

**WILLOW LAKE SCHOOL  
STUDENT/PARENT HANDBOOK  
2016-2017**



**Mr. Scott Klaudt  
Superintendent/Colony Principal  
Mr. Hector Serna  
K-12 Principal**

**605-625-5945**

## TABLE OF CONTENTS

Activity Bus.....	26
AIDS Policy.....	47-48
Alcohol and Other Drug Use by Students.....	43-44
Athletic/Activities Equipment.....	28
Athletics and Activities Grading.....	27
Athletic Dual Participation.....	27
Attendance.....	16-17
Attire and Appearance.....	23
Board of Regents Requirements.....	7
Building Hours.....	6
Bus Camera.....	44-45
Candy, Gum, Etc.....	8
Chain of Command.....	5
Chain of Communication.....	5
Child Abuse.....	29
Children or Youth Experiencing Homelessness.....	28
Concussion.....	28
Curfew.....	28
Dangerous Weapons.....	39
Defacement, Vandalism of School Property.....	9
Detention.....	24
Distance/Online Learning.....	10
Early Graduation.....	11
Electronic Communications Devices.....	23
Elementary Physical Education.....	9
Elementary Promotion & Retention.....	10
Grading.....	6
Homework.....	7
Honor Roll.....	7
In-school Suspension.....	25
JH Co-op Athletics Practice and Activity Participation.....	28
Library Media Selection.....	16
Loaning of Textbooks.....	9
Lockers.....	8
Lunchroom Behavior.....	24
Make-Up Work.....	17
Medications.....	46
Non-Discrimination.....	20
Noon Hour.....	6
Parent Portal.....	45-46
Permission to Leave School Grounds.....	6
Playground.....	9
Public Complaints about School Personnel.....	21-23
Relationship with Other School Districts.....	10-12
Schedule Changes.....	7
School Complaint Policy for Federal Programs.....	21-23
School Trips.....	25

## TABLE OF CONTENTS CONT.

Searches of School Building by Drug Detection Canines.....	44
Sexual Harassment.....	34-36
Strategic Plan.....	4
Student Behavior on Buses.....	25-26
Student Bullying/Harassment.....	29-34
Student Communicable Diseases.....	46-47
Student Conduct.....	24
Student Council.....	8
Student Directory Information.....	18
Student Due Process Rights.....	23
Student Insurance.....	27
Student Run Business.....	28
Study Hall Procedure.....	7
Suspension from School.....	25
Tardiness.....	18
Training & Extra-curricular Rules.....	27-28
Transportation.....	44
Truancy.....	18
Use of Vehicles.....	6
Valedictorian and Salutatorian.....	7
Visitors.....	6

## ***Willow Lake School Strategic Plan 2014-2019***

***The mission of the Willow Lake School, a small school with an exceptionally rich history of strong community and alumni support, is to create lifelong learners and educators who can adapt to an ever-changing global society by engaging in a rigorous and innovative curriculum in a secure and positive environment.***

### ***We Believe That:***

- The Willow Lake School community is accountable for the support of a progressive and nurturing environment.
- Accountability and responsibility lead to successful performance, a strong work ethic, and achievement.
- All educational stakeholders are accountable for a safe and positive environment that is accepting, trusting, and respectful.
- The future of the school and community are inter-related.
- Students need to be engaged in an innovative curriculum.
- High expectations lead to greater individual achievement.
- A rigorous curriculum prepares our students for post-secondary and career readiness.

### ***Objectives***

- All students will demonstrate mastery of rigorous curriculum based on innovation through district approved assessment tools.
- All students will acquire skills to independently obtain, comprehend and apply information to real life situations.
- All students will consistently exhibit responsible, respectful, positive inter-personal behavior in all situations.
- All students will demonstrate proficiency utilizing multiple technology tools.

### ***Parameters***

- We will operate under professional standards in relationships throughout the school community.
- We will strictly adhere to the published chain of communications to avoid micro-management within the school system.
- We will always encourage input and involvement from the community and alumni to accomplish our mission and objectives.
- We will make all decisions based on the best interest of our students.
- We will not tolerate bullying and/or inappropriate use of technology.
- We will consider financial stability in all decisions.
- No program, service or technology will be offered unless it is consistent with our strategic plan.

### ***Strategies***

- We will create a rigorous curriculum to ensure students' lifelong learning skills.
- We will promote positive characteristics of a productive member of society.
- We will commit to provide facilities which offer a secure, positive and tech-ready learning environment.
- We will commit to implementing strategic technological changes in support of student learning.

