipline is teaching. We teach the techniques necessary to understand how we are feeling and how to handle this situation and those to come.

We begin our guidance by setting up the environment in a safe and inviting way that engages learning and discourages inappropriate behavior. Using logical rules, schedules and routines, our students learn control of their behavior and choices. Positive behavior

support, positive reminders and redirection help us to encourage good behavior. Finally, we offer “time in” instead of “time out.” Time out is a great way to learn to stop a specific behavior at home, but in a school setting, it is exclusive and doesn’t encourage learning what to do in the situation. Time- in is a way for us to remove the child from a situation, observe how others are handling the situation and return for another try after calming down. We teach not to say, “I’m sorry” (developmentally not understood at this age) but how to ask what we can do about it to make the person feel better, a path toward empathy and respect for others.

Our goal is to encourage children to become creative, independent, responsible and socially mature humans. This involves learning to make responsible choices and accepting the consequences for those choices.

Any ongoing situations will be discussed with parents to ensure a cooperative approach. Please feel free to discuss any questions or concerns at any time.

NOTE: NO corporal punishment will be allowed. This is defined as the use of negative physical touching (spanking, slapping, pinching, etc). No verbal abuse will be allowed such as humiliation, ridicule, threat or coercion.

### **Chronic Disruptive Behavior**

We will make every effort to work with the parents of children having difficulties in preschool. We are here to serve and protect all of our children. Children demonstrating chronic behavior that has been determined to be upsetting to the physical or emotional well-being of another child may require the following actions:

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- Initial consultation. The Director may require the parents of any child who attends the preschool to meet for a conference. The problem will be defined on paper. Goals will be established, and the parent and teachers will be involved in creating approaches toward solving the problem
- Second consultation. If the initial plan of helping the child fails, we will meet again, with the assistance of consultants or other professionals that may be able to help with the situation. Another attempt will be made to identify the problem, outline new approaches to the problem and discuss the consequences if progress is not apparent.
- Suspension/Expulsion. While we do everything within our capacity to guide your child to success, the Director may immediately suspend a child at any time he/she exhibits a behavior that is harmful to him/herself or others until a solution can be found. A parent may be called at any time the child exhibits uncontrollable behavior that cannot be modified by the preschool staff. Suspension and expulsion are highly discouraged. Every effort by the teachers, consultants and parents are made before deciding together on an alternative arrangement.

### **Assessments**

The staff at St. Mary Catholic Preschool uses a number of assessment strategies as an integral part of our program. Assessments and learning plans help us to understand your child so that we are forming the whole child for Kindergarten success, and beyond.

We use the assessments to support children's learning by planning program improvements and adapting teaching practices in order to meet the individual needs of children. We use a variety of methods such as observations, checklists, rating scales and individually administered screening tools (ASQ3 and ASQ-SE). Our assessment plan includes the following:

*Ages and Stages and Ages and Stages - Social Emotional*

These standardized developmental screening tools are a first step at looking closely at each child's growth, learning and development. Developmental screenings provide valuable insight about a child's cognitive, motor, communication and social-emotional development to determine if a child is learning basic skills. Screenings are helpful because they identify children's current understanding of concepts and assist in helping our teachers build an educational baseline from which to begin planning. Screening results can help connect children at risk of developmental delay to community resources and supports for further evaluation or to determine eligibility for services.

Screenings will occur two weeks after the beginning of the school year, and in February. Results will be shared with families and remain confidential. If your child is in need of additional evaluation, we will work with your family to ensure that you are connected to the appropriate resource within the community based on the age of your child, your child's needs and the county or school district in which your family resides.

*Individual Learning Plan*

From the first day of school, teachers will be assessing children and understanding who they are, how they

learn, what they know and what skills they need for growth. This learning plan helps us to get to know your child and illustrates growth throughout the year. We receive some of the information for this learning plan from the profile the parents complete at the beginning of the school year.

*Progress Reports*

Twice a year, skill reports are compiled based on the observations and records we have accumulated each day. These reports are shared at conferences and show growth from the beginning of the year to the end of the year. The final progress report is delivered to parents at the end of the school year with suggestions of activities to work on during the summer to continue growth.

*Conferences*

Teachers will meet with parents at least two times a year. These conferences are a chance for parents to discuss goals and concerns with teachers. In the middle of the year, parents will meet with the Director to discuss developmental milestones and preschool procedures for discipline that supports parental developmental questions. Conferences may be scheduled with your child's teacher whenever a concern arises.

*Portfolios*

Documentation of all children's developmental growth and progress is collected across the full range of children's experiences. Samples of children's work (including photos, writing, cutting, creative art, physical growth and personal interests) will reflect growth in a sequential timeline. The portfolios are given to parents during the last quarter of preschool

and can be reviewed upon request at any time during the school year.

*Screenings - vision, speech, hearing, language, developmental, occupational, physical*

In the fall, all preschoolers will be screened for vision, speech and hearing. Occupational and physical screenings will be conducted in the spring, unless needed sooner for developmental concerns.

### **Operating Policies**

#### *Parking*

Parents of preschool students may park in the north parking lot located to the north of the preschool entrance. For the safety of all children attending St. Mary Catholic School, please park in designated spaces and not in fire lanes (red painted curbs).

#### *Carline*

During drop off and pick up times, parents may line cars up in the fire lanes to avoid the need to get younger siblings out of the car. Please be careful as others will be walking across the parking lot to the doors!

#### *Arrivals and Departures*

The outer doors will unlock for 10 minutes surrounding drop off and pick up times during the day. Any other times, please bring your child to the school's main office doors. Once inside, please ensure that your child is getting prepared for class by putting away her backpack and coat and washing her hands. As a reminder, if you have not applied sunscreen, please let the teacher know.

#### *Signing In or Out*

Students may only be dropped off and picked up by an adult 18 years or older. It is also important not to leave

your child(ren) unattended in the classroom, playground, car or building. This includes children that are with you that might be sleeping in the car! If you need to have us help you by bringing your child out, we are happy to help (call the Director's cell phone or leave a message and if we can come out, we will!).

Using your full signature, please sign your child in or out on the sign in sheet. Also, leave a phone number that you can be reached in case we need to get a hold of you during the day.

*Authorized Pick Up*

If an unauthorized person attempts to pick up a child, the child will not be allowed to leave. If an unidentified, but authorized, adult attempts to pick up a child, identification will be required. If we have a question about who is picking up your child (or if the person is not on your list) we will contact either parent for permission to release the child. Authorization must be given in writing. If on any given day your child has permission to leave school with someone other than those authorized to pick up, please advise the teacher, director or school office in writing.

The preschool cannot legally deny release of any child to a parent or guardian unless we have a written court order. The staff will not allow a child to leave with any person we suspect to be inebriated, under the influence of any legal, illegal or prescriptive substance that we believe could interfere with the safety of the child or in possession of a weapon- even a parent.

If you wish to change the names of persons who are authorized to pick up your child, you must do so in writing so that we have the information on file.

In the event that a child is not picked up at the close of day, the remaining staff will attempt to reach the parents at work or at home. If this is unsuccessful, we will then attempt to call emergency contacts. At no time is your child left unattended. Every classroom will be checked at the end of the day to ensure that all children have been picked up and have left the building with their parents or guardians. The sign in sheets will be kept as a record of who picked up and the time.

*Arriving Late*

A child and their accompanying adult who arrive late must check in at the front office of St. Mary Catholic School. The adult will then need to walk the child down to the preschool classroom to sign in. If class is away from the classroom or school, the Director will be contacted by the office to unite the child with the class.

*Field Trips*

Our curriculum includes opportunities for children to participate in field trips. Notices of all field trips will be posted on teachers' bulletin boards and on Sycamore and in email before a trip is taken.

Most of our field trips are walking field trips. If transportation is required, the transportation is provided by volunteer parents who must complete all forms required to volunteer at the school (see office staff for requirements). Proof of insurance and a valid driver's license are checked before the trip. Written parental permission is required for excursions outside of the school grounds. Seat belts with a five-point harness are always used, as well as car seats compliant with the Seat Belt Safety regulations. Children must sit in the backseat of a car when passenger airbags are present. Parents may decline to

allow their child to participate in a field trip for personal reasons. Please avoid bringing siblings on field trips.

If your child arrives after the field trip attendees have left, your child should be brought to the main office where the office staff will contact the teachers on the trip to unite you with the class.

*Personal Belongings*

All children are provided with a cubby in their classroom to store school papers and personal possessions. We recommend that children not bring personal toys or other valuables, including jewelry and money to school. This avoids much heartbreak when items become lost or broken! "Sharing time" is, of course, an exception, however, items will be immediately returned to cubbies to avoid a problem.

*What to wear to school*

Uniforms are required and are especially encouraged when we attend Mass. Casual uniforms (polo shirt and dark pants or skirts) are welcome Monday - Thursday; as close to Mass uniform as possible for Fridays. Although we try to use washable paints and markers, there are times when your child's clothing will get messy. Whenever possible, provide clothing with fastenings your child can manipulate. Sturdy shoes are especially important for the playground (as opposed to jellies, sandals and flip flops). All outer garments, including hats and boots, should be labeled with your child's name. Children should be properly dressed for all weather conditions.

*Snack and Meal Guidelines*

We are an allergy-aware program. Please be considerate of our students with allergies by avoiding

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packing foods with nuts or foods that may contain nuts.

For snack time (mid-morning), send a small, healthy snack and bottle filled with water each school day. Snacks need to meet the childcare meal pattern for snacks outlined by the United States Department of Agriculture (USDA). Two food groups are recommended per snack, and at least three for lunch. See chart in Appendix D.

An example of a healthy snack includes hummus and pretzels or veggies, fruit and dry cereal or cheese, or meat slices and crackers. All snacks should be ready to eat and take less than 10 minutes to consume. Please do not send cookies, candies, juices or other high sugar snacks such as gummy fruit snacks.

Also, we do not have room for refrigeration so please utilize ice packs to keep the food safe, pack a spoon or fork if necessary, and include a napkin so that we can reinforce manners at the table!

Lunches need to be healthy as well and include at least three food groups. Please avoid sending too many treats, juices or salty snack items. Milk will be provided at lunch. Wholesome Foods, an independent school food service brings our school “hot” lunches from area restaurants. Lunch orders are made online at Wholesome Foods. More information on how to order the hot lunches is available in the school office.

Food items that are not considered safe for children younger than 4 years old include: hot dogs, whole or sliced in rounds, whole grapes, nuts, popcorn, raw peas and hard pretzels, spoonfuls of peanut butter, chunks of raw carrots or meat larger than can be swallowed whole. If your child has trouble swallowing foods at

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home, please cut the foods lengthwise into pieces that children can swallow safely. Thank you for your assistance with this.

Milk will be provided at lunch and is paid with your registration fee.

### *Rest time*

State regulations require a minimum of 30-minute rest time for preschoolers. Rest time begins at 1pm. Each child rests on a mat or cot in their classrooms. The room is darkened, and soft music turned on. Children staying for the afternoon should bring a sheet and small blanket. A small cuddle toy is also welcome. If, after 30 minutes, your child does not sleep, we will offer quiet table-top activities until the rest of the group wakes. We do not wake students but allow for a little over an hour to sleep before we turn on lights and move to other activities for the afternoon.

### *Potty Training - 3 years and older*

While we understand that children will have accidents at this age, or may even require a little help with buttons or zippers, we do not have diapers or pull up changing capabilities at St. Mary Catholic Preschool. We will encourage many breaks during the day as well. Please be sure to have a complete set of extra clothes (including socks) in your child's bag so that we can use them if needed.

### *Visitor and Volunteer Policy*

Visitors are always welcome at St. Mary Catholic Preschool. Please complete proper credentials in the school office to be able to come to our classroom. We often ask for someone to come for a special project we might be working on, but we also like to have families help with our library, play games, cook or read books

with us, too. Please schedule a time that works for you with your teacher. All visitors must sign in at the school office and wear a visitor sticker in the building. In addition, all volunteers must complete Virtus (safe environment) training.

*Fundraising and Outreach*

We are a non-profit ministry of the church so our resources are stretched thin. From time to time we will have fundraisers as a school, as well as outreach opportunities to help those in our community. We appreciate your understanding and participation!

*Parent-School Communication*

We try to keep all families informed of what is going on at the school, in the preschool and even in the community.

- Outside of each classroom, we try to post our daily and weekly news. We also have our lesson plans out so that you can see what we are working on in the classroom for discussions or enrichment at home. There is also a preschool bulletin board just inside the doors that has community events, our curriculum guide for the year and other important announcements.
- Each teacher tries to send a pass-a-note through Sycamore each week, or more often if necessary, to relay information to families. This is the best way for you to send information to your teachers as well - let us know your child is not coming in that day, question about something they have told you, respond to a note sent to you. You can set Sycamore up to get sent to your email or check it through the app.

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- Monthly news is sent either through email or Sycamore so that you know what is coming up in the preschool and to give you more details about something on the calendar. We will also post these messages on our bulletin board.
- Occasionally, we will send papers home that need your attention. These will be located in your child's mailbox outside of your classroom.
- The website offers information about the preschool and will be updated periodically as well.
- Follow St. Mary Catholic School's Facebook page!

### *Calendar*

A calendar of school events includes many of the preschool events and dates that preschool is included in school wide functions. Dates of activities are subject to change.

### *Television and Video Viewing*

Television shows and videos are not typically used in our preschool curriculum. The philosophy behind our curriculum is that young children learn best by doing. We encourage and provide an environment where children can be active and creative explorers. We do watch supplemental non-fiction clips that are part of our Scholastic and National Geographic Science curriculum or a song video for movement or math. Otherwise, when a video is to be shown during preschool hours, we will inform parents in advance of the title and when it will be shown.

### *Photographs and Videos*

The teachers will take pictures of children participating in activities throughout the year. These pictures will be used in projects, hung in displays in

the hallways and used for end of the year portfolios. No photographs of children will be posted on our website or social media without your permission. Please see permission to publish form in your summer/welcome packet.

*Interpreters*

If a parent is in need of an interpreter to communicate with St. Mary Catholic Preschool staff, parents are welcome to have someone assist in any conversation or bring someone to any preschool function.

*Classroom Pets*

In order to respect those with allergies, and due to state regulations on animals and reptiles, we will not have a classroom pet on a regular basis. Pets may be brought in by parents for sharing. After sharing, the pet needs to be taken home.

*Birthdays*

We celebrate your child's birthday throughout the day with special books, parades, music and fun, so we ask that you refrain from celebrating with food at school. If you would like to distribute something at the end of the day for children to take home (goodie bags, bubbles, etc) or provide a special game or story to share for the day, let your teacher know and she will incorporate the activity into your child's special day.

If you are planning a birthday party away from the classroom and the whole class is not invited, please mail the invitations (as well as any thank you notes) using the school directory.

**Transition to Kindergarten**

Assessments are conducted continually during the school year to ensure objectives are met that help students be successful kindergarteners. Teachers are

available to discuss the criteria necessary for Kindergarten at St. Mary's at any time, or you are welcome to talk with the Kindergarten teachers at any time.