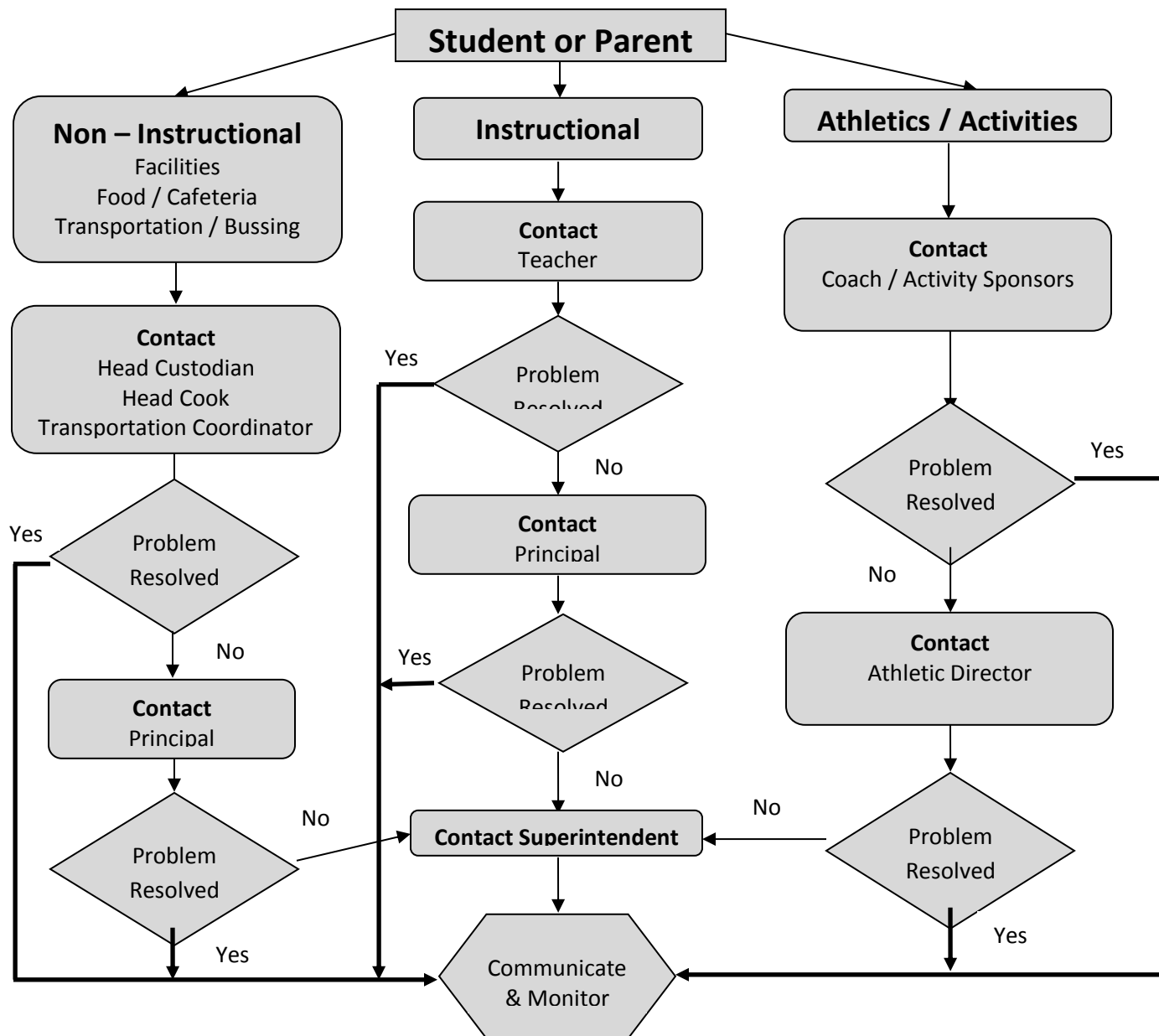
**Chain of Command**

The Superintendent of Schools is in charge of all buildings owned and operated by the Willow Lake School District. In the absence of the superintendent, the following will be the chain of command.

- 1<sup>st</sup> – Hector Serna
- 2<sup>nd</sup> – Lori Hovde and Dan Tonak

The purpose of the Chain of Command is to identify the person in charge in case of an emergency and in the absence of normal supervisors.

**Willow Lake School District 12-3  
Chain of Communication Guidelines (January 2014)**



Willow Lake Schools endeavors to resolve issues within 2 working days

### **Building Hours**

Students should not arrive at school before 8:00 a.m. Dismissal is at 3:10 p.m. and all students are expected to be out of the building and off the playground by 3:15 p.m., unless other arrangements have been made so the child is supervised by a teacher.

### **Permission To Leave School Grounds**

Children are not permitted to leave the school grounds during school hours unless first there is a written request or a telephone call from parents. Written notification is also needed if your child is not riding the bus (birthday parties, ball practice, etc.), or if your child will be picked up by you or someone else.

### **Visitors**

All visitors, parents, and others, are to be directed to the main office. This is for student protection and classroom order. Students who are not members of the Willow Lake Public School student body are not permitted to attend classes without office permission.

### **Use of Vehicles**

No motorized vehicle is to be moved during the school day without requesting permission from the Administration and the student's parent/guardian having first given the Administration their approval for the student to drive during the school day.

### **Noon Hour**

With prior parent/guardian written approval given to the Administration, 7<sup>th</sup> grade students may go uptown during their noon break beginning second semester. 8<sup>th</sup> -12<sup>th</sup> grade students have this privilege all year with prior parent/guardian written approval given to the Administration. No motorized vehicles are to be in use at this time. This is a privilege that can be taken away. Do not abuse it.

### **Academics**

#### **Grading Scale (Approved July 14, 2016)**

<b>HS/MS</b>			
Grade	Score	HS GPA C/O 20 and beyond	HS GPA C/O 19 and before
	A+	N/A	N/A
100-92.5	A	4.0	4.0
92.4-89.5	A-	3.67	4.0
89.4-86.5	B+	3.33	3.0
86.4-82.5	B	3.0	3.0
82.4-79.5	B-	2.66	3.0
79.4-77.5	C+	2.33	2.0
77.4-72.5	C	2.0	2.0
72.4-69.5	C-	1.67	2.0
69.4-67.5	D+	1.33	1.0
67.4-62.5	D	1.0	1.0
62.4-59.5	D-	0.67	1.0
59.4-0	F	0.0	0.0
	I	No GPA %	
	P	No GPA %	

#### **Elementary**

A	96-100	S+
A-	95-93	
B+	92-90	S
B	89-87	
B-	86-84	
C+	83-81	
C	80-78	S-
C-	77-74	
D+	73-72	
D	71-69	
D-	68-66	N
F	65 and below	

Students not having work completed at the end of the 9 weeks will receive an Incomplete (I) for a grade. Students will have three weeks after the last day of the previous nine weeks where the grade for the Incomplete was given to complete those assignments. Failure to complete those assignments will result in zeros for all missing work and may lead to a failing grade. However, an addition extension of time to make up coursework may be given for individuals who have a documented long-term medical condition, trauma or concussion to resolve the incomplete on a case-by-case basis approved by the building administrator.

### **Valedictorian and Salutatorian-Honor Students**

In order for a student to graduate with honors at WLHS, they must have a cumulative grade point average of 3.5.

Valedictorian will be the student with the highest overall grade point average and the Salutatorian second in rank. They will be picked at the end of 7 semesters. Computation will be carried out to the extent necessary to determine the "highest" grade point average. If necessary to break a tie, the 11-point system will be used.

### **Honor Roll**

At the end of each grading period, three honor rolls will be issued. They are 4.0 = all A's; A Honor Roll = "A" average; B Honor Roll = "B" average. It is a source of pride to be listed on the honor roll. Students that have a "D", "F", or "I" listed on their report card are not eligible to be on the honor roll.

### **Board of Regents State College Entrance Requirements** (updated Aug. 2015)

4 units of English; 3 units of Social Studies; 3 units of Mathematics; 3 units of Lab Science; 1 unit of Fine Arts; 1 unit of Health/P.E.; ½ Economics/Personal Finance; 2 units with any combination of the following – World Language, Computer Studies, Approved Career and Technical Education Courses, Mathematics (in addition to meeting the math requirement above), or Science courses (in addition to meeting the science requirement above); 5 units of Electives.

\* To obtain Regent Scholar Diploma/Opportunity Scholarship, the following credits need to be completed; 4 units of English; 3 units of Social Studies; 4 units of Mathematics; 4 units of Lab Science; 1 unit of Fine Arts; 1 unit of Health/P.E.; ½ unit of Economics/Personal Finance; 2 units of World Language (2 years of same language) or CTE; and 3 units of Electives.

### **Schedule Changes**

- A. Students will have five school days following the start of each semester to drop or add a class. No student may drop any class without prior approval from the Principal.
- B. In high school, each student is expected to earn 6 units of credit per year. Requirements for graduation are 22 credits.

### **Homework**

The board believes that homework--as long as it is properly designed, carefully planned, and geared to the development of the individual student--meets a real need and has a definite place in the educational program.

1. Cheating will not be tolerated. A zero will be given on that assignment. More severe consequences will occur for multiple infractions.
2. Homework should be a properly planned part of the curriculum, extending and reinforcing the learning experience of the school.
3. Homework should help children learn by providing practice in the mastery of skills, experience in data gathering and integration of knowledge, and an opportunity to remediate learning problems.
4. Homework should help develop the student's responsibility by providing an opportunity for the exercise of independent work and judgment.
5. In assigning homework, a teacher should consider a student's age and mastery of skills, his need for playtime; and/or, his out-of-school responsibilities and activities, which often aid a student in developing his interests or tastes. However, the homework grade is dependent on performance by the student.
6. As a valid educational tool, homework should be clearly assigned and its product carefully evaluated.

### **Study Hall Procedure**

Study halls are meant to be a place to study. Since all teachers have certain rules to follow, students are expected to respect the teachers' request.

General rules:

1. All students bring materials to study.
2. Students remain seated until roll is taken.
3. You must sign out to use restrooms.
4. Passes from other faculty members will be honored. Students must obtain pass BEFORE the period.
5. You are expected to use this time to study, not socialize.

### **Student Council**

Officers will be elected in early May, and will head the council. Officers are President, Vice-President and Secretary/Treasurer. Each fall during class elections, representatives will be chosen. Seniors will have two representatives and juniors, sophomores and freshmen will each have one. Each class president becomes a member of the council. Student campaigns are used to select the three head officers.

### **Candy, Gum, Etc.**

No sunflower seeds are allowed in school. Students may have candy and gum if you do not abuse this by throwing candy wrappers, gum etc., in the school. Gum chewing and candy in the classroom is at the teacher's discretion only. Please respect their wishes. Abusing this privilege will result in your losing this privilege.

### **Lockers**

Lockers will be assigned at the start of school.

Lockers are school property which students have the privilege of using in which students do not have an expectation of privacy to the contents of their assigned lockers. Lockers may be searched by school officials with reasonable cause to suspect that the search will reveal evidence of a violation of a school rule or criminal law. An alert by a properly trained drug detecting dog will constitute reasonable cause to search lockers or desks.

The school may, for purposes of conducting a search of school property assigned to a student or a search of a student, have a law enforcement officer present during the search.