**Continuity of Care**

Students are assigned to preschool classes based on the age he/she will be when attending Kindergarten. In Colorado, the age for Kindergarten is 5 years old on or before October 1st. We have designed the classrooms to be a progression so that having two or three years in preschool will benefit each child individually and ensure Kindergarten readiness. Students stay in the classroom they are assigned throughout the school year, August to May.

**Grievances and Conflict Resolution**

If you as a parent have a grievance, please go directly to the person(s) involved. Dealing directly with the people involved helps to keep rumors from spreading and keeps our community strengthened in faith and healthy. If the grievance involves a teacher, the parent needs to present the situation directly to the teacher. Failing to reach a settlement with the teacher, the parent may then present the situation to the Director, and then, if still not resolved, to the Principal for help in resolving the situation. If the conflict is still not resolved, refer to the St. Mary Catholic School handbook for additional steps. Changes can only be made, and problems resolved when all parties concerned are in direct communication.

*Reporting Suspected Licensing Violations*

In the event that a parent or guardian suspects that there is a violation of child care licensing rules, the concern should be reported to the Colorado

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Department of Human Services (CDHS), Office of  
Early Childhood.

1575 Sherman St  
Denver, CO 80203  
303-866-5948

*Child Abuse and Neglect*

Each member of the preschool staff is considered mandatory reporters and are required to report any suspected signs of child abuse or neglect.

**Schedule Changes and Withdrawal Policy**

We try to stay as flexible for your schedule as possible. We will not be able to accommodate schedule changes if the ratios within the classroom exceed a safe level. If you need to change your schedule or add days to your schedule on a regular basis, please notify the Director and school office. If you need an exception for a particular day, check with your child's teachers first to see if there is room to make arrangements for you.

*Withdrawals*

If a child needs to be withdrawn from our program, please give a minimum of two weeks notice by completing a Notice of Withdrawal through the main school office. Tuition will be recalculated and adjusted on actual attendance and you will be notified of any balance due.

*Discharge Policy*

St. Mary Catholic Preschool reserves the right to cancel the enrollment of a child for the following reasons:

- Non-payment or excessive late payments of tuition and fees.

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- Not observing the rules of the Preschool as outlined in the Parent Handbook agreement.
- Physical and/or verbal abuse of a staff member or child by a parent or a child.
- Special needs that cannot adequately be met in our setting.

### **Concerns, Questions, Suggestions**

We are here to meet the needs of each child and their family to the best of our ability. The partnerships we create make a faith-filled community that thrives and spreads our good news for miles and generations. Please bring any comments, concerns, questions or suggestions to the Director. Parents may also address concerns with their child's teacher.

### **Our Prayers**

We are praying that this year, with all of us working together, we will be able to develop your child beyond your expectations and far beyond their potential - Spiritually, Emotionally, Socially and Academically.

*St. Mary, Pray for us.*

**Exhibit 26**

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**REMOTE 30(B)(6) DEPOSITION OF  
COLORADO DEPARTMENT OF  
EARLY CHILDHOOD  
BY DAWN ODEAN**

November 8, 2023  
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\* \* \*

[Page 19]

Q. Okay. And why is it important to make preschool available in the way that UPK does?

A. Yeah. So it's shown over time in Colorado with the previous program in a targeted way to have positive child outcomes. And so this expansion to a universal model allows more children to have access to early learning and care.

There's so many incredible gains that can be made in – at the preschool age, certainly around whole child development, cognitive, speech/language, gross motor, fine motor, social, emotional. Being in a high-quality setting is an exceptional way to get to high child outcomes over a long-term trajectory. So we're really excited about this for Colorado and for Colorado's children.

But I will also say it's really critical to ensure that families can thrive in Colorado and that they're able to have choice in finding the just-right provider, and

really being able to have that savings they might not have anticipated that they might need.

We have families that have been participating in childcare previous to preschool, and we have families who haven't. So it's an opportunity to – certainly put those children and families to have positive outcomes.

Q. Okay. And “universal” means you're trying to reach all children. Is that the idea?

A. Yeah, that's the idea, that the opportunity is there for all children who reside in Colorado in the year before kindergarten.

Q. And – so that's helpful. Thank you. You talked about a couple of things there I want to sort to pull out one by one, if we could. So families are trying to choose the just-right provider, how do families – how do they learn information about the different UPK providers?

A. Sure. So our local coordinating organizations are very important in supporting navigation locally. They are engaged with providers regularly, as well as families, to help support connections and navigation.

In our application system, providers who are registered can create a profile to show who they are, and what they offer, and what they provide and celebrate who they are so families can search those and look for what they're looking for.

They can search geographically, for example. They can look at the walking distance from their home or a route between home and work. Geography is often one of the choice indicators, as you might

\* \* \*

[Page 26]

Q. Okay. Is – are you trying to sort of go back and get folks to sign that had gotten into the system before the agreement went into effect?

A. I'd have to look at our records to see where we're at on that. We certainly did leading up to the contract starting. I don't have – I don't have that off the top of my head, but –

Q. Sure. No, yeah. The question was, you know, was there an effort to go back and have providers that were already there sign –

A. Absolutely. Yeah.

Q. – the agreement? Okay.

And I really appreciate your answer. Just a reminder about us talking over each other a little bit there?

So – okay. Great. So that was really helpful. We just talked a lot about sort of the way the matching process works, which I take it is – is one way the families get into the system. But UPK is also allowing walk-ins or direct enrollment right now; is that right?

A. That's correct. We opened up walk-in or direct enrollment as the program year began.

So most programs started in August.

\* \* \*

[Page 37]

Q. (By Mr. Davis) Great. So, Ms. Odean, is – is one of the goals of UPK to achieve a mixed delivery system of preschool?

A. Yes.

Q. Okay. Can you say a little bit about what that means?

A. Yes. So it is in the law that this isn't school-district-managed only, for example, as our previous state-funded preschool was. And so what that means is that any licensed provider for this age group is able to participate. It could be in-home family childcare, it could be small center, large center, Head Start, or school district managed.

Q. Okay. Are religious providers or faith-based providers also part of the – one of the components of the mixed delivery system?

A. Yes.

Q. And why is it good – why do you want to have a mixed delivery system?

A. Well, it is in the law, specifically unique to Colorado, to ensure that families have choice and can find the just-right provider that fits for their family.

Q. And for some families – oh, please go ahead.

A. No. Go ahead.

Q. For some families, the just-right provider might be a faith-based provider; is that right?

A. Yes.

Q. And why do you want the just-right provider? Why do you – why is that helpful for your goals?

A. It's in the law, which is important for us to follow. But also we really want to provide a variety of opportunities for families and children to engage based on their needs and their hopes for their child and what's available in their particular community.

[Page 51]

Q. Okay. So to participate in UPK, providers have to agree to provide equal access to students and their families regardless of any of these listed identities in that provision; is that right?

A. Yes.

Q. Okay. And this provision, it's specifically about enrollment, right? Equal access to enrollment based on these identities?

A. To enroll and receive preschool services.

Q. To enroll and receive preschool services. Okay.

But that's not, in and of itself, about employment, like who gets employed at the preschool, is it?

A. It isn't.

[Page 58]

Q. Okay. So if a provider came up to you and asked you the same question I'm asking you now, may I decline to enroll students because of their race under this agreement, what would your answer be?

MS. CARRENO: Objection. Speculation.

You can answer it.

A. They would not be able to.

Q. (By Mr. Davis) The answer is no, they would not be able to decline to enroll a student because the student is African-American?

THE REPORTER: I'm sorry. I didn't hear the answer.

THE DEPONENT: Yes. Correct.

Q. (By Mr. Davis) Okay. If a provider, along the same lines, came up to you and asked you, Director Odean, am I allowed to deny admission to a student because the student is transgender, what would your answer be?

MS. CARRENO: Objection. Speculation

Q. (By Mr. Davis) You can answer.

A. I would say what's in the agreement. And again, it's voluntary to participate, and it's in the agreement. So we would follow the agreement. But not knowing a specific situation, I wouldn't want to speculate.

Q. (By Mr. Davis) Okay. And earlier you said – your answer to – can I deny admission to a student because they're African-American, your answer was no, and that's because the agreement says providers must provide equal access – or sorry, an equal opportunity to enroll regardless of race; is that right?

A. It's – it's true of everything in the agreement. So if a provider had a question at any point of the agreement, I would say, we have the agreement, and it is voluntary to participate. So we are all operating and following the agreement. If there is a specific instance, then after the agreement is signed when it's in process, we would refer back to that agreement and we would look into any specifics before we go any further.

Q. Okay. The agreement also says, just like with race, that providers must provide an equal

opportunity to enroll regardless of gender identity, right?

THE REPORTER: I'm sorry. I didn't hear the answer.

THE DEPONENT: Yes.

Q. (By Mr. Davis) Okay. So – so if the answer is no, you're not allowed to decline to enroll students because of their race, the answer is also no, you're not allowed to decline to enroll students because they're transgender; is that right?

MS. CARRENO: Objection. You're mischaracterizing her testimony.

But you can answer if you can.

A. Yeah, again, I think it speaks to any part of the agreement that we have in place.

So maximum allowable educator-to-child ratios. If a provider came to me and said we're going to go above that, then I would say, that's not part of our provider agreement for universal preschool, and you should consider if you want to participate.

If we're in program and someone has already signed an agreement, then we would go through a process to determine that – the specifics around that particular point in the agreement to determine next steps.

Q. (By Mr. Davis) Okay. So you enforce each provision of the agreement equally as they're written in the agreement?

A. We follow the agreement, and we expect providers to. We haven't had any specific events that

have called into question, since the program was started, the provider agreement not being followed.

Q. Okay. So you expect providers to provide equal opportunity regardless of race, gender identity, religious affiliation, and sexual orientation?

A. Yes.

Q. And you wouldn't expect providers to decline admission to a student because of one of those identities, right?

A. Can you say that again?

Q. Yeah. Your expectation would be that providers should not decline to enroll a student because of any of those identities, race, religious affiliation, gender identity, sexual orientation?

MR. DAVIS: Did you get that, Laurel, the response?

THE REPORTER: No, I did not.

THE DEPONENT: Correct.

Q. (By Mr. Davis) And that's true – those identities – strike that.

It's – it's race, sexual orientation, religious affiliation, gender identity not just of the child, but of the child's family.

Is that what the agreement says?

A. Yes.

Q. Okay. So a school also couldn't decline – you wouldn't expect a school to decline to enroll a student because of the family member's sexual orientation is that right?

MS. CARRENO: Objection – objection. Calls for speculation.

You can answer if you can.

A. I wouldn't expect a provider to go against the agreement.

Q. (By Mr. Davis) Okay. And it would – it would be going against the agreement to decline to enroll a student because his or her parents or guardians are in a same-sex marriage?

A. It's a requirement in the provider agreement. But again, I wouldn't speculate a specific scenario without the details.

Q. Okay. And if a provider couldn't agree to that requirement in the provider agreement, they shouldn't sign the agreement, right?

MS. CARRENO: Calls for speculation.

Q. (By Mr. Davis) You can answer.

MS. CARRENO: You can answer if you can.

A. Yeah, again, hard to know without the specific facts, but the provider agreement is – is set forth to follow.

\* \* \*

[Page 69]

Q. (By Mr. Davis) Okay. So, like, if a UPK provider, you know, made certain benefits during the day available based on, like, race or sex, like, only boys could have recess time, you know, girls had to stay inside, would that be discriminating against any person on the basis of their sex or gender identity?

MS. CARRENO: Objection. Form and speculation.

Q. (By Mr. Davis) You can answer.

A. I certainly would – we certainly would look into it further to find out the facts.

Q. Okay. You're not really sure, though, if it's in the provision or not?

A. I'm not an attorney, but I certainly know that it would be our charge in the program to look into the facts.

Q. You'd need to look into that – it at least might. You'd need to look into it further. Is that right?

A. Yes.

Q. Okay. What about if a provider, you know, similarly declined an accommodation for a transgender student, so refused to allow the student to use, like, the facilities of the sex that the student identifies with. Would that present a problem under this provision?

MS. CARRENO: Objection. Asked and answered. Speculation.

You can answer.

A. I'd say the same. It certainly would be incumbent upon the program to look into it and find out the facts.

Q. (By Mr. Davis) Okay. What would you need to know to determine finally whether that was a violation or not?

MS. CARRENO: Objection. Speculation.

Q. (By Mr. Davis) You can answer.

A. Yeah, it's – it's hard to speculate on a made-up scenario without specific facts. Again, it would be a

process to determine what occurred and what steps would be taken that would be inclusive of our leadership, of our department, as well as our attorney general.

Q. Okay. When a provider signs this agreement, you know, they're also signing it before they have any specific facts like these, right?

A. I can't speak on a provider's behalf.

Q. Okay. I mean, a provider has a policy, say, of – of declining accommodations to transgender students along the lines that I just set out, and that provider needs to know am I allowed to continue doing that if I sign this agreement. What's your answer to that provider?

MS. CARRENO: Objection. Form. Speculation.

You can answer.

A. If a provider is not currently participating and is asking these questions, I would say, this is our agreement that we're agreeing to, you're agreeing to, and if you don't feel like you can meet any one of these assurances – that this a voluntary program. And again, that's different than – as I stated earlier, than once we're in program and if there's a specific claim that is made.

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**Exhibit 27**

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**REMOTE 30(B)(6) DEPOSITION OF  
COLORADO DEPARTMENT OF  
EARLY CHILDHOOD  
BY LISA ROY, ED.D.**

November 8, 2023  
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[Page 14]

Q. Okay. Is this the letter requesting an exemption from a number of schools that you mentioned a moment ago?

A. Yes. It's not just schools. It's ACE scholarships. But, yes.

Q. Sure, yes. Thank you for that.

Do you know when the department became aware of this letter?

A. February 17th, it looks like.

Q. Okay. It looks like that was a couple of days after that last exchange with Michael Cooke; is that right?

A. That is correct.

Q. Okay. And so you did – after receiving this letter, that's when you said you and Michael Cooke did circle up and have a conversation about it?

A. Yes, we did.

Q. Okay. This letter was addressed to the governor. How did you first become aware of it?

A. I became aware of it because the governor's office shared it with me.

Q. Why did the governor's office share it with you?

MS. CARRENO: Objection. Speculation.

You can answer.

Q. (By Mr. Davis) You can answer.

THE REPORTER: I'm sorry. I didn't hear the answer.

THE DEPONENT: I run the Colorado Department of Early Childhood.

Q. (By Mr. Davis) Okay. And when you were – who made the decision as to – as to how to handle this letter, how to process it?

A. Well, I will say I immediately contacted my Attorney General and worked with Michael Cooke to figure out what was the best response legally to this letter.

Q. Okay. Was one of the possible responses granting the requested accommodation?

MS. CARRENO: And objection, this calls for attorney-client privileged discussions.

If you can answer the question without talking about the legal advice.

A. Could you repeat the question?

Q. (By Mr. Davis) Sure. And to be clear, none of my questions are designed to ask you to tell me what an attorney – what you and an attorney discussed.

You said that you began considering how to respond to this letter along with members of your legal team. I'm not asking you to tell me what the legal team recommended or didn't recommend or informed you or didn't inform you.