### **Law Enforcement/Dept. of Social Services Interviewing Students**

When students are at school or involved in a school activity off school grounds, the school has an obligation to the students and their parents, and also an obligation to authorities such as law enforcement and the Department of Social Services. This policy balances the rights of students and parents with the rights and responsibilities of law enforcement and the Department of Social Services as those entities investigate juvenile delinquency and criminal matters and also matters related to suspected child abuse and neglect. It is therefore the policy of the District that

- (1) should a law enforcement office wish to talk with (interview) a student under the age of 18\* while the student is at school (or involved in a school activity off school grounds) for a reason other than investigating suspected child abuse or neglect, the District will not grant permission for the law enforcement officer to talk with (interview) the student unless the school has first notified the student's parent/guardian and received permission from the parent/guardian for the student to talk with the law enforcement officer. Parents/guardians have the right to deny the request from law enforcement officer to talk with the student. Parents/guardians shall also be afforded the opportunity to be present during the interview should permission be granted by the parent/guardian for a law enforcement officer to talk with (interview) the student. HOWEVER, if the law enforcement expressly prohibits the school from contacting the parent/guardian pursuant to this policy provision, the school will follow law enforcement's directive.
- (2) Should the Department of Social Services (DSS) or law enforcement or the State's Attorney be investigating suspected child abuse or neglect and wish to talk with (interview) a student under the age of 18\* while the student is at school (or involved in a school activity off school grounds), the request to talk with (interview) the student shall be documented by the school administrator, including the name of the person making the request, the date of the request and date of interview, and that the request is made for the reason of investigating suspected child abuse or neglect. The law in South Dakota requires investigation of suspected child abuse and neglect be kept confidential and that the investigation (interview) can be done without notification to and approval by the parents/guardians. Therefore, the school will not notify parents/guardians of a



request by the Department of Social Services, law enforcement or the State's Attorney to talk with (interview) a student about suspected child abuse and neglect.

\* Upon the student reaching the age of 18, the student is a legal adult and has the authority to make the decision whether or not to talk with law enforcement, DSS or the State's Attorney and without parental notification and approval. However, unless expressly prohibited by the person(s) seeking to talk with (interview) the students, the school shall give the student an opportunity to contact his/her parents/guardians for advice before responding to a request by DSS, law enforcement or the State's Attorney to talk with one or more of them.

### **Playground**

Playground supervision is provided during recess periods. Students should NOT ARRIVE before the playground is supervised.

#### **Infractions:**

1. Misusing playground equipment.
2. Throwing objects.
3. Dangerous game or activity.
4. Lining up improperly.
5. Improper language.
6. Doesn't walk/keep to the right in the hall.
7. Doesn't speak in a quiet voice in the hall.
8. Inappropriate bathroom behavior.
9. Doesn't remove cap upon entering the school building.

A student will receive a ticket for each infraction. K-3 students lose one recess per ticket. Upon receiving the sixth ticket, the parents will be notified. Fourth-Fifth students lose three recesses per ticket. Second ticket by same child results in loss of six recesses and a letter sent home. If a student receives three tickets in one month, they will NOT BE ALLOWED to attend the End-Of-The-Month Activity.

### **Elementary Physical Education**

The students need to wear tennis shoes for gym. We prefer children have a separate pair of tennis shoes used strictly for gym class and not everyday use. If this is not possible, when the weather is bad, the child needs to have different shoes or boots they wear outside so they can change in to their tennis shoes inside. This will keep the school cleaner and the child safer. If a child forgets gym shoes at home or in the classroom, they cannot participate in PE class.

### **Loaning of Textbooks**

Textbooks will be loaned to children ages 5 through 19 who are not enrolled in the Willow Lake School district or a school supported by any other governmental entity upon written request by the child or the child's parent or guardian.

Textbooks loaned shall be the same textbooks normally used by the students enrolled in the Willow Lake Schools.

If new textbooks must be purchased to meet the request of children not enrolled in the Willow Lake Schools, the school board may limit the number of textbooks per student to be purchased for loan to the same amount of new textbooks that is furnished to the students enrolled in the Willow Lake Schools.

Textbooks and reference books are loaned to students without charge. Lost books must be paid for and fines will be charged for mutilations or any damage beyond reasonable wear. Fines for lost or mutilated books will be based on 80% of its value for the first year, 60% for the second year, 40% for the third year, and 20% after that.

### **Defacement, Vandalism of School Property**

Our school building and equipment cost the taxpayers thousands of dollars to construct, purchase and maintain. Students who destroy or vandalize school property will be required to pay for losses or damages. If students willfully destroy school property, consequences may include suspension or expulsion. If you happen to damage something by accident, you should report it to a teacher or the office immediately.

### **Elementary Promotion & Retention Policy** (Reviewed August, 2010)

Students in grades K-2 should achieve a 75% or greater in Language Arts and Math to be promoted to the next grade level. Students in grades 3-6 should achieve 75% or greater in all courses to be promoted to the next grade level. For students that fail to meet this standard, a conference with the student, parents, principal and teacher(s) will be held. Light's Retention Scale may be helpful to teams in making sound decisions about student retention. If conflicts concerning promotion and retention arise between school personnel and parents and cannot be resolved, the Administration has the authority to make the final determination. However, the parent or guardian may appeal the Administration's determination to the school board. Students on IEP's will follow what is stated in the IEP for promotion to the next grade.

### **Distance/Online Learning Policy and Agreement**

The South Dakota Virtual High School is a clearinghouse of distance/online courses offered by approved providers. All courses offerings are approved by the South Dakota Department of Education to ensure they are aligned with South Dakota content standards.

### **Student Application for Online High School Courses**

Students applying for permission to take a distance/online course will do the following:

- Meet with the school counselor to assess the student's maturity and ability to function effectively in an online learning environment.
- Current GPA of 3.0 & currently passing all classes
- Obtain written approval of the principal or his/her designee before counselor enrolls the student in a virtual course.
- Obtain written permission of parent/guardian for student to pursue distance/online coursework.

*To meet the needs of all students, if a differentiated/accelerated program is needed the decision will be made at the administrative level.*

### **Costs & Offerings**

- Apex Courses: **Willow Lake School District will use Apex program solely as credit recovery. The only way at Willow Lake School to regain your credit lost is through the Apex program.** The cost of the Apex class will be at the expense of the **STUDENT/PARENT.**
- Virtual High School Courses: **Willow Lake School District will reimburse the student/parent 50% or a max of \$150 of the tuition for 2 courses per school year.** *The student will be responsible for entire cost of the course if the student does not complete course, withdraws from course, or does not receive a grade of "B" or higher.*
- Dual Credit Courses: **Willow Lake School District will reimburse the student/parent 50% or a max of \$150 of the tuition for 2 courses per school year.** *The student will be responsible for entire cost of the course if the student does not complete course, withdraws from course, or does not receive a grade of "B" or higher.*
  - The Willow Lake School District will not be responsible for any costs incurred for fees, textbooks, or other materials needed to complete the course other than tuition.
  - The Willow Lake School District will reimburse students for the courses taken once the course is completed at a "B" or better grade.

### **Awarding Credit for Distance/Online Coursework**

The school must receive an official college transcript of the final grade before awarding credit toward graduation. Only approved courses shall be recorded on student transcripts.

Credit for distance/online coursework that a student has completed prior to enrollment in the Willow Lake School District will be transferred, subject to the following condition:

- Distance or online credit granted by another accredited high school will be approved and added to the student's transcript.
- Distance or online credit awarded from an accredited college will be added to the student's transcript as a full High School Credit.

### **Early Graduation Policy**

Students at Willow Lake High School are encouraged to remain in school for the full four academic years. However, students who choose to consider early graduation would need to meet the following criteria:

1. Students must attend 7 semesters of high school.
2. Students must have attended Willow High School for six consecutive semesters.
3. Students must have a 3.0 GPA or higher to be considered for early graduation.
4. The students must submit a letter of application for early graduation to the secondary principal by December 1<sup>st</sup> of their freshman year stating the reason for a need to graduate early.
5. Students must complete an audit of course requirements with the principal and counselor to ensure that enough credits exist for early graduation.
6. Students must arrange a conference with their parents/guardians and the principal Prior to March 1<sup>st</sup> of their freshman year.
7. Students must complete all required coursework during the first semester of their senior year.
8. A final determination for approval or denial of an early graduation request will be made by the Willow Lake School Board at the April School Board Meetings of your freshman school year.
9. Students must enroll in a dual-credit college class and pass the class with a minimum of a B (3.0 GPA).
10. Early graduation students will participate in the spring graduation ceremony.
11. Once completing the requirements for early graduation, the students will not be eligible to participate in any school-sponsored activities.
12. Students have an option to register their sophomore year for early graduation, but it must be decided by the last week of September with board approval by the October meeting.

### **Relationship with Other School Districts (Alternative Education)**

The procedures concerning student alternative education participation include the following:

1. The parents of a student of compulsory school age who wish their child to attend an alternative educational program must complete the SDCL 13-27-3 application for public school exemption certificate and submit it to the board of education of the school district within which they reside. Requests are to be made and new certificates issued on an annual basis. A record of all certificates issued is to be kept by the business manager of the local district and copies forwarded to the Department of Education at the time of issuance.
2. Students of compulsory school age who are enrolled in an alternative education program are to annually take a standardized academic achievement test, which is to be the same test as that administered by the public school district where the child is instructed. Within the Willow Lake Area School District, test materials are made available to the alternative educational center for administration, returned to the public schools for scoring and the scored test results forwarded to the alternative educational center.
3. Students of compulsory school age who transfer into the Willow Lake Area School District from unaccredited programs will be tentatively place within the grade level programs recommended by their transcript or report card. Within three (3) weeks of enrollment, a committee will be formed to examine the students standardized academic achievement test scores and to advise the principal or the designee as to placement of said child. If current test scores do not exist, a standardized academic achievement test will be administered by the principal or designee. By the end of the three (3) week period, a grade placement will be determined by the building principal based upon the standardized test scores and teacher recommendations.
4. Secondary school students, those in grades 7-12, who transfer into the Willow Lake Are School District from unaccredited programs, will be tentatively placed within the subjects and grade level recommended by their transcript or report card. Within three (3) weeks of enrollment, the principal or designee will, in the event a current standardized test score is not available, administer standardized achievement test to determine the achieved skill level in English and mathematics. By the end of the three (3) week period, a definite subject and grade placement will be made based on the standardized achievement test scores in mathematics and English and by teacher judgments and recommendations. Placement in other subject areas will be made based upon teacher recommendations and administrative judgment.
5. The awarding of credits toward meeting the Willow Lake Area School District's high school diploma requirements for academic work completed within a non-accredited school program shall be based upon the following criteria:

- A. Credits in English and mathematics shall be awarded based upon the student performance on the above cited standardized achievement tests and the grade level placement resulting there from. One English and one mathematics credit shall be recorded on the student's transcript for each year below that at which the student is placed in English and mathematics.
  - B. Credits in any laboratory science shall be awarded based upon the student's demonstrated competence in the academic objectives of the course and upon satisfactory participation in laboratory experiences which parallel or are consistent with those required in the district's laboratory science course.
  - C. The awarding of credits for any other course shall be based solely upon the student's ability to demonstrate satisfactory performance on a district test or other district designed alternative evaluation procedure intended to measure competency on the major objectives or product goals included within that course.
6. Students participating in non-accredited programs shall be provided opportunities to demonstrate satisfactory performance on the above cited district tests or alternative evaluative procedures at periodic times and places to be established by the district.
  7. Credits awarded through the above process shall be recorded on the student's transcript in a manner, which clearly indicates they were earned through non-traditional, alternative means.
  8. The above guidelines shall apply to all students entering district operated high school programs with the exception of the students on an individualized education plan (IEP). Students entering the district who have been determined to have an educational disability shall be placed in courses and assigned credits as determined by the district's special education assessment and placement team.
  9. The Willow Lake School District shall accept transfer credits earned by a student for any course taken by the student from another school accredited by the Department of Education outside the regular school term.

### **Transfer from Accredited School**

Grade placement shall be the responsibility of the principal. Students transferring into the system from accredited schools will be placed in the same grade level as in the school from which they transferred.

Upon recommendation of the Superintendent, the Board may award credit for promotion and/or graduation through the results of proficiency testing, correspondence courses, and other educational endeavors during the regular school year which are not within the school curriculum. In awarding credit, the course or program must be pre-approved by the Principal, Superintendent and Board.

The District shall accept transfer credits earned by a student outside the regular school year for any course taken by the student from another school accredited by the South Dakota Department of Education.

The District shall accept the transfer credits only if the parents or emancipated student notifies the high school principal in writing, prior to taking the course(s) for which credit is to be received. The notification must include the student's name, the starting and ending dates for each course to be taken, the school accredited by the South Dakota Department of Education from which the course is to be taken, and provide documented verification of enrollment or registration for the course. The course syllabus must be attached to the notification.

If the school fails to receive such prior written notice, the school shall refuse to accept the credits.

If, upon review of the coursework for which transfer credit is sought, the principal determines that the course rigor is not sufficient to meet the graduation requirements established by the South Dakota Board of Education or by the District, the transfer credits earned by the student for the course will count as elective credits, but the course will not count as a course required for graduation.

If the principal determines that the credit(s) do not meet graduation requirements, the principal shall notify the student in writing and explain the reason for that determination and to cite the provisions of formally adopted school policy that apply.

The following procedure shall be used to address an appeal of the Principal's decision.

1. The appeal shall be in writing. The appealing party must attach the Principal's written decision.
2. In the Superintendent's sole discretion, the Superintendent may (a) meet and discuss the matter with the Complainant, (b) meet and discuss the matter with the Complainant and Principal, or (c) meet and discuss the matter with the Principal.
3. Within fourteen (14) calendar days from the date the appeal was filed with the Superintendent, the Superintendent shall render a decision in writing. The time frame for rendering a decision by the Superintendent may be extended by the Superintendent for good cause and upon written notification to the Complainant and Principal; the notification shall identify the reason for the extension and the date on or before which the decision shall be rendered. The Complainant and Principal shall receive copies of the decision. The Superintendent may uphold, reverse or modify the Principal's decision. The Superintendent may also refer the matter back to the Principal for further investigation. The Principal may uphold, modify or reverse his or her initial decision. After a matter has been referred back to the Principal, and the Principal rendered a second decision, that decision may also be appealed to the Superintendent.
4. The Superintendent's decision may be appealed by the Complainant to the School Board within (10) ten calendar days of receipt of the Superintendent's written decision.

The following procedure shall be used to address an appeal of the Superintendent's decision.

1. An appeal to the School Board shall be in writing. The Complainant must attach the complaint, the Principal's written decision if a decision was rendered, the appeal to the Superintendent, the response to the appeal, and the Superintendent's decision.
2. The appeal must be filed with the President/Chairperson of the School Board or Business Manager within ten (10) calendar days of Complainant's receipt of the Superintendent's written decision.

The School Board shall schedule a date, time and location for the appeal hearing.

### **OPEN ENROLLMENT**

State law provides nonresident parents and students an opportunity to apply for enrollment within the District. It also allows resident parents and students an opportunity to apply for enrollment in an attendance center within the District other than that to which the student has been assigned.

The parent or legal guardian of a South Dakota kindergarten through twelfth grade student, or a student who is at least 18 years old, and resides in another school district (i.e., nonresident student), and who wishes to enroll the student in the District, or the parent or legal guardian of a South Dakota kindergarten through twelfth grade student, or a student who is at least 18 years old, and resides within the District and wishes to enroll the student at an attendance center within the District other than that to which the student has been assigned, must apply to open enroll in the School District.

1. Nonresident student open enrollment: The District shall grant a request for a transfer into the district of a child who is a resident of another school district unless the transfer would result in an inability to provide a quality educational program based on criteria established by the District pursuant to statute and this policy.
2. Nonresident alternative instruction student open enrollment: The District shall grant a request to admit into the district a child who is a resident of another school district and who is receiving alternative instruction in the resident district pursuant to law, unless admitting the nonresident child would result in an inability to provide a quality educational program based on criteria established by the District pursuant to statute and this policy.