Did you view as one of the possible responses to this letter as being – granting the accommodation that the coalition members requested?

A. I cannot grant an accommodation to a nondiscrimination statute statement that's in statute.

Q. Okay. So that was never on the table, from your perspective?

A. That was not on the table from my perspective

Q. Okay. Did you understand that the various schools that were members of this coalition, if you didn't grant the – if you didn't grant the accommodation, they would not be able to participate in UPK?

MS. CARRENO: Objection. Form.

You can answer.

Q. (By Mr. Davis) You can answer.

A. I did not see it that way. I have many reasons for that, if you care to hear about them.

Q. Please.

A. First of all, I worked for Catholic Charities myself for many years, understood the Catholic Charities who's a part of the Archdiocese had received federal, state, and local funding with the same type of nondiscriminatory language attached to it.

I worked in Denver, obviously was one of the architects of the Denver Preschool Program. And we went above – I feel like we went above and beyond with Michael Cooke – again, I wasn't in those meetings, but meeting on a weekly and then almost a monthly basis with our faith-based providers to figure out how we could best coordinate and collaborate. And then came up with a preference for our faith-based providers and ensuring that they could serve members of their congregation.

So when you asked the question, I did not see that as being a problem.

Q. Okay. With the – in the letter it looks like the coalition members say that it is a problem, right? They say, “We believe that certain requirements under UPK will severely restrict the ability of faith-based providers to participate without compromising their sincerely held religious beliefs.”

And is it your view that's just not correct, based on your experience?

A. Based on my experience, faith-based providers have always had the opportunity to participate in preschool, including my own son, who's now 37, who went to a faith-based preschool, which held a head start program.

Q. Okay. You said – did you say that you worked for Catholic Charities or worked with Catholic Charities? I just didn't hear.

A. I worked for Catholic Charities.

Q. Okay. In what capacity?

A. I was their Operation JumpStart director.

Q. Okay. I'm going to introduce our next exhibit.

A. And I also worked with Catholic Charities.

Q. What capacity was that?

A. When I worked with the city and county –

THE REPORTER: I'm sorry. Ma'am, my end on the computer froze. Can you restate the – your answer?

THE DEPONENT: Of course.

I worked with Catholic Charities in many capacities, but one was when I worked for the City and County of Denver's Head Start program, Bright Kids Head Start, Catholic Charities was one of our delegate programs. We were the grantee for the federal funding.

Q. (By Mr. Davis) Before we move on to the next exhibit, you said there that faith-based providers have always been able to participate in preschool, right?

A. Yes, they have, including with Denver Public Schools. That is correct.

Q. But the question here, right, is not whether they can have a preschool, but whether they can participate in the UPK program?

MS. CARRENO: Objection. Form.

You can answer.

A. Yes, they can participate. And the Catholic – fortunately, Catholic Charities is participating as part of the Archdiocese.

Q. (By Mr. Davis) Right. They can participate as long as they're willing to sign the equity statement, right?

A. The equity statement that all of the Catholic providers have signed for decades, yes, that's correct.

Q. Okay. And if they're not willing to sign the equity statement, they shouldn't participate, right?

MS. CARRENO: Objection. Form.

You can answer.

A. Again, this is a voluntary program, but our commitment to the diverse delivery system, we have made every accommodation besides breaking the law.

Q. (By Mr. Davis) Right. But you wouldn't want them to participate if they're not willing to abide by the equity statement, correct?

MS. CARRENO: Objection. Form.

You can answer.

A. I don't understand the question, honestly.

Q. (By Mr. Davis) Okay.

A. Can you rephrase it in another way?

Q. Yeah. My question is, if they're not willing to abide – to sign or to abide by the equity statement, they shouldn't participate in UPK Colorado, right?

MS. CARRENO: Object – same objection.

But you can answer it.

A. Again, my confusion is that they have. They get CCAP. They – some of them get Head Start. They've got the Denver Preschool Program. That's why it's hard for me to answer your question.

I'm not trying to be dense. They have. So I don't understand why this is more problematic than any of the other many opportunities that they've had over

decades, and I've been a participant in that this whole time.

Q. (By Mr. Davis) I understand your experience, your references to CCAP and the Denver Preschool Program. But I really do want to put those aside for a moment, because this is – this is a coalition, right, not Catholic Charities, not the Archdiocese, and – themselves. And they're saying we cannot abide by the equity statement. We cannot sign the equity statement.

And all I'm asking you is, if they're telling you that, we cannot abide by it and we cannot sign it, your view is that they should not participate in UPK Colorado, correct?

A. So the reason I still have a hard time answering that question is because they have signed the same statement for other funding sources. So should they? Shouldn't they?

I am saying if you signed it, you signed it. What – why – why am I being, in a sense, asked to give my opinion when I have worked all my career to ensure that they've had access and will continue to. They've signed these statements before.

Q. Do you know that every single provider on this coalition letter has signed any of the statements that you're alleging that they have signed?

A. I would have to check, but if they have received CCAP, then, yes – anyone that's received CCAP, then, yes, they have signed it before.

Q. Okay. And I really am – I'm just asking you to set aside CCAP and set aside the Denver Preschool Program, right? We have a provider who's never

participated in these programs before but wants to participate in UPK.

Can that provider participate if they're unwilling to abide or to sign – abide by or sign the equity statement?

A. So if there's a provider that feels that they are willing to discriminate against young children, then – and they don't want to participate, they do not have to.

Q. They do want to participate. Can they?

A. So if they – if they cannot abide by the law, then, no. We cannot legally allow any participant to knowingly discriminate against children.

Q. Okay.

All right. Let me know when you've got Exhibit 12.

(Exhibit 12 was marked.)

A. I have it. Thank you.

Q. Great.

And do you recognize this document?

A. Yes, I do.

Q. Okay. Is this your response to the coalition letter that we were discussing?

A. Yes, it is.

Q. Okay. Who drafted this document?

A. I will tell you that I worked with Michael Cooke to draft this document.

Q. Okay. And in response to the coalition's – the coalition letter's request for an exemption, the answer is no, you cannot provide an exemption, right?

A. Correct. I cannot provide an exemption against what the law says.

Q. Okay. Is there anybody else you consulted with besides Michael Cooke and besides your attorneys?

A. No. There's no one else I consulted with besides Michael Cooke and the attorneys on this.

Q. Okay.

All right. Besides the coalition letter, has the department received any other requests for religious exemptions from the UPK program's requirements?

A. As a result of appearing for this, I was made aware of some emails that I had received that I read through, but didn't remember. So the answer is yes to your question.

Q. Okay. Who are those emails from?

A. The Lutheran church, I believe, another Catholic entity. Those are the two that I remember in preparation.

Q. Okay. And then also one from a school called Darren Patterson Christian Academy, right?

A. Yes. Thank you. And Darren Patterson. Sorry that you had to remind me.

Q. Sure.

A. And the one Catholic entity was included in this letter that I responded to.

Q. Okay. Great.

**Exhibit 31**

**Approved Exception Criteria list**

We recognize that certain programs and providers may require additional information from families to participate in their programs. These include providers like faith-based, co-op, or immersive language programs.Â [sic] Please complete the following application. If you have any questions, please contact your Local Coordinating Organization (LCO). You can find your LCO [here](#).

\*indicates a required question

Contact Name \*

Email address \*

Phone number \*

Provider Location Name \*

License Number \*

Which Local Coordinating Organization (LCO) are you affiliated with?Â [sic] You can find your LCO here. \*

1. Arapahoe County Early Childhood Council
2. Bright Futures
3. Broomfield Early Childhood Council
4. Chaffee County Early Childhood Council
5. Cheyenne, Kiowa & Lincoln Counties Early Childhood Council
6. Children First Department of Pueblo Community College/ Pueblo Early Childhood Council
7. Connections4Kids
8. Custer County
9. Denver Preschool Program
10. Douglas County Early Childhood Council
11. Eagle County School District & Early Childhood Partners
12. Early Childhood Council for Yuma, Washington and Kit Carson
13. Early Childhood Council of Boulder County
14. Early Childhood Council of Larimer County
15. Early Childhood Council of Logan, Phillips and Sedgwick
16. Early Childhood Council of the San Luis Valley
17. Early Childhood Options & Summit County Government

18. Early Learning Ventures
19. ECHO & Family Center Early Childhood Council
20. Elbert County Early Childhood Council
21. First Impressions of Routt County
22. Grand Beginnings
23. Gunnison-Hinsdale Early Childhood Council
24. Huerfano-Las Animas Counties Early Childhood Council
25. Joint Initiatives for Youth and Families
26. Mesa County Partnership for Children and Families & Mesa County Dept of Human Services
27. Rocky Mountain ECC & Mountain Valley Development Services
28. Early Childhood Council of La Plata County
29. Teller Park Early Childhood Council
30. Triad Bright Futures
31. United Way of Weld County
32. Westminster Public Schools

Exception Requested (i.e. My location only serves teen moms enrolled at a neighboring high school; My location only serves children with specific disabilities.) Please provide any relevant information about the Program. \*

<b>Exhibit 42</b>
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**Notification of Rate Schedule Reimbursement Rates for Fiscal Agreement**

Jefferson County Division of Human Services 3500 Illinois St Suite 2200 Golden, CO 80401	Colorado Department of Early Childhood
St Mary Preschool 6833 S Prince St Littleton, CO 80120	Provider ID: 1541340 Date: 08/28/2023

This Rate Notification between Jefferson County Division of Human Services, herein referred to as “Department” and St Mary Preschool, herein referred to as “Provider”, who will provide child care at 6833 S Prince St, LittletonCO 80120 is an addendum to the Fiscal Agreement entered into by these parties effective 08/28/2023 and remains in effect until the termination of the above-referenced Fiscal Agreement.

**The Child Care Assistance Program rates to be paid to the provider are to be as follows:**

Per the provisions of House Bill 14-1317, State and County reimbursement rates must include a system of tiered reimbursement for child care providers based on Colorado Shines Quality Rating and House Bill 18-1335, reimbursement rates are established by the state for Regular Rate type, other Rate Types are County-option *See County Rate Reimbursement Chart/Page two of your current fiscal agreement*

**Rate Information:**

Rates have been entered based on the provider's Colorado Shines Quality Level to pay either the county rate limit or the provider's private pay, whichever is less, for County-established rates. The County Reimbursement Chart (attached to your current fiscal agreement) has been compared to the Provider's Private Pay rate sheet on file with current fiscal agreement. The allowable daily rate reimbursements are listed below.

Sincerely,

SANDRA SUMMERS

303-271-4723

**Provider Private Pay Rates**

	<b>PT</b>	<b>FT</b>	<b>FTPT</b>	<b>FTFT</b>
Regular 0-6 Months	\$0.00	\$0.00	\$0.00	\$0.00
Regular 6-12 Months	\$0.00	\$0.00	\$0.00	\$0.00
Regular 12-18 Months	\$0.00	\$0.00	\$0.00	\$0.00
Regular 18-24 Months	\$0.00	\$0.00	\$0.00	\$0.00
Regular 24-30 Months	\$0.00	\$0.00	\$0.00	\$0.00
Regular 30-36 Months	\$33.50	\$58.50	\$92.00	\$117.00
Regular 36-School Age	\$33.50	\$58.50	\$92.00	\$117.00

JA 833

Regular School Age	\$33.50	\$58.50	\$92.00	\$117.00
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**Rate Schedule Daily Reimbursement**

**Effective: 08/24/2023**

**Quality Rating: Level 2**

	<b>PT</b>	<b>FT</b>	<b>FTPT</b>	<b>FTFT</b>
Regular 0-6 Months	\$0.00	\$0.00	\$0.00	\$0.00
Regular 6-12 Months	\$0.00	\$0.00	\$0.00	\$0.00
Regular 12-18 Months	\$0.00	\$0.00	\$0.00	\$0.00
Regular 18-24 Months	\$0.00	\$0.00	\$0.00	\$0.00
Regular 24-30 Months	\$0.00	\$0.00	\$0.00	\$0.00
Regular 30-36 Months	\$32.84	\$58.50	\$92.00	\$117.00
Regular 36-School Age	\$31.00	\$56.37	\$87.37	\$112.74
Regular School Age	\$22.00	\$40.00	\$62.00	\$80.00

**Rate Schedule ART Fees**

	Amount	Frequency	Amount Per Period
Activity Fee	0.00		0.00
Registration Fee	0.00		0.00
Transportation Fee	0.00		0.00

**Licensed Provider Child Care Services  
Fiscal Agreement**

Jefferson County Division of Human Services 3500 Illinois St Suite 2200 Golden, CO 80401	Colorado Department of Early Childhood
St Mary Preschool 6833 S Prince St Littleton, CO 80120	Provider ID: 1541340 Date: 08/28/2023
Provider ID: 1541340	Tax ID Number: 840436373

This agreement shall be in effect from 08/04/2023 to 07/31/2026.

This Agreement is entered into and between Jefferson County division of Human Services, herein referred to as “County Department” and St Mary Preschool, herein referred to as “Provider”, who will provide child care at the following address: 6833 S Prince St, Littleton, CO 80120.

**Provider Agrees to:**

1. Ensure that care is provided only by the authorized person or business listed above.
2. Acknowledge that reimbursement for care will only be made for care that has been authorized in writing by the County Department.
3. Report to the County Department and State Licensing any change in address no less than thirty (30) calendar-days prior to the change.

JA 835

4. Report to the County Department and State Licensing any change in phone number within ten (10) calendar-days of the change.
5. Sign the child care Fiscal Agreement and all other state required forms. The Fiscal Agreement effective date shall be the date the county receives the completed and signed Fiscal Agreement from the provider. The effective date of this Fiscal Agreement may change to the date the document is received by the county if it is received after the printed effective date above. Payment shall not begin prior to the first of the month the Fiscal Agreement has been signed and received by the county.
6. Maintain a valid child care license as required by Colorado Statute and conform to all applicable State and Federal Regulations and local law.
7. Report to the County Department within three (3) calendar-days of receiving notification of the provider's license status being revoked, suspended or denied.
8. Acknowledge that the County Department will use the State system of record related to the status of the provider's license and the County Department will take appropriate action to recover any payments made as of the effective date of the closure.
9. Protect children from abuse and neglect and report any suspected child abuse and neglect to the State Department (1-844-CO-4-KIDS (1-844-264-5437)).
10. Allow parents, adult caretakers or teen parents who have legal custody or guardianship immediate access to the child(ren) in care at all times.

11. Provide children with adequate food, shelter and rest (as defined in licensing regulation 12 CCR 2509-8).

12. Accept referrals for child care without discrimination with regard to race, color, national origin, age, sex, religion, marital status, sexual orientation or physical, intellectual or mental health disability.

13. Notify the County Department if a child is no longer enrolled in your facility (for reasons other than termination by the County Department) within two (2) business days.

14. Notify the County Department of unexplained, frequent and/or consistent absences within ten (10) calendar-days of establishing a pattern.