3. Resident student open enrollment to different attendance center: The District shall grant a request from a resident of the District for a student transfer to an attendance center within the District other than that to which the student has been assigned unless the transfer would result in an inability to provide a quality educational program based on criteria established by the District pursuant to statute and this policy.

A copy of this policy will be provided to parents, guardians and emancipated students who wish to submit an open enrollment application. It shall also be provided to any other interested person upon request.

**A. GENERAL RULES:**

1. Transfers from another school district into the District may only take place prior to the last Friday in September during the first semester of any school year, and prior to the last Friday in January during the second semester of any school year. If the District approves an application for such a transfer after the deadline in the first semester, the transfer will occur at the start of the second semester. If the District approves an application for such a transfer after the deadline in the second semester, the transfer will occur at the start of the following school year. The deadlines for transfer do not apply if:
  - (A) A student is seeking to transfer to an alternative school or a specialized nonpublic educational program;
  - (B) A student enrolls in a school district after the deadline in either semester; or
  - (C) The District's Superintendent determines that special circumstances exist and allows a student to transfer into the District after the deadline.
2. All nonresident requests for open enrollment into the District must be submitted to the District's Superintendent on the official application form provided by the South Dakota Department of Education.
3. Nonresident student open enrollment applications to attend school within the District will be reviewed and acted upon in the order in which they are received. However, if the applicant is a sibling of a student accepted into and currently enrolled in the District, that student's application shall take priority over all other applications.
4. The Superintendent shall either approve or deny the application for open enrollment. A decision of the Superintendent to deny an open enrollment application may be appealed to the School Board. A decision of the School Board to deny student's application for open enrollment may be appealed to the circuit court pursuant to State Law.
5. Decisions to accept or reject open enrollment applications will be based on the criteria listed in "Open Enrollment Application Standards" (Section B).
6. The applicant and the resident school board will be notified within five days of the decision.
7. An application may be withdrawn by the applicant prior to the approval of the request and upon written notification to the District's Superintendent.
8. Once approved by the District, the approved application serves as the applicant's notice of intent to enroll in the District and obligates the student to attend school within the District during the school year, unless the affected school board or boards agree in writing to allow the student to transfer back to the resident district or assigned school, or unless the parents, guardians, or emancipated student change residence to another district. A decision by either school board to deny a request to return to the resident school district may be appealed to circuit court pursuant to law.
9. Once enrolled under open enrollment in the District, the student may remain enrolled and is not required to resubmit annual applications.
10. The parent or legal guardian of a student who has been accepted for transfer under open enrollment is responsible for transporting the student to and from school without reimbursement.
11. The District shall accept credits for any course completed in any other accredited school district but shall award a diploma to a nonresident student only if the student satisfactorily meets the District's graduation requirements.
12. If two or more nonresident students from the same family, residing in the same household, request open enrollment into the District, all requests from that family must be either approved or denied and the District shall not deny an application if doing so would result in children from the same household enrolling in different school districts. However, if the District cannot provide an appropriate education for a child in need of special education or special education and related services, the District may deny that child's application for open enrollment.

13. Any student under long term suspension or expulsion will not be allowed to open enroll until the suspension or expulsion is completed.
14. The rules of the South Dakota High School Activities Association will govern eligibility for participation in activities.

#### **B. OPEN ENROLLMENT APPLICATION STANDARDS:**

The following standards will be used to accept or reject nonresident student open enrollment applications to enroll within the District and resident student applications to attend an attendance center within the District other than that to which the student was assigned:

Open enrollment requests will be granted on a space available basis at the time the request is considered. The approval of an open enrollment request may not result in exceeding the average student to teacher ratio, program capacity, or building capacity criteria listed below. The ratios listed for grade level student to teacher ratios are for open enrollment purposes only and actual class sizes may be greater than the capacity listed below because of students residing within the school district and school attendance center area.

- Kindergarten through grades five: The student to teacher ratio shall not exceed 15 students in each grade as a result of open enrollment.
- Grade six through grade eight: The student to teacher ratio for core classes may not exceed 15 students in each grade as a result of open enrollment.
- Grade nine through grade twelve: Enrollment may not exceed attendance center building capacity.
- An open enrollment transfer may not cause a building or program to exceed capacity, including special education programs.
- Open enrollment of a special education student will not be approved if the students cannot be accommodated at current staffing levels or the program is at capacity.

#### **D. OPEN ENROLLMENT OF SPECIAL EDUCATION STUDENTS:**

1. A request to transfer a student in need of special education or special education and related services may be granted only if, after a review of all relevant student education records and direct communication with the student's parent or guardian and representatives of the resident district, the School District determines that the district can provide an appropriate instructional program and facilities, including transportation if required as a related service, to meet the student's needs. If the request to transfer is granted, the district is responsible for the provision of a free appropriate public education for the student in need of special education or special education and related services. If the student requires transportation as a related service, the district shall provide or ensure the provision of transportation within the boundaries of the District.