15. Utilize the Attendance Tracking System (ATS) upon entering into a Fiscal Agreement with the County Department and shall utilize the ATS as follows:

- To ensure that CCCAP adult caretakers or teen parents record their child's authorized and utilized daily attendance at the designated child care provider's location.
- To ensure that in the event that the adult caretaker(s) or teen parent(s) misses one or more check-ins/outs to record daily attendance, the child care provider must record the missed check-in/out in the ATS and the adult caretaker or teen parent shall confirm, correct or deny the record in the ATS for the prior nine (9) day period for automatic payment ensuring time is accurate and is for actual time care is provided.

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- To acknowledge that non-cooperation with the use of the ATS may result in nonpayment of the child care subsidy as defined by a state approved county policy, unless non-use of the ATS is approved by the State department.
  - To not hold any parent or adult caretaker responsible for the cost of care if the transactions are not transmitted timely by the provider.
  - Review ATS Information and Resources and complete the ATS Training Video Series at Attendance Tracking System (ATS) Information and Resources.
  - Contact the ATS Helpdesk at [cdec\\_ats\\_helpdesk@state.co.us](mailto:cdec_ats_helpdesk@state.co.us) immediately to report any issues with ATS.
16. Not request, hold, transfer or use an adult caretaker or teen parent's individual attendance credentials, also known as a personal identification number (PIN). If intentional misuse is founded by any county or state agency, the child care provider will be subject to Fiscal Agreement termination and review for potential recovery or fraudulent activity.
17. Maintain internet service or access to internet service/Wi-Fi to ensure ATS is able to transmit attendance information to the County Department for payment via the provider's computer, laptop, tablet or smartphone.
18. Maintain as strictly confidential all information concerning children and their families.
19. Maintain paper or electronic sign in/out sheets that the person authorized to drop off/pick up the

children has signed with the date, names of the children and the time the children arrive and leave each day they attend. These records shall be available for county review upon request and maintained for the current year plus three years. The ATS Parent Sign in/Sign Out Report (RE753) meets this requirement.

20. Allow county and/or licensing staff the authority to inspect the provider's facility for the presence of CCCAP individual attendance credentials or other fraudulent or suspicious billing and attendance information. Upon discovery of these materials, the provider understands that either of these entities have the right to seize these materials/evidence of materials. Violations will be reported to State licensing staff, State CCCAP staff, and County CCCAP staff and will result in the provider being subject to termination of this Fiscal Agreement.

21. Submit the State-prescribed Manual Claim form and attendance records for verification of care dates as a secondary method of payment for:

- Certain circumstances or exceptions when providers are not reimbursed automatically based on approved ATS transactions for authorized and utilized care;
- Any county-option reimbursable activity, registration and/or transportation fees, hold-slot days, drop-in days, slot contracts, holiday and/or absence-day payments.

22. Forfeit payment for services when the original State-prescribed Manual Claim form is submitted to the County Department more than sixty (60) days following the month of care.

23. Attach a copy of the provider's current publicly posted private pay rates, including transportation, activity, and registration fees. The rates submitted to the County Department must align with the private pay rates charged to the public. Allowable rates and other associated charges shall be in accordance with State Rules for the Colorado Child Care Assistance Program. The provider acknowledges that daily reimbursement rates for the State-Established Regular Rate Type or any County-Established alternative rate types will pay at the daily tiered reimbursement rate maximums (ceiling rates) or at the provider's publicly posted private pay rate, whichever is less. Rate Schedule Amendments based on changes in quality level will become effective in a month following the officially reported change. A Rate Schedule will be made available to providers from the County Department. The approved daily tiered reimbursement rate maximums (ceiling rates) based on the Colorado Shines Quality Tiers for each county are posted publicly at [cdec.colorado.gov](http://cdec.colorado.gov) under Colorado Child Care Assistance, For Providers, Provider Reimbursement Rates and Payment. The County-Established alternative rates can be viewed at: View County CCCAP Policies and Rate Plan.

24. Collect the full parent fee due within each month from the parent/adult caretaker in accordance with, and not to exceed, the amount on the most current Child Care Authorization. Report (via FAX, email or mail) non-payment of parent fee or failure to make satisfactory arrangements to pay the fee no later than sixty (60) calendar days after the end of the month the parent fees are due (unless county policy requires earlier). The County Department will not take action

on reports of unpaid parent fees if it is outside the required reporting time frame.

25. Offer free age-appropriate alternatives to voluntary activities.

26. Not to charge parents rates in excess of the daily tiered reimbursement rate represented on the provider's Rate Schedule including registration, activity and transportation fees as set by County Department policy and approved by the State based on the Colorado Shines Quality Tiers. The provider daily tiered reimbursement rate maximums are posted publicly at: [cdec.colorado.gov](http://cdec.colorado.gov) under Colorado Child Care Assistance, For Providers, Provider Reimbursement Rates and Payment and are the maximum allowable rates of reimbursement (ceiling rates) for the care provided and include any portion for which the parent or adult caretaker is responsible.

27. Other than for allowable county-designated paid holidays or county-designated absence payments, if authorized by the State Department in response to a local or state declared emergency, providers may not receive payment for days in which they were not open or available for child care.

28. Acknowledge that per Federal guidance, two providers must not receive payment for the same child, on the same day and for the same time period. If a child has two providers, only one of the providers may be reimbursed for an absence or a holiday. Care should never be authorized at both providers for the same child on the same date and time.

29. Use the CCCAP daily reimbursement rate from the Fiscal Agreement Rate Schedule in place at the time of the absence if the provider chooses to charge

families for agreed and utilized absences for which the County Department does not provide reimbursement.

30. Report any dates they are closed for child care services. Dates of closure must be reported to the County Department prior to the day of closure or if due to unforeseen circumstances, the day of closure or as soon as possible. Natural disasters, emergencies and/or pandemics will be addressed on an as-needed basis, depending upon the circumstances.

31. Acknowledge that all money paid or payable to child care providers shall be subject to execution, levy, attachment, garnishment or other legal processes.

32. Hold the Colorado Department of Human Services, the State of Colorado, the County and the County Department of Social/Human Services harmless for any loss or actions caused by the performance of this Agreement. This section does not apply to government entities.

33. Perform duties hereunder as an independent contractor and not as an employee. Neither Contractor nor any agent or employee of Contractor shall be deemed to be an agent or employee of the State or County.

- Contractor shall not have authorization, express or implied, to bind the State or County to any agreement, liability or understanding, except as expressly set forth herein.
- Contractor and its employees and agents are not entitled to unemployment insurance or workers compensation benefits through the State or County and the State or County shall

not pay for or otherwise provide such coverage for Contractor or any of its agents or employees.

- Contractor shall pay when due all applicable employment taxes and income taxes and local head taxes incurred pursuant to this Contract.
- Contractor shall (i) provide and keep in force workers' compensation and unemployment compensation insurance in the amounts required by law, (ii) provide proof thereof when requested by the State or County, and (iii) be solely responsible for its acts and those of its employees and agents.

34. Acknowledge that County Departments shall determine if providers have received child care payments of fifty dollars (\$50) or more that they were not eligible for, and determine if the overpayment is recoverable; if recoverable, the County Department shall establish a recovery within twelve (12) months of discovery; and, overpayments that were not due to the fault of the provider will be reviewed and may be recovered.

35. Acknowledge that counties are responsible for ensuring compliance with the Colorado Department of Human Services' Fraud Policy and implementing controls to prevent, detect, and deter fraud. This includes recognizing and understanding the broad definition of fraud as outlined in the CDHS Fraud Policy, as well as the definition related to "Fraud/Fraudulent criminal act" in CCCAP regulations that refers to a child care provider who has secured, attempted to secure, or aided or abetted another person in securing public assistance to which the adult caretaker(s) or teen parent(s) was not

eligible for, by means of willful misrepresentation/withholding of information or intentional concealment of any essential facts. For CCCAP providers, fraud is determined as a result of the following: Civil or criminal action in an appropriate state or federal court. Per CDHS Fraud Prevention, report fraud at [cdhsaudits@state.co.us](mailto:cdhsaudits@state.co.us) or 877-934-6361, and fraud may include, but is not limited to, recovering payments that were received as a result of fraud.

36. Access the most recent CCR 2503-9 CCCAP rules and information at [cdec.colorado.gov](http://cdec.colorado.gov).

**Provider Rights:**

1. When a provider contends that the County Department has not made adequate payment based on program rules for care provided, the provider has the right to an informal conference with the County Department staff pursuant to 8 CCR 1403-1.

- Providers may request a conference in writing within fifteen (15) calendar days of the date of the action.
- Provider requests should be addressed to the county director of the County Department of Social/Human Services responsible for the action.
- Providers may request that State CCCAP Program staff participate in the conference. That participation may be by telephone conference.
- The conference shall be held within two (2) weeks of the date that the written request is received by the County Department.

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- The purpose of the conference will be limited to discussion of the payments in dispute and the relevant rules regarding payment.
  - The final decision of the County Department shall be mailed to the provider within fifteen (15) business days of the conference date.
2. A provider may request an informal conference if they dispute the termination of a Fiscal Agreement pursuant to 8 CCR 1403-1.
- Providers may request a conference in writing within fifteen (15) calendar days of the date of the action.
  - Provider requests should be addressed to the County Director of the County Department of Social/Human Services responsible for the action.
  - The conference shall be held within two weeks of the date the request for a conference is received by the County Department.
  - The purpose of the conference is limited to discussion to termination of agreement.
  - The final decision of the County Department shall be mailed to the provider within fifteen (15) business days of the conference date.

**County Department Agrees to:**

1. Compare the child care provider's private pay rates to the county's reimbursement rates set and/or approved by the state, prior to approving a Fiscal Agreement with any child care provider.
2. Reimburse licensed child care providers based on the State-Established regular rates or any County-

JA 845

Established alternative rates (ceiling rates) or at the provider's publicly posted private pay rate, whichever is less. The CCCAP reimbursement rate paid to the provider by the county must be the lesser of the two.

3. Reimburse the provider for authorized, attended and properly recorded and transmitted child care, as well as approved Activity, Registration and Transportation fees, hold slots, drop-in days, slot contracts, absences and holidays, in accordance with Colorado Child Care Assistance Program rules. Payment to the licensed provider is the total cost of the lesser of authorized and attended care based on rates set by this Agreement minus the parent fee (if applicable).
4. Process complete State-prescribed manual claim forms received within the required timeframe in CHATS within twenty-one (21) calendar days of receipt for payments that were not automatically processed through CHATS.
5. Enter the Fiscal Agreement into the Childcare Automated Tracking System (CHATS) within five (5) business days of receipt of the completed Fiscal Agreement and all supporting documentation.
6. Provide a copy of the fully executed Fiscal Agreement to the child care provider within seven (7) calendar days of the CHATS entry.
7. Provide Child Care Authorization notices to the provider within seven (7) business days of determined eligibility. This time limit applies to original, changed and terminated actions.
8. Provide an informal conference within two (2) weeks of the provider's written request to discuss the

basis for any denial or termination of this Agreement or to discuss any payment dispute.

9. Provide the final informal conference decision of the County in writing to the provider within fifteen (15) business days of the conference date.

10. Provide Fiscal Agreement renewal paperwork via postal service, fax, hand-delivery, email or other electronic systems at least sixty (60) calendar-days prior to the end of the current Fiscal Agreement.

**This Agreement may be:**

1. Terminated by either party by giving the other party fifteen (15) calendar days' notice by postal service mail, fax, hand delivery, email or other electronic system.

2. Terminated without advance notice if:

- A child's health or safety is endangered;
- The provider is under a negative licensing action;
- If fraud has been founded by the County Department.

3. Updated or revised by the State CCCAP Department.

4. In the event that any entities to this Agreement have a name change, they will notify either party and this Agreement will remain in effect.

By signing this Agreement, the provider acknowledges they have received, read and agree to the information regarding the rules, rates and policies of the Colorado Child Care Assistance Program. The provider shall receive a copy of the signed Fiscal

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Agreement & Rate Schedule and any subsequent amended Rate Schedules based on quality level during the term of the Agreement.

CHILD CARE PROVIDER

/s/ Tracy Seul

Authorized Representative Signature

8/23/23

Date

6833 S. Prince St.

Address

Littleton CO 80120

City, State Zip

303-798-2375

Phone Number

[REDACTED]

Email Address

(unique to license)

DEPARTMENT OF HUMAN/SOCIAL SERVICES

/s/ Sandra Summers

Authorized Representative Signature

8/24/2023

Date

3500 Illinois St.

Address

Golden, CO 80401

City, State Zip

3 | 271-4723

JA 848

Phone Number

ssummers@jeffco.us

Email Address

**Exhibit 43**

**DENVER PRESCHOOL PROGRAM**

**2022-2023 DPP Provider Renewal [sic]**

**Questions/Information**

**Welcome, Denver Preschool Program (DPP) Providers, and thank you for your interest in renewing your DPP participation for the 2022-2023 school year.** We greatly appreciate everything you've done for children and families over the past year, and we look forward to partnering with you again next school year.

If you have questions before you start your renewal process or your preschool program is not currently enrolled in the Denver Preschool Program, please contact Nayely Avila, Program Specialist at [nayely@dpp.org](mailto:nayely@dpp.org) or 720-287-5055 ext. 130.

**Thank you for your dedication and commitment to Denver's children and families.**

In Partnership,  
The DPP Team

Thank you for completing the information below for the upcoming 2022-2023 school year:

1. Preschool name:  
Wellspring Catholic Academy
2. Your preschool's child care licensing number:  
68812
3. Name of person completing this form:  
Karina Campa

4. Your job title:  
Director  

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5. Your email address:  
[REDACTED]  

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6. Your program's primary phone number:  
303-237-0401  

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7. Does your program expect to have at least one DPP-eligible 4-year-old child enrolled during the 2022-2023 school year (children who live in the City and County of Denver in their last year of preschool before kindergarten)  
 Yes  
 No  
 Unsure
8. Approximately, how many DPP-eligible 4-year-old children do you expect to have enrolled at your school during the 2022-2023 school year (children who live in the City and County of Denver and will be 4 years-old by October 1, 2022)?  
4  

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9. Preschool for 3s Pilot: This Pilot serves a limited number of families with the highest financial need that have a 3-year-old in DPP's Income Tiers 1 and 2 (at or below 185% of the federal poverty line) who live in the City and County of Denver do you expect to have enrolled during the 2022-2023 school year?  
3  

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10. How many 4-year-old enrollment openings do you currently have for the 2022-2023 school year?

10

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11. How many total 4-year-olds do you expect to enroll for 2022-2023?

8

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12. How many 3-year-old enrollment openings do you currently have for the 2022-2023 school year?

0

---

13. How many total 3-year-olds do you expect to enroll in 2022-2023?

8

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14. Is your program open year-round, or does it typically close for a portion of the summer?

a.  Year-round

b.  Closes for a portion of the summer

15. Is your child care/preschool license current and in good standing?

a.  Yes

b.  No

c.  Unsure

16. Does your program offer religious instruction in your DPP classroom(s)? This includes prayers at meal times no matter how brief.

a.  Yes

b.  No

Section 2: Religious Instruction Details -  
As a taxpayer-funded organization, DPP cannot fund any portion of the day with

religious instruction. Please provide the amount of time per day of religious instruction below. Additionally, you must submit a daily schedule of activities that marks any times of the day when religious instruction occurs for your DPP classroom(s). Please e-mail it to [nayely@dpp.org](mailto:nayely@dpp.org) or fax it to 303-496-1114.

17. Approximately how many minutes per day of religious instruction occurs in your DPP classroom(s) (input 0 if your program does not have any religious instruction time)?

15 min

---

Section 3: Classroom Information - For all classroom numbers below, please input the number of physical classrooms expected at your program for the upcoming 2022-2023 school year. Please input 0 if you will not have any classrooms for a particular age.

18. How many physical infant classrooms will you have during the 2022-2023 school year? Please input 0 if you will not have any infant classrooms.

0

---

19. How many physical toddler classrooms will you have during the 2022-2023 school year? Please input 0 if you will not have any toddler classrooms.

0

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20. How many physical preschool classrooms will you have during the 2022-2023 school year?

2

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21. Daily operating hours: Please list your preschool's daily operation hours for the 2022-2023 school year (please include any extended hours before/after school time that preschoolers may attend):  
8:30-3:45  
\_\_\_\_\_
22. Preschool physical address (please include address number, street name, city and zip code):  
1100 Upham st Lakewood, co 80214  
\_\_\_\_\_
23. Preschool website (if applicable):  
wellspringcatholicacademy.com  
\_\_\_\_\_
24. Please list your preschool's early childhood philosophy (e.g. Montessori, Reggio, Waldorf, etc.):  
Play based  
\_\_\_\_\_
25. Does your school's web profile page at dpp.org need to be updated, or is the current information listed valid?:
- a.  Yes, please contact me to update our program's information
  - b.  No, all current information is valid
  - c.  Unsure
26. Please list your director's full name:  
Karina Campa  
\_\_\_\_\_
27. Please list your director's email address:  
[REDACTED]  
\_\_\_\_\_
28. Please list the name and email address for any other staff that should receive information related to DPP tuition credit payments or other financial information related to your program:
- a.  Same as director info above

- b.    Other (input here if applicable):  
[REDACTED]

29. DPP is expanding the languages our materials are offered in. Please list any languages other than English that are supported during your school's enrollment process (if applicable):  
spanish

Recommendations on How DPP Can Best Support Your Preschool - DPP greatly values your feedback to ensure our Quality Improvement (QI) offerings are helpful to programs. As we finalize our 2022-2023 school year QI resources, we will consider any information you provide below. If you run out of room, please email [Chris@dpp.org](mailto:Chris@dpp.org) with any additional QI resource recommendations.

30. What are the best ways that DPP can support your director/assistant director(s) team? What types of coaching/training topics or other resources would be most helpful?  
Administration for director, Social emotional, classroom management, incorporating science, math, team collaboration
31. What are the best ways that DPP can support your preschool classroom teaching team(s)? What types of coaching/training topics or other resources would be most helpful?  
Team work collaboration
32. If applicable, briefly describe how your program currently promotes diversity, equity and inclusion principles:

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We promote diversity by displaying posters of different racial backgrounds, books, learning about each others culture.

33. If applicable, briefly describe any supports that would support your program to integrate diversity, equity and inclusion principles:

34. Open-ended feedback: Do you have any other questions or comments for the DPP team at this time?

no

**The following pages include the 2022-2023 DPP Provider Agreement for your review, initials and signatures.**

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## **DENVER PRESCHOOL PROGRAM**

### **2022-2023 Provider Agreement**

**[www.dpp.org](http://www.dpp.org)**

**Please note: Updates to complete or partial sections to the 2022-2023 Provider Agreement are highlighted.**

#### **Provider Agreement Introduction**

Dear Denver Preschool Program Provider,

Thank you in advance for renewing your participation with the Denver Preschool Program (DPP). We appreciate your continued efforts to champion our vision to ensure that all Denver's children enter kindergarten ready to reach their full potential.

While we expect providers to read the entire Provider Agreement, we ask you to pay special attention to the key areas of focus below, as well as those highlighted in yellow:

- Extended-day tuition credit definition (page 6): A student can only be billed at the extended-day level if they attend school at least 33 hours per week. We continue to find that some sites inaccurately classify students as extended-day when they only attend full-day;
- Please double check your program's sign-in/sign-out records to ensure the days scheduled/days attended listed on your program's monthly DPP Attendance form matches the actual days scheduled/days attended for each DPP Student;

- Policy II.1: Tuition Credits and Attendance: Regarding the need to provide DPP with a published tuition rate schedule annually;
- Policy II.2: Tuition Credits and Attendance: Regarding the need to immediately provide DPP with an updated published tuition rate schedule should it change during the program year, including any potential changes during the summer;
- Policy II.5: Tuition Credits and Attendance: Regarding the need to immediately notify DPP if Provider learns that a DPP-approved Student has changed their address of residence. DPP students must live in the City and County of Denver

KC (initial)

- Policy II.11 and the DPP Scholarship Appendix: Regarding the clarification of DPP students funded by multiple funding streams and acknowledgment that providers cannot receive more funding than what is outlined in these sections
- If a provider has any questions about correctly applying DPP traditional tuition credits, Preschool for 3s tuition credits or DPP Scholarship funds, they will contact DPP's enrollment team at [info@dpp.org](mailto:info@dpp.org) or 303-595-4377

KC (initial)

DPP also asks providers to initial key clauses throughout this agreement to ensure awareness of new or existing policies that we found needed more clarity. Please reach out to DPP if you have any questions about any policy in the agreement.

KC (initial)

Thank you for reviewing the entire 2022-2023 Provider Agreement in detail. We look forward to a great year!

In Partnership,  
Chris Miller, Senior Director of Quality Initiatives  
[Chris@dpp.org](mailto:Chris@dpp.org) or 720-287-5055, ext. 140

Nayely Avila, Program Specialist [sic]  
[Nayely@dpp.org](mailto:Nayely@dpp.org) or 720-287-5055, ext. 130

**Background**

DPP helps make preschool possible for all Denver families—regardless of income—through tuition support and access to information. Approved by Denver voters in 2006 and reauthorized in 2014 to extend to 2026, DPP is funded by a .15 percent sales tax. Through the 2020-2021 program year, DPP provided more than \$150 million in tuition support to help nearly 64,000 children attend the preschool of their family's choice, establishing each child's foundation for lifelong learning and success.

Our mission is to help Denver fulfill its commitment to its youngest learners. We champion, fund and increase access to quality preschool across our community. DPP is open to and voluntary for all eligible children who live in the City and County of Denver who turn 4 years old by October 1, 2022, and licensed preschool providers that agree to participate in our quality rating and improvement system.

Additionally, DPP is continuing the below pilot program during 2022-2023:

- The Preschool for 3s Pilot Program to support a limited number of children who live in the City

and County of Denver who turn 3 years old by October 1, 2022 as we look to further increase access to high-quality preschool.

Provider acknowledges this Pilot Program will not be available to all families, will review more information below related to this Pilot and will contact [info@dpp.org](mailto:info@dpp.org) or 303-595-4377 with any questions. KC (initial)

**Provider Participation and Benefits**

Providers offering part-day, full-day and/or extended-day programs who have at least one DPP-eligible child enrolled qualify to participate. Parents who reside in the City and County of Denver can use their tuition credit at providers located outside the City and County of Denver; however, only providers within the City and County of Denver are eligible for DPP quality rating and improvement grants and professional development resources.

DPP invests approximately 12 percent of its annual budget in quality rating and improvement opportunities for participating providers. By participating in DPP, providers gain access to numerous benefits, many of which are aligned with and incentivize further quality improvement. Below is a list of the benefits available to eligible, participating providers:

*All DPP providers (including those located outside of Denver):*

1. Tuition credits for eligible students enrolled in your program;
2. Access to DPP professional development trainings and webinars;
3. Free marketing via the DPP website;

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4. Access to a variety of DPP marketing materials.
5. Access to Preschool for 3s Pilot Program (pending funding capacity and eligible students enrolled)
6. Depending on resources available, possible access to DPP Strengthening Grants and the DPP Scholarship

### *DPP providers located in Denver*

1. Payment for any potential Classroom Assessment Scoring System® (“CLASS®”) observations required by DPP in all DPP classrooms.
2. Quality improvement grants for a wide range of early childhood education resources and conferences, coaching, and classroom materials.
3. Eligibility to apply for:
  - Professional development scholarship opportunities (potential college scholarships and Child Development Associate Credential™ scholarships),
  - Financial achievement awards and
  - Potential additional quality improvement funding opportunities

### **Resources**

Below is a list of resources and related contact information should you have any questions or concerns at any point during your participation in DPP. You can also visit the DPP website at [www.dpp.org](http://www.dpp.org) for more information.

**For provider questions, please contact:** Chris Miller, DPP Director of Quality Initiatives – 720.287.5055, ext. 140 or [Chris@dpp.org](mailto:Chris@dpp.org)

**For family application/enrollment questions, please contact:** DPP's Enrollment Team from MetrixIQ - 303.595.4DPP (4377) or [info@dpp.org](mailto:info@dpp.org)

**To request DPP marketing items such as family applications, window decals, posters or brochures, please contact:** Nayely Avila, DPP Program Specialist – 720.287.5055, ext. 130 or [Nayely@dpp.org](mailto:Nayely@dpp.org)

**DPP Provider Handbook:** <https://dpp.org/for-preschools/provider-handbook>

Access the handbook for important documents related to DPP including, but not limited to, the Provider Agreement, family applications, attendance form templates, the DPP tuition credit scale, information on how to access quality improvement resources and DPP evaluation results.

DPP will issue tuition credits on behalf of eligible Denver parents or guardians to pay a portion of their child's (a "student") tuition in the year before he or she is eligible to attend kindergarten. Provision of tuition credits is contingent upon the annual funding from the City and County of Denver to the DPP. The tuition credit amount is determined by the family's household size and income, number of days the child attends a preschool program (see absence policy below), hours per week the child attends preschool (part-day, full-day, extended-day), and the quality rating level of the provider where the child is attending. **The tuition credit amount will be adjusted up or down DURING THE PROGRAM YEAR if any of the following occur:**

- **The provider's Colorado Shines quality rating level changes**

- A student's participation level changes based on their actual hours of preschool attendance
- A student has more than ten absences in a month
- A student has a late start or early end date
- A student becomes either eligible or ineligible for the DPP Scholarship Pilot
- A student needs to have their DPP tuition credit lowered so that total funds received by the provider on behalf of the student do not exceed their published tuition rate (see section II.11 for more details).

The tuition credit amount will be discontinued DURING THE PROGRAM YEAR if any of the following occur:

- The provider becomes inactive in DPP for any reason (e.g. voluntarily withdraws from DPP; expired insurance; etc.)
- The student moves out of the City and County of Denver
- The student disenrolls from the DPP-participating provider

#### **Definitions**

- DPP-eligible child: A child that lives in the City and County of Denver and meets at least one of the following:
  - a. Traditional (4-year-old) tuition credit DPP-eligible child: A child that lives in the City and County of Denver and is in their final year of preschool before kindergarten. A child must not have received DPP tuition credit funding during any previous school year unless the previous

school year's participation was in the Preschool for 3s Pilot.

- b. Preschool for 3s Pilot Program tuition credit
- DPP-eligible child: A child that lives in the City and County of Denver, is in their second to last year of preschool before kindergarten and is determined by DPP to qualify for DPP's Preschool for 3s Pilot Program, which will prioritize a limited number of low-income families during the 2022-2023 school year
- Important note: While DPP has funding for all eligible children who are attending DPP-participating providers for DPP's Traditional (4-year-old) tuition credits, funds are limited for the Preschool for 3s Pilot Program and DPP may not be able to fund all eligible families for this Pilot Program.
  - 2022-2023 DPP-Scholarship eligible child: A child approved for DPP tuition credits at DPP Income Tiers 1 or 2 at full- or extended-day participation levels, and who do not receive other public preschool funds (i.e. Head Start, Colorado Child Care Assistant Program (CCCAP), Colorado Preschool Program (CPP) or Early Childhood At-Risk Enhancement (ECARE)), or a child approved to receive a Scholarship through DPP's pilot scholarship-nomination process, who is attending a DPP Community Provider. Please note DPP Scholarship Pilot funds are limited and might not be available to all Scholarship-eligible children.
  - Tuition credit(s): The amount of tuition assistance a family receives on their behalf on a monthly basis to help pay the tuition for their DPP-eligible child.
  - Participation levels:

- a. Part-day tuition credit: available to DPP-eligible children attending a DPP provider for at least 5 hours per week of non-religious activities
- b. Full-day tuition credit: available to DPP-eligible children attending a DPP provider for at least 25 hours per week of non-religious activities
- c. Extended-day tuition credit: available to DPP-eligible children attending a DPP provider for at least 33 hours per week of non-religious activities

**KC (initial)**

- **Provider:** A licensed child care center, family child care home or preschool that participates in the Denver Preschool Program and is duly licensed under the Colorado Child Care Licensing Act, C.R.S. § 26-6-101 *et. seq.* as amended and the provision of Denver Municipal Code Chapter 11, as amended, or shall be an early childhood education program administered by Denver Public Schools pursuant to the Colorado Preschool Program Act, C.R.S. § 22-28-101 *et seq.*, as amended.
- **DPP tuition-eligible classroom:** A classroom at a participating DPP provider that has at least one DPP-eligible child enrolled.
- **DPP quality improvement-eligible classroom:** A classroom at a participating DPP provider located in the City and County of Denver that is licensed as a preschool classroom.
- **Introduction to Quality:** The period before a site receives its first quality rating.
- **Student:** A DPP-eligible child who receives tuition credit.
- **Agreement:** This 2022-2023 Provider Agreement.

- Program year: September 1, 2022 through August 31, 2023
- Community provider: Independently operated DPP-participating program that coordinates student enrollment, preschool tuition rates and family billing separately than the local school district.
- Active provider: DPP-participating program currently eligible to receive tuition credits and other DPP resources
- Inactive provider: A formerly active provider that is not currently eligible to receive tuition credits and other DPP resources
- Categorical Eligibility: Categorical eligibility is a criteria factor that allows anyone who fulfils the set forth criteria to be automatically eligible for all or a portion of a specified service or program. DPP's current categorically eligibility is as follows:
  - a. Child in Foster Care Categorical Eligibility: A child that is placed away from their parent or guardian and are receiving services from the Colorado Department of Human Services and/or Department of Early Childhood pursuant to article 5 of title 26, C.R.S. including kinship family foster care and non-certified kinship care will be classified as DPP Income Tier 1 if approved for DPP tuition credits.
    - i. The categorical eligibility referenced for Foster Care families would only pertain to eligibility for the income tier designation for tuition credits. Other tuition credit determinations, such as participation level and preschool quality rating level, shall continue to be determined in accordance with existing DPP Policies.

In consideration of providing such tuition credits, the provider agrees to the following:

**I. Program**

1. Provide a preschool program for DPP-eligible children in substantially the same form as advertised to parents and provided to DPP, including but not limited to curriculum, physical location and facilities, staff and hours. Any substantial change needs to be approved in writing by DPP. The Provider must have an eligible child enrolled in their preschool program to qualify as a DPP Provider.
2. Promptly notify DPP of a change in the Provider's director.
3. Promptly notify DPP of any changes to the Provider's contact person regarding DPP family applications, attendance, Tuition Credit payments and/or quality improvement activities.
4. If requested by DPP, Provider's director or representative agrees to participate in an annual meeting to review DPP's policies and procedures, and to provide DPP with feedback on how DPP can better support its preschool program. Please note DPP reserves the right to determine when attendance at an annual meeting will be required.
5. As requested, share information about evaluation and feedback opportunities with staff. (For example, forward survey invitations to educators.) **DPP strongly encourages**

**participation in evaluation activities** during the school year, which may include focus groups, surveys, and/or interviews, to help DPP deliver the best possible support to families and providers.

## **II. Tuition Credits and Attendance**

1. In no event shall the charge for a Student participating in DPP be more for comparable hours than the charge for a child who is not participating in DPP. The Provider's published tuition rate schedule for all DPP-eligible children must be provided to DPP by September 1, 2022.
2. Provider shall notify DPP promptly of any changes to their published tuition rates and must provide DPP with an updated copy of the published tuition rate schedule within 15 days of the change by emailing it to [info@dpp.org](mailto:info@dpp.org), faxing to 303-496-1114 and sending it to [nayely@dpp.org](mailto:nayely@dpp.org).
3. Provider shall notify DPP promptly when a Student has terminated enrollment from the preschool program. In no event will DPP pay future tuition until notified by the Provider that the Student has been reinstated according to its policy. The Provider's policy shall be uniformly applied for all DPP Students.
4. **As required by Colorado's Child Care Facility Licensing Rules, "a sign-in/sign-out sheet or other mechanism for parents and guardians must be maintained daily by the center. It must include, for each child in care, the date, the child's name,**

**the time when the child arrived and left the center, and the parent or guardian's signature or other identifier."** DPP requires the signature or other identifier at both arrival and departure.

- a. If requested, the Provider shall give DPP access to these records for any DPP Student as part of DPP's Quality Assurance Program (QAP), described in "Section VI. Record Keeping/Report of this Agreement." KC (initial)

5. Family Applications and Change of Address

- a. If a family chooses to submit their DPP application to the Provider instead of directly to DPP, Provider agrees to scan and email, fax or mail the application to DPP within two business days of receipt.
- b. For DPP-eligible Students receiving Head Start funding, Provider agrees to use DPP's streamlined family application and spreadsheet for Head Start families. Provider agrees to ensure all documents used to verify residency, age and income for Head Start also meet DPP's verification requirements as outlined in the Provider Handbook.
- c. If Provider learns that a DPP-approved Student has changed their address of residence, **Provider agrees to immediately notify DPP** at [info@dpp.org](mailto:info@dpp.org) or 303-595-4377 so DPP can verify continued DPP eligibility and obtain updated address verification documents.

KC (initial)

6. Process and submit all required attendance information to ensure accurate Tuition Credit payments by no later than the 20<sup>th</sup> of the month following the month during which the services were provided (e.g. September 2022 attendance is due no later than October 20, 2022). Failure to submit all the required information by the deadline may constitute a forfeiture of payment. DPP encourages Providers to use DPP's attendance template to streamline the Tuition Credit payment process. Beginning with the 2022-2023 school year, Providers will be encouraged to submit attendance online through the DPP Enroll portal. Required monthly attendance information for each DPP-approved Student is as follows:
  - a. First and last name.
  - b. Student's number of days scheduled to attend ("Days Scheduled"), and number of days actually attended ("Days Attended").
  - c. (if applicable) Date of Student's schedule change during the month (i.e. if a Student increased or decreased his or her hours of DPP participation level between Part-day, Full-day or Extended-day tuition credits during the month, as defined in the Definitions on page 4 of this Agreement, Provider is required to write the date of the schedule change and the new DPP participation level for the Student on the monthly attendance form.
  - d. (if applicable) Student's start date (first date of attendance if the Student enrolled in Provider's program during that month).

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- e. (if applicable) Student's end date (final date of attendance if the Student left Provider's program during that month).
  - f. Provider agrees to confirm its total number of current preschool enrollment vacancies, DPP-Eligible Children enrolled, total number of DPP classrooms and total number of all children enrolled in DPP classrooms at regular intervals as requested.
  - g. Provider agrees to verify the DPP Part-day, Full-day or Extended-day tuition credit participation levels for all Students after receiving the emailed copy of each Student's DPP approval letter and immediately email [info@dpp.org](mailto:info@dpp.org) or call 303-595-4377, or update the participation level in DPP Enroll, if the approval letter reflects the wrong participation level for the Student. Additionally, Provider agrees to verify the DPP participation level for any DPP Student based on their actual level of attendance if requested throughout the year.
  - h. Provider agrees to list the name of the person who completed the DPP monthly attendance information on their attendance submittal.
  - i. For any DPP Scholarship Students, Provider agrees to verify whether or not they are receiving any other public funding for enrolled DPP Scholarship Students each month on the attendance form.
7. Tuition Credit Payment and Absence Policy
- a. Full Month Tuition Credit
    - i. When the Days Attended are equal to the Days Scheduled, the full monthly tuition

credit amount is paid if the Student was enrolled in the program for the entire month and the Student is approved at the correct Participation Level based on that month's attendance.

- ii. Grace Period: Until further notice, absences equal to or less than ten days each attendance month are considered within the "Grace Period" and do not decrease the monthly tuition credit amount.
- b. Tuition Credit Adjustments
- i. A prorated tuition credit amount will occur when absences exceed the Grace Period (are equal or are greater than eleven days each attendance month).
  - ii. Mid-Month Adjustments. DPP will make prorated tuition credit adjustments to reflect the number of Days Attended if the following occurs during the month:
    - 1. When the Days Attended are less than the Days Scheduled because the Student started attending the school after the first school day of the month and/or the DPP approval date is after the first school day of the month, or when the Student leaves the school before the end of the month, the tuition credit payment is prorated.
    - 2. When the Student's DPP participation level in the program changes during the month, the tuition credit amount will adjust corresponding to the date of the change.

3. When the family's DPP income tier changes due to a change in annual household income or household size, the updated tuition credit amount will be effective on the first day of the following month.
8. The Provider shall not use Tuition Credits, Quality Initiative grants, professional development resources or any other DPP-funded resource derived from the DPP sales tax to engage in inherently religious activities, such as worship, religious education or instruction, or proselytization. If the Provider engages in such inherently religious activities, the inherently religious activities must be offered separately, in time and location, from the programs, activities, or services supported by the DPP sales tax, unless offering such inherently religious activities in a separate place would not be practicable due to the physical limitations of the facility in which the DPP activities are held. Any religious activity does not count as billable for tuition credits and must be subtracted when determining a Student's Participation Level (see Definitions on page 5). It is the Provider's responsibility to accurately update each Student's Participation Level by notifying DPP as needed using only non-religious attendance time. Nothing in this Agreement shall be construed to affect the Provider's right to engage in privately funded, inherently religious activity or affect the independence of Providers, including any rights protected by the Colorado and U.S. Constitutions and applicable law. **KC (initial)**

9. The Provider shall not use Tuition Credits, Quality Initiative grants, professional development resources or any other DPP-funded resource derived from the DPP sales tax to fund lobbying or for the support of any candidate running for office or other political campaigns. KC **(initial)**
10. If the Provider accepts funds from other sources for any DPP Student, the DPP Tuition Credits should supplement funds from those other sources, including but not limited to the Colorado Child Care Assistance Program (“CCCAP”), Head Start, Colorado Preschool Program (“CPP”) and other Denver Public Schools funding streams. However, DPP Tuition Credits cannot pay for any parent co-payments (i.e. parent fee) assessed as part of the Colorado Child Care Assistance Program or any other publicly funded assistance programs. In the event the Provider, parent or guardian is disqualified from participating in CCCAP, Head Start, CPP or other identified funding source because of some inappropriate conduct or misrepresentation, the DPP Tuition Credits that would otherwise be paid during the period of such disqualification shall be forfeited. KC **(initial)**
11. For DPP Students who are not receiving [sic] the DPP Scholarship, the total funding amount a Provider receives on behalf of a DPP Student from all funding sources each month, including DPP Tuition Credits, tuition paid by families or other private contributions, and/or other public funding sources and parent fees, shall not

exceed the monthly cost of care rate applicable to such child (\$1,425 per month for the 2022-2023 school year) **or** the Provider's published tuition rate applicable to such child, **whichever is higher**. The publication of the annual cost of care will coincide with the release of the tuition credit scale. DPP has the right to update the annual cost of care at any time. The Denver Preschool Program tuition credits will be the first dollar invested in a child's tuition support. In the event the total amount would otherwise exceed such published rate, the Provider shall promptly notify DPP, and shall advise DPP as to what funding has been reduced to bring the total funding into compliance with this current requirement. Provider must review and initial to acknowledge understanding of this clause by studying the examples in Appendix A. If needed, Provider will contact Chris Miller at 720-287-5055 ext. 140 for clarification on this clause. KC (initial). See Appendix C for differences in this clause for DPP Scholarship Students.

12. Tuition Credits are calculated per child based on the 2022-2023 Tuition Credit Scale available in the DPP Provider Handbook and are subject to change at any point during the program year if any of the following changes: family's income, family's size, Student's hours and/or scheduled days of attendance, Student's becoming eligible or ineligible for the DPP Scholarship Pilot, and/or Provider's quality rating level. Accordingly, if any Student's Tuition Credit amount changes during the year due to any of

these reasons, Provider acknowledges that the new Tuition Credit amount will be applied to the Student's tuition bill. It is the Provider's responsibility to notify the Students' families of any changes in the Tuition Credits. Tuition Credits will immediately discontinue for any Student that moves outside of the City and County of Denver. Tuition Credits also are subject to change, including being revoked or suspended, if Provider violates any of the terms of this Agreement as set forth herein.

13. The amount and payment of Tuition Credits are contingent upon the annual funding from the City and County of Denver to the Denver Preschool Program and could change during the terms of this Agreement.
14. The payment of Tuition Credits is also contingent on the Provider following the guidelines of this Agreement, including, but not limited to, remaining in good standing with child care licensing, maintaining the minimum insurance requirements as defined in Section V. of this Agreement and participating and achieving appropriate quality levels in DPP's quality rating and improvement system, as outlined in Section IV. of this Agreement.

KC (initial)

### **III. Quality**

1. During any time the Provider is receiving Tuition Credits on behalf of any Student, the Provider either (i) shall maintain its license under the Colorado Child Care Licensing Act, §§ 26-6-101, et seq., C.R.S., as amended, and

Chapter 11 of the Denver Municipal Code, or (ii) shall be an early childhood education program administered by Denver Public Schools pursuant to the Colorado Preschool Program Act, §§ 22-28-101, et seq., C.R.S., as amended. If Provider voluntarily closes/surrenders its license, involuntarily loses its license, enters adverse or negative licensing action, or is issued a probationary license, Provider agrees to immediately notify DPP by emailing [chris@dpp.org](mailto:chris@dpp.org). KC **(initial)**

2. The Provider shall address any observed licensing violations within the period of time set by the Colorado Department of Human Services and/or Department of Early Childhood, Division of Early Care and Learning, Office of Early Childhood. The Denver Preschool Program has an agreement with the Colorado Department of Human Services and/or Department of Early Childhood, Division of Early Care and Learning, Office of Early Childhood to report licensing violations observed by any of the DPP representatives that rise to complaint Level 0-3, according to the State Department of Human Services and/or Department of Early Childhood, Division of Early Care and Learning, Office of Early Childhood Complaint Investigation Guidelines. Those DPP representatives observing such a violation will notify the appropriate staff if such a report needs to be made and, if needed, will work with the Provider on a plan to remedy the problem. The Denver Preschool Program reserves the right to suspend or terminate this Agreement if serious licensing violations are not addressed as

required by the Division of Early Care and Learning, Office of Early Childhood Complaint Investigation Guidelines. As of the writing of this Agreement, Colorado's Child Care Facility Licensing Rules could be accessed here: [http://coloradoofficeofearlychildhood.force.com/oec/OEC\\_Providers?p=providers&s=Rules-and-Regulations&lang=en](http://coloradoofficeofearlychildhood.force.com/oec/OEC_Providers?p=providers&s=Rules-and-Regulations&lang=en)

3. The Provider shall participate in a quality rating and improvement system required by DPP, including training and a three-part quality improvement system that includes an introduction to quality, establishment of an objective quality rating for the Provider, and development and implementation of a quality improvement plan for the Provider. The Provider agrees to share its quality ratings and rating reports with DPP, local, state and national organizations involved with the creation of public policy and research aimed at improving early childhood education and care funding and programming. Provider also agrees to allow the appropriate quality rating organization to share their quality rating reports with DPP so DPP can support the Provider's quality improvement and process DPP Tuition Credits. The Provider further agrees to allow DPP to publish the Provider's most current quality rating reports on its website and acknowledges that DPP may notify the Students' parent or guardian directly of any change in the quality rating. Notwithstanding the foregoing, Provider shall promptly notify Students' parent or guardian of any change in the quality rating.

4. Providers located outside of the City and County of Denver acknowledge that DPP cannot provide any funding for them to participate in DPP's quality rating and improvement system and that they will be responsible for either obtaining outside funding or self-funding needed quality ratings.     KC     **(initial)** If contacted by the Provider, DPP staff members agree to support non-Denver providers in researching ideas for other potential sources of funding to participate in the quality rating and improvement system.
5. The Provider agrees to participate in a consultation after receiving its Colorado Shines Assessment or CLASS® observation.
6. Distribution of quality improvement funding is dependent upon the annual funding from the City and County of Denver to DPP and could change during the terms of this Agreement.
7. Notify DPP promptly when the Provider no longer has a DPP-Eligible Child enrolled in the preschool program. If after 180 days the Provider does not have a DPP-Eligible Child enrolled in the preschool program, the Provider will no longer be an active DPP Provider.

#### **IV. Eligibility**

DPP is committed to supporting DPP Providers in achieving and sustaining high levels of quality. In order for DPP Providers to maintain active status in DPP and to remain eligible for DPP funding, they agree to engage in continuous quality improvement as measured by CLASS® observations and the Colorado Shines Rating on a timeline determined by DPP. The

quality improvement requirements for each Provider between ratings will be specific to the Provider based on their previous rating reports. The Eligibility Site Operational Procedures that explain the process of how DPP will collaboratively work with the Provider to support their quality improvement will be posted in the online DPP Provider Handbook available at <https://dpp.org/for-preschools/provider-handbook>.

DPP Providers not yet meeting the below requirements agree to meet with DPP staff and/or DPP's quality improvement team members as requested to collaborate on its quality improvement plan.

1. CLASS® and Colorado Shines Rating Level Score Requirements
  - a. Providers that have received a CLASS® observation score in any DPP classroom below 5.5 in the Emotional Support (“ES”) domain, below 5.0 in the Classroom Organization (“CO”) domain and/or below 2.0 in the Instructional Support (“IS”) domain agree to work toward achieving at least these minimum scores by their next observation. Quality Improvement Plan (“QIP”) goals and timelines to achieve these scores will be completed in collaboration between DPP and the Provider.
  - b. Providers that are currently Colorado Shines Level One (1) agree to achieve Colorado Shines Level Two (2) within six months of becoming Level One (1). DPP will not fund Level One (1) providers after six months except when extenuating circumstances prevented Level Two (2) completion (e.g. high staff turnover).

- c. Providers that are currently Colorado Shines Level Two (2) and have never before received a Colorado Shines Level 3-5 Assessment agree to receive their first Colorado Shines Level 3-5 Assessment within six months of achieving Level Two (2).
- d. Providers that are currently Colorado Shines Level Two (2) based on results of their first Colorado Shines Level 3-5 Assessment agree to work toward achieving at least Level Three (3) by their next rating. QIP goals and timelines to earn Level Three (3) will be completed in collaboration between DPP and the Provider. Providers are expected to achieve at least Level Three (3) by their second Colorado Shines Level 3-5 Assessment to guarantee continued eligibility in DPP.
- e. Providers with Colorado Shines Rating Level Three (3), Level Four (4) or Level Five (5) are expected to maintain a minimum of a Level Three (3) rating. If the Provider falls below a Level Three (3) rating, the Provider becomes subject to the same guidelines outlined above for Level One (1) and Level Two (2) Providers.
- f. If a Provider fails to meet the growth criteria outlined in A - E above and does not show a commitment to quality improvement, that Provider may, at DPP's discretion, lose its active status in the Denver Preschool Program and may no longer be eligible for DPP funding.

- g. If a Provider loses its active DPP status and wishes to regain it, the Provider must obtain its own Colorado Shines Rating, Colorado Shines Alternative Pathway and/or CLASS® observations and must attain the same benchmark toward which they were previously accountable. If and when this benchmark is achieved, the Provider can return to active status and once again become eligible for DPP funding.

2. Rating Timeline Requirements

a. CLASS® Observation

- i. All new DPP Providers will receive a DPP CLASS® observation in all DPP classrooms within one year of joining DPP.
- ii. Subsequent CLASS® observations will occur at minimum once every two years per DPP classroom.

b. Providers pursuing a Colorado Shines Alternative Pathway Accreditation

- iii. DPP Providers choosing a DPP-recognized Colorado Shines Alternative Pathway Accreditation instead of the Colorado Shines Level 3-5 Assessment will be given up to six months past their current Colorado Shines rating expiration date to receive the new accreditation while maintaining their current rating level for Tuition Credit reimbursement purposes.
- iv. If accreditation has not been earned during this six-month window, DPP Tuition Credit amounts will be adjusted to reflect the program's current Colorado

Shines rating level. Provider must also earn the accreditation within the next three months or receive the Colorado Shines Level 3-5 Assessment.

- c. Providers choosing the Colorado Shines Level 3-5 Assessment
  - i. Postponing Rating Due to Pending Location Change
    - 1. DPP Providers that will be moving locations will be given a six-month grace period beyond their current rating expiration date when they can keep their current rating level.
    - 2. If the Colorado Department of Human Services and/or Department of Early Childhood does not approve their prior rating to transfer to the new location, Provider must receive the Colorado Shines Level 3-5 Assessment within three months of starting operations at the new address.
- d. Extenuating Circumstances
  - i. DPP reserves the right to make exceptions to the above stated policies related to rating/accreditation timelines in extenuating circumstances (e.g. accrediting body causes delay in onsite assessment; lack of availability on the Colorado Shines Level 3-5 Assessment schedule, etc.)

## **V. Insurance**

1. Subject to any variations which DPP may approve at its discretion, Providers must obtain and maintain insurance policies with a responsible carrier. At a minimum, a provider must carry (i) comprehensive general liability insurance with limits of \$1,000,000 combined single limit per occurrence, \$2,000,000 general aggregate, \$100,000 sexual misconduct combined single limit per occurrence/\$100,000 aggregate, or any greater amounts as your lessor may require; (ii) the general liability policy shall name DPP and the City and County of Denver as additional insureds; (iii) automobile insurance in the amount of \$1,000,000 for all hired, non-owned and/or owned vehicles; (iv) workers compensation insurance with limits of \$100,000 for each bodily injury occurrence claim, \$100,000 for each bodily injury caused by disease claim, and \$500,000 aggregate for all bodily injury caused by disease claims; (v) for all general liability, the policies must not contain an exclusion for sexual abuse, molestation, discrimination or similar offenses. (Please send insurance certificates to 305 Park Avenue West, Suite B, Denver, CO 80205 or by fax to 303-496-1114)
  - a. If you do not provide transportation as part of your preschool program, you may receive assistance with a vehicle insurance waiver by contacting the Director of Quality Initiatives at 720.287.5055 ext. 140.
  - b. The items above are minimums and the Provider may elect to carry broader or higher limits.

- c. DPP reserves the right to make accommodations at its sole discretion.
2. Include in all insurance policies endorsements providing that the policy shall not be cancelled prior to ten (10) days' notice to DPP for non-payment, and thirty (30) days' notice to DPP for all other cancellations or changes in the terms or conditions of coverage.
3. INDEMNIFY AND HOLD DPP AND THE CITY AND COUNTY OF DENVER HARMLESS FROM AND AGAINST ALL CLAIMS ARISING FROM PRESCHOOL PROGRAM PROVIDER'S ACTIONS IN PROVIDING SERVICES TO STUDENTS FOR WHOM TUITION CREDITS ARE PROVIDED PURSUANT TO THIS AGREEMENT.
  - a. In the event the Provider is deemed a governmental entity or is a non-profit corporation, DPP understands and agrees that liability for claims for injuries to persons or property arising out of the acts or omissions of such Provider is controlled and limited by a) the Colorado Constitution, the Colorado Governmental Immunity Act (CRS 24-10-101 et seq.), and the Risk Management Act (CRS 24-30-1501 et seq.), or b) the Colorado Revised Nonprofit Corporation Act, (CRS. 7-121-101 et seq.), as the case may be. Any provision (indemnification, hold harmless, insurance or otherwise) of this Agreement, whether or not incorporated herein by reference, shall be modified so as to limit any liability of the State, its departments, institutions,

agencies, boards, officials and employees to the above-cited laws.

- b. Nothing in this Agreement is intended by either party to waive any rights under such laws.
4. In the event the Provider fails to maintain the insurance requirements described in this Agreement, or fails to comply with any of the other terms and conditions set forth in this Agreement, DPP shall have the option, in its sole discretion to terminate this Agreement and/or not pay Tuition Credits for any DPP Student during the time period when the Provider was out of compliance. KC (initial)
5. In the event Provider chooses to obtain any required insurance policy through a different company, Provider agrees to immediately notify DPP so that adequate coverage can be verified.

#### **VI. Record Keeping/Reporting**

1. Subject to the Provider's being satisfied that proper releases have been obtained by DPP as required by law, including the Family Educational Rights and Privacy Act (FERPA):
  - a. Maintain for three years, daily attendance records, payment records and any other records reasonably designated by DPP for each Student, and provide DPP access to all such records. KC (initial)

#### **VII. Quality Assurance Program**

1. If selected by DPP or its quality assurance contractor, the Provider agrees to participate in DPP's required Quality Assurance Program

(QAP). Because DPP is funded by a portion of the City and County of Denver's sales tax, DPP will conduct a QAP with randomly selected Providers throughout the year to ensure DPP and DPP's Contractors and Providers are adhering to DPP's policies and procedures. If selected to participate in the QAP, the Provider agrees to submit the following documents pertaining to the month identified within four weeks of receiving the QAP notification letter:

**KC (initial)**

- i. DPP classroom daily schedule
- ii. DPP attendance sheets
- iii. Copy of families' tuition bill(s) for the month
- iv. Current address on record for specified DPP-approved children
- v. Copy of daily sign-in sheet(s) for the month
- vi. Copy of DPP approval letter for specified DPP-approved children
- vii. Separate table for sources of income for this Student's tuition, including, but not limited to, CCAP, CPP/ECARE/Mill Levy, Head Start, etc.
- viii. If applicable, supporting documentation for other public funding received by Student (CCAP, CPP/ECARE/Mill Levy, Head Start, etc.)
- ix. Any other documents requested reasonably related to the QAP process

**KC (initial)**

- a. The Provider acknowledges that failure to provide the required QAP documents described above by the corresponding

deadline could result in DPP penalties which could include terminating this Agreement with the Provider.

- b. The Provider acknowledges that the QAP process may result in a Quality Improvement Plan (QIP), the possibility of retroactive repayments to the Denver Preschool Program if the QAP discovers inaccurate business practices, etc.

**KC (initial)**

- c. In the event the QAP report recommends a QIP, Provider agrees to cooperate in creating and implementing the plan.
- d. Provide DPP or designated contractors, as requested, information and data regarding your preschool program and the Student(s) to assist DPP in evaluating the Provider and the progress of the Student(s) enrolled in the Provider.
- e. Permit DPP to share with parties, reasonably designated by DPP, information about the Provider and its Students, including technology and methodology, evaluation, rating and quality improvement. Permit any DPP quality improvement contractor and the Colorado Shines rating vendor to provide information obtained through the rating process to parties reasonably designated by DPP as needing this information for purposes of tuition credit reimbursement, quality reimbursement, quality improvement, and evaluation. Permit DPP to post the Provider's Colorado Shines Rating Report, CLASS® Observation Reports, or

Environmental Rating Scale (ERS) results and Provider demographic information on the DPP website.

- f. Provide DPP with access during reasonable business hours to the records of the Provider and the children enrolled in DPP at the Provider's preschool, and to permit representatives of DPP to observe the Provider and its Students.
  - g. The Provider acknowledges the requirement to meet or otherwise confer with DPP staff after conclusion of the QAP process to review the results and discuss any needed next steps. KC **(initial)**
2. Notwithstanding the requirements contained in Section VI and paragraph 1 of this Section VII, the parties agree that certain information maintained by the Provider is confidential and cannot be disclosed without the proper authorization. Nevertheless, conditioned upon DPP obtaining the releases referred to above in Section VI, Provider shall release to DPP and its employees, agents, and assigns what may be confidential information that may be subject to nondisclosure under State and Federal law. Therefore, the Provider shall provide written notification to DPP at the time of disclosure or, if the information is given verbally, within 10 days from the date of disclosure that the information is confidential. Accordingly, DPP agrees to maintain confidential information and records provided by Provider to the extent applicable State and Federal laws require. Moreover, DPP will promptly notify the Provider of any unauthorized disclosure or use

of such confidential information by any person or entity. Upon termination of this Agreement, DPP will promptly return to Provider all documents, disks or other computer media or other materials in their possession and control that is designated confidential by the Provider.

3. Conform to all applicable State and Federal regulations and local law applicable to the Provider.
  - a. Record Keeping and Reporting Section VI and paragraph 1 of this Section VII shall survive the termination of this Agreement.
  - b. Provider further agrees with DPP as follows: Unless otherwise disclosed to DPP in writing, no official, officer or employee of the City and County of Denver shall have any personal, financial or beneficial interest whatsoever in the Provider or its preschool program.

#### **VIII. Branding and Marketing**

1. As a DPP preschool partner, the administration, teachers and other staff are crucial ambassadors for DPP-Eligible Children and families. Provider agrees to the following marketing and branding updates:
  - a. Provider agrees to include DPP provided poster and/or window decal near the front entrance and/or preschool classroom.
  - b. Provider agrees to include the DPP family application and DPP family letter in the Provider's general preschool enrollment packet for DPP-eligible students.
  - c. If Provider has a website, Provider agrees to post a link to DPP's website on an

- appropriate page that discusses tuition or quality improvement.
- d. Additional, suggested areas for DPP promotion:
    - i. Promote DPP to all families with DPP-Eligible Children through any family information meetings conducted by Provider. DPP is happy to attend and speak directly with families at these meetings depending on staff availability.
    - ii. Display the DPP banner on the building exterior and post the DPP decal in all DPP classrooms.
    - iii. Distribute other DPP resources to the families of DPP-Eligible Children.
    - iv. Provider is encouraged to include DPP's logo on any billing information being sent to DPP-approved families.

## **IX. Legal**

1. Unless otherwise disclosed to DPP in writing, no member of the Board of Directors or staff of DPP shall have any personal, financial or beneficial interest whatsoever in the Provider or its preschool program.
2. Provider shall not knowingly employ or contract with a person unlawfully present in the United States in accordance with State and Federal law.
3. Provider shall not discriminate against any person on the basis of race, color, religion, national origin, gender, age (except as to the age of children qualifying for Tuition Credits), military status, sexual orientation, gender

variance, marital status, or physical or mental disability (except as such disability may materially and adversely impact proper administration of the preschool program).

4. Provider shall not assign any right or obligation under this Agreement without the prior written approval of DPP, which approval shall be at DPP's sole discretion.
5. Enforcement of the obligations of Provider and all rights of action relating to such enforcement shall be strictly reserved to the City and County of Denver and DPP. The rights of Provider to any benefit under this Agreement shall be strictly reserved to the Provider. Nothing contained in this Agreement shall give or allow any claim or right of action by any other or third person. It is the express intention of DPP and the Provider that any person other than DPP or the Provider receiving services or benefits under this Agreement shall be deemed to be an incidental beneficiary only of this Agreement.
6. This Provider Agreement will be effective from September 1, 2022, through August 31, 2023. DPP reserves the right to amend this Provider Agreement at any time upon written notice to Providers that would be sent via an email sent to the Provider's director, included in the Provider newsletter and posted on the Provider page of DPP's website.
7. Either party may revoke, or otherwise terminate this Agreement, with or without cause, by notifying the other party in writing of their intention to take such action. Any such

writing shall be sent to the other party by certified mail, return receipt requested, and shall be effective ten (10) days after the date of mailing.

8. This Agreement shall be binding upon, and inure to the benefit of, the parties, and to the extent permitted, their successors and assigns.
9. Jurisdiction and venue for any action arising hereunder shall be in the City and County of Denver, Colorado. KC **(initial)**
10. Signatures throughout the 2022-2023 DPP Provider Agreement:
  - a. The parties agree that electronic and/or handwritten initials and signatures are both valid throughout this Agreement.
  - b. The parties agree that to the extent they sign electronically, their electronic signature is the legally binding equivalent to their handwritten signature. Whenever they execute an electronic signature, it has the same validity and meaning as their handwritten signature. They will not, at any time in the future, repudiate the meaning of their electronic signature or claim that their electronic signature is not legally binding. They agree not to object to the admissibility of this Agreement as an electronic record, or a paper copy of an electronic document, or a paper copy of a document bearing an electronic signature, on the grounds that it is an electronic record or electronic signature or that it is not in its original form or is not an original.

**Appendix A – Students Receiving  
Multiple Funding Sources who are not  
receiving the DPS Scholarship**

<b>123 Preschool</b>			
<i>Please provide all sources and amounts of revenue applied to tuition for each Student listed for the month identified above.</i>			
Student Name	Student A	Student B	Student C
Published Tuition	<b>\$1,500.00</b>	<b>\$1,500.00</b>	<b>\$1,200</b>
DPP 2022-2023 Cost of Care	<b>\$1,425.00</b>	<b>\$1,425</b>	<b>\$1,425</b>
DPP Tuition Subsidy	<b>\$501.00</b>	<b>\$700.00</b>	<b>\$700.00</b>
DPP Scholarship Pilot Payment****			
Family Out-of-Pocket Payment*			
CCCAP Parent Fee**	<b>\$200.00</b>	<b>\$100.00</b>	<b>\$100.00</b>
Colorado Child Care Assistance Program (CCCAP)	<b>\$424.00</b>	<b>\$524.00</b>	<b>\$250.00</b>
DPS (CPP, Mill Levy, E-Care)	<b>\$375.00</b>	<b>\$375.00</b>	<b>\$375.00</b>

Head Start	\$ -	\$ -	\$ -
Scholarships and Other Sources ***	\$ -	\$ -	\$ -
<b>TOTAL PUBLIC FUNDING</b>	<b>\$1,500.00</b>	<b>\$1,699.00</b>	<b>\$1,425.00</b>
<b>Family Payment</b> * Exclude CCCAP Parent Fee (see below) ** CCCAP Parent Fee for this child only *** Describe other sources in comments column	\$ -	-199	\$ -
<p>Article II, section 11 of the your provider agreement states: The total funding amount a Provider receives on behalf of a DPP Student from all funding sources each month, including DPP Tuition Credits, tuition paid by families or other private contributions, and/or other public funding sources and parent fees, shall not exceed the monthly cost of care rate applicable to such child (\$1,425 for the 2022-2023 school year) OR the Provider's published tuition rate applicable to such child, <b>whichever is higher</b>. In the event the total amount would otherwise exceed such published rate, the Provider shall promptly notify DPP, and shall advise DPP as to what funding has been reduced to bring the total funding</p>			

<p>into compliance with this current requirement.</p> <p><b>****DPP Scholarship Students Only:</b> refer to the DPP Scholarship guidelines in Appendix C.</p>	
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**Student A Example:** The total amount collected from the provider for Student A of \$1,500 is equal to the provider’s published tuition rate of \$1,500. Provider is adhering to DPP policy for Student A.

**Student B Example:** The total amount collected from the provider for Student B of \$1,699 is greater than the provider’s published tuition rate of \$1,500. **Provider is not adhering to DPP policy for Student B and must reduce the total amount collected for Student B by \$199 so that they do not collect more than the published tuition rate of \$1,500. KC (initial)**

**Student C Example:** While the Provider has a published tuition rate of \$1,200 for Student C, since this is below DPP’s 2022-2023 Cost of Care amount of \$1,425, the Provider can collect up to \$1,425 when combining all funding sources for the Student. The total amount collected from the provider for Student C equals \$1,425, which is equal to DPP’s Cost of Care amount. **Provider is adhering to DPP policy for Student C. KC (initial)**

**Appendix B:  
DPP's Preschool for 3s Pilot Program**

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**Appendix B outlines a pilot DPP initiative for 2022-2023 that might not be available to all Providers. Please note, DPP only has enough funding to offer Preschool for 3s tuition credits to a limited number of eligible 3-year-olds during 2022-2023. DPP will be prioritizing low-income families to receive Preschool for 3s Pilot Program funding. KC (initial)**

**Preschool for 3s Pilot Program Overview**

- The Denver Preschool Program created the Preschool for 3s Pilot Program to equitably expand access to quality preschool, which means we're focusing on reaching families with the lowest incomes through this program (unlike our traditional 4-year-old funding which is for ALL Denver families). This pilot will allow DPP to:
  - Support a greater number of families through and after the pandemic
  - Increase awareness and acceptance of financial resources available to Denver families interested in early childhood education for whom cost may be an enrollment barrier
  - Create more opportunities for preschool-aged children to better prepare for kindergarten
  - Support a greater number of families with 3-year-olds experiencing challenges accessing or maintaining child care
  - Create access to a continuum of care for preschool-aged children

## JA 897

- Support programmatic shifts and expansions in preparation for Colorado's adoption of Universal Pre-Kindergarten (UPK) in 2023
- Provide access to children who may not otherwise attend preschool at 3-years-old to help us better achieve our vision that every child in Denver enters kindergarten ready to reach their full potential

### Limited Funding Available:

- Unlike our traditional funding for 4-year-olds, which provides tuition credits to all families regardless of income, the Preschool for 3s program prioritizes families with the lowest incomes (DPP Income Tiers 1 and 2) and is only available to families attending a DPP-participating community-site school

### Preschool for 3s Family Application Process:

- The application for 3-year-olds is the same application as for 4-year-olds. To apply, families can:
  - Visit [dpp.org/preschoolfor3s](http://dpp.org/preschoolfor3s) to determine eligibility and fill out an application
  - Call 303-595-4377 to determine eligibility and fill out an application
  - Email [info@dpp.org](mailto:info@dpp.org) to determine eligibility and fill out an application

### Preschool for 3s tuition credit details

- All guidelines described in Section II. Tuition Credits and Attendance above apply for Preschool for 3s tuition credits.
- As with our 4-year-old program, tuition credits will begin as of September 1, 2022, or at

whatever point after September 1 that a family's application is approved.

- DPP's goal is to inform families who apply for the Preschool for 3s Pilot as soon as possible as to their eligibility.
- Providers will be notified for any Preschool for 3s Pilot family's approval through an emailed approval letter.
- An attendance form with your approved 3-year-olds, along with your approved 4-year-olds, will be sent to your school each month to submit to our enrollment team.

**I acknowledge that DPP will solely determine who is eligible to receive Preschool for 3s Pilot Program tuition credit funding and that it will not be available to all 3-year-olds.**

DPP Provider Name (organization)

Wellspring Catholic Academy

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Your Name (individual)

Karina Campa

---

Your Position (title)

Director

---

Signature

/s/ Karina Campa

---

Date

06/01/2022

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**Appendix C: DPP Scholarship Agreement**

The DPP Scholarship offers up to 100% of preschool tuition costs for a limited number of eligible families.

DPP-Scholarship eligible child: A child approved for DPP tuition credits at DPP Income Tiers 1 and 2, with the potential to fund other income levels through a unique eligibility nomination process, at full- or extended-day participation levels, and who do not receive other public preschool funds (i.e. Head Start, Colorado Child Care Assistant Program (CCCAP), Colorado Preschool Program (CPP) or Early Childhood At-Risk Enhancement (ECARE)) who is attending a DPP Community Provider. Please note DPP Scholarship Pilot funds are limited and might not be available to all Scholarship-eligible children.      **KC (initial)**

***As a Denver Preschool Program DPP Scholarship Provider, I agree to:***

1. Remain in good standing as a DPP Community Provider for the 2022-2023 program year.
2. Make scholarship enrollment available to DPP Income Tier 1 or 2, full- or extended-day students who do not receive other public preschool funds. Additional eligibility criteria may be available through a unique eligibility [sic] nomination process.
3. Provide sufficient staff time and/or strong administrative systems to support monthly reporting to DPP including but not limited to student attendance and confirmation of whether Pilot participants receive other public preschool funds.

JA 900

4. Provide regular communications with Scholarship participant families including additional information from the DPP Scholarship Pilot as needed.
5. Participate in the DPP Scholarship Evaluation.
6. Respond to all DPP and DPP Scholarship communications in a timely manner, within 5-7 business days
7. For any DPP Scholarship Students, Provider agrees to verify whether or not they are receiving any other public funding for all Students each month on the monthly attendance form.
8. Acknowledge and agree that:
  - (a) participants in the DPP Scholarship must meet all requirements to receive Tuition Credit;
  - (b) The total amount a Provider receives on behalf of a Denver Preschool Program (DPP) Scholarship Student from all funding sources each month, including DPP Tuition Credits, DPP Scholarship support, tuition paid by families or other private contributions, and/or other public funding sources and parent fees, shall not exceed the monthly cost of care rate applicable to such child (\$1,425 for the 2022-2023 school year) or the Provider's published tuition rate for the child up to the defined maximum published rate (\$1,700 for the 2022-2023 school year), whichever is higher. In the event the total amount would otherwise exceed such rate, the Provider shall promptly notify DPP, and shall advise DPP as to which funding has been reduced to bring the total amount received into compliance with this current requirement.

- (c) participant monthly tuition bill must be considered paid in full so there is no out-of-pocket tuition responsibility for Scholarship families KC **(Initials)**
- (d) published tuition rates and cost of care are subject to approval, and
- (e) if a published tuition rate is being used for Scholarship calculations, providers must give the same tuition documentation to the DPP Scholarship Coordinator that accompanies the DPP Provider Agreement.

**2022-2023 Cost of Care Rate**

\$1,425 – Cost of Care

As defined by the Center for American Progress, cost of care specific to Colorado, with the maximum support to the school (2022)

\$1,700 – Maximum Published Rate for DPP Scholarship Students

As defined by the Bell Policy Center Cost of Care Model created by Andrew Brodsky, cost of care specific to Denver and averaging all ages, and rounded to the nearest hundred (2022). Current implementation would approve a school at the higher published rate (up to the \$1,700 maximum) with a published rate sheet.

The publication of the annual cost of care and defined maximum published rate will coincide with the release of the tuition credit scale. DPP has the right to update the annual cost of care at any time. The Denver Preschool Program tuition credits will be the first dollar invested in a child's tuition support.

I have read the Denver Preschool Program DPP Scholarship Provider agreements presented above and

JA 902

fully understand all listed requirements. I agree to abide by the requirements and understand that failure to comply will lead to action, which could include suspension of my eligibility to participate in the DPP Scholarship. I will promptly notify DPP if I am no longer able to maintain this commitment.

DPP Provider Name (organization)

Wellspring Catholic Academy

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Your Name (individual)

Karina Campa

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Your Position (title)

Director

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Signature

/s/ Karina Campa

---

Date

06/01/2022

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**If you have any questions about the DPP  
Scholarship please email  
[dppscholarship@metrixiq.com](mailto:dppscholarship@metrixiq.com)**

JA 903

**2022-2023 Provider Agreement  
Acknowledgements**

**Provider Name (organization):**

Wellspring Catholic Academy

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You confirm you expect to have at least one DPP-eligible child enrolled in your program during the 2022-2023 school year. KC **(initial)**

You confirm you will have at least one physical preschool classroom that will serve at least one DPP-eligible child during the 2022-2023 school year.

KC **(initial)**

By signing below, you are acknowledging that you have read and understand, and are agreeing to continue your participation in the Denver Preschool Program in accordance with terms and conditions of this 2022-2023 Provider Agreement.

**Provider Name (organization):**

Wellspring Catholic Academy

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Printed Name of Signatory:

Karina Campa

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Title:

Director

---

Signature:

/s/ Karina Campa

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Date:

06/01/2022

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**Denver Preschool Program, Inc. (DPP staff  
completes the four lines below)**

Printed Name of DPP Signatory:

Chris Miller

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JA 904

DPP Staff Title:  
Senior Director of Quality Initiatives

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DPP Staff Signature:  
Chris Miller

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Date:  
6/7/2022

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**All providers:** Please continue to the pages below to complete the Insurance Request Form and designate if your program qualifies for the Vehicle Insurance Waiver.

JA 905

**DPP Insurance Request Form**  
**(Required for all providers)**

To Whom It May Concern:

As a participant of the Denver Preschool Program, I request that a Certificate of Insurance be issued to the Holder shown below:

Denver Preschool Program / City and County of Denver  
305 Park Avenue West  
Denver, CO 80205

The Certificate of Insurance should confirm the following insurance coverage:

- Comprehensive General Liability with limits of \$1,000,000 per occurrence, \$2,000,000 general aggregate; and not contain and exclusion for sexual abuse, molestation, discrimination or similar offenses. sexual misconduct coverage of at least \$100,000 per occurrence/\$100,000 aggregate;
  - ***Name the Denver Preschool Program and the City and County of Denver should be included as an Additional Insured.***
- Auto Liability with a limit of \$1,000,000 per occurrence for all owned, hired or non-owned vehicles used in the transportation of children (unless a waiver has been approved by the Denver Preschool Program or its representative); and
- Workers Compensation Insurance with limits of \$100,000 for each bodily injury occurrence claim, \$100,000 for each bodily injury caused by

JA 906

disease claim, and \$500,000 aggregate for all  
bodily injury caused by disease claims

Please include in all insurance policies an endorsement that the policy shall not be cancelled without ten (10) days prior notice to DPP for non-payment, and thirty (30) days prior notice to DPP for cancellation or non-renewal for any other reason.

**The Certificate of Insurance should be sent to:  
Attn: Denver Preschool Program Coordinator,  
Denver's Early Childhood Council, 3532  
Franklin Street, Suite H, Denver, CO 80205; Fax:  
1-866-802-0563, [dpp@denverearlychildhood.org](mailto:dpp@denverearlychildhood.org)**

**Provider Name (organization):**

Wellspring Catholic Academy

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**Telephone Number:**

3032370401

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**Address:**

1100 Upham st

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**City:** Lakewood      **State:** CO      **Zip:** 80214

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**Printed Name of Signatory:**

Karina Campa

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**Title:**

Director

---

**Signature:**

/s/ Karina Campa

**Date:**

06/01/2022

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**This form will allow DPP to request a new certificate of insurance from your agent upon renewal of your insurance policies.**

**Vehicle Insurance Waiver**

DPP providers who do not transport children and therefore do not carry vehicle insurance as outlined below and in the provider agreement:

***(iii) Automobile insurance in the amount of \$1,000,000 for all hired, non-owned and/or owned vehicles;***

may elect to complete this waiver in lieu of providing proof of vehicle insurance. By signing this waiver, you proclaim that your program does not transport children at any time during your Denver Preschool Program.

In the event you change your policy, you must immediately notify the DPP and provide proof of insurance, as outlined above and in the Provider Agreement.

In any case, subject to the limitations set out in section V.3, paragraph 2, of the Provider Agreement, if a claim arises, Provider will hold the City and County of Denver and the Denver Preschool Program harmless from Preschool Provider's actions.

**Please select one option below AND complete the info below:**

**My program does transport children** during our Denver Preschool Program.

**My program does not transport children** at any time during our Denver Preschool Program.

**Provider Name (organization):**

Wellspring Catholic Academy

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Printed Name of Signatory:

Karina Campa

---

JA 908

Title:  
Director

---

Signature:  
/s/ Karina Campa

---

Date:  
06/01/2022

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This waiver is effective for the current contract year ending August 31, 2023.

**Return to:** Attn: Chris Miller, Denver Preschool Program, 305 Park Ave West, Suite B, Denver, CO 80205; Fax: 303-496-1114, email: [chris@dpp.org](mailto:chris@dpp.org)

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*For DPP use only:*

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**Chris Miller, Senior Director of Quality Initiatives  
Denver Preschool Program**

**TITLE**

2022-2023 DPP Provder [sic] Agreement and Renewal  
Info\_Non-Denver...

**FILE NAME**

2022-2023 DPP Pro...grams\_updated.pdf

**DOCUMENT ID**

77d1bdf59e9779c2cc4a1be60b563f96ae300d18

**AUDIT TRAIL DATE FORMAT**

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