2. If the District is not able to confirm that the District can provide an appropriate instructional program, facilities, and transportation if necessary, based on the records review and communication with the student's parent or guardian and representatives of the resident district, the District shall initiate an individual education program team meeting consisting of representatives from the District, the resident school district and the parents or guardians, to determine whether the District can provide an appropriate instructional program, facilities, and transportation necessary.
3. A request to transfer a student in need of special education or special education and related services may be denied only pursuant to the "Open Enrollment Application Standards" (Section C) or if the individual education program team as set forth in "Open Enrollment of Special Education Students" (Section D.2.) determines that the District cannot provide an appropriate instructional program and facilities, including transportation, to meet the student's needs.
4. If a parent or guardian of a student in need of special education or special education and related services request to transfer the student back to the resident district, the affected school boards must agree in writing to allow the student to transfer back to the resident district or unless the parents, guardian, or emancipated student change residence to another district.
5. If two or more students from the same family residing in the same household request open enrollment and the District determines it can provide an appropriate special education or special education and related services for the special education student(s), the applications shall be approved subject to consideration of the Open Enrollment Application Standards (Section C). However, if the District cannot provide appropriate special education or special education and

related service for one or more of the students in need of special education or special education and related services, the District may deny the application for open enrollment related to the individual special education student(s).

6. If it is determined that a parent or guardian of a student, or an emancipated student, in need of special education or special education and related services submitted a request for an open enrollment transfer, but did not indicate on the application that the student has an IEP and needs special education services, as required on the form, any approval by the District of the open enrollment transfer application will be deemed void.

### **Willow Lake Library Media Selection Policy**

#### **Philosophy**

It is the goal of the Willow Lake Library to implement, enrich and support the educational program of the school and to provide recreational reading for the students and staff. It is the duty of the center to provide a wide range of materials on all levels of difficulty, with diversity of appeal, and the presentation of different points of view.

#### **Objectives**

1. To provide materials that will enrich and support the curriculum, taking into consideration and the varied interests, abilities, and maturity levels of the pupils served.
2. To provide a background of information which will enable pupils to make intelligent judgments in their daily life.
3. To provide materials on opposing sides of controversial issues so that young citizens may develop under guidance, the practice of critical analysis of all media.
4. To provide materials representative of the many religious, ethnic, and cultural groups and their contributions to our American heritage.
5. To place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality, in order to assure a comprehensive collection appropriate for the use of the library media center.
6. Provide enjoyment and relaxation for the students and staff.
7. Cooperate with other institutions, schools, libraries in meeting informational needs of students and staff.
8. Acquire, organize and make available a variety of relevant materials.

#### **Selection:**

The basic policy is to choose the best new materials and replace and duplicate the older titles which have proven their worth. Materials should be judged on their own merits and considered also in relation to the budget, the need, the collection as a whole and in relation to the intellectual, emotional and physical maturity of the pupils for whom they are intended.

### **Attendance Policy**

Attendance is a key factor in student success and achievement. Students are expected to be in school in order to make their education as complete and thorough as possible. These expectations can only be met if students are in attendance. It must be understood that students miss a vital portion of the educational experience when they are absent. While it is possible to make up written work, it is more difficult to make-up teacher presentations, class discussions and many other activities vital to the educational experience. We expect parents and guardians to be supportive of the educational program and work in cooperation with school district and its officials to insure attendance of all students.

### **Procedures to Follow For Student Absences**

1. Students absent from school must have their parent/guardian call the school office (625-5945) by 8:30 A.M. the day of the absence. If the parent/guardian is unable to call the school, the student must bring a written note and present it at the office when returning to school. The note must include the signature of parent/guardian and the reason for the absence. Students over 18 who reside with a parent or guardian will need parent/guardian signatures for all school issues.
2. All students will sign in with the front office when exiting and entering the building during school hours. This includes those with senior privileges. This does not apply to open campus lunch students.



### **Student Absences**

1. Willow Lake Schools respect a parent request to keep students out of school; however, parents must notify the school of the absence. Documented absences will allow students to receive credit for missed assignments. Absences authorized by the student's parent or guardian will be documented and will count toward total semester absences; for instance, 4 vacation days will count as 4 days absent.
2. Absence without proper notification or verification from parent or guardian will count towards total absences, and students will not receive credit for missed assignments.
3. Students will be required to make up all missed work.
4. Student absences from school due to injury or prolonged illness will be addressed on an individual basis.
5. After 10 absences the student may need **DOCTOR** verification for any and all illnesses.

### **Student Attendance Laws**

1. Any child between the ages of six and eighteen shall be enrolled in a school unless excused by state law. Any child under the age of six enrolled in any elementary school shall be subject to the compulsory attendance statutes of this state. SDCL 13-27.
2. Legal school age. Every child who, before the first day of September, 1979 and any year following, shall have attained the age of five years and who has not attained the age of nineteen years, shall be deemed to be legal school age. SDCL 13-28-1
3. Tests, birth certificates and immunizations for communicable diseases are required for admission to school. Any pupil entering school in this state, shall, prior to admission be required to present school authorities certification from a licensed physician that they have received a test for tuberculosis and have received or is in the process of receiving adequate immunization against, poliomyelitis, diphtheria, pertussis, rubeola, rubella, mumps, tetanus, meningitis, and varicella, according to the recommendation provided by the department of health. As an alternative to the requirements for a physician's certificate, the pupil may present:
  - A. Certificate from a licensed physician stating the physical condition of the child would be such that a test or immunization would endanger his or her life or health; or
  - B. A written statement signed by one parent or a guardian that the child is an adherent to a religious doctrine whose teachings are opposed to such test and immunization; or

### **Procedural Guidelines for Absences**

1. Students are allowed 10 full day absences per semester or 10 absences per class period. After 5 absences from the school day or class period during a semester, the student and the parents will be notified by letter. After 8 full day absences or 8 absences per class period, a mandatory meeting with parent/guardian will be held. After 10 absences, the student will lose semester credit for all classes or the class(es) in which the infraction occurred and an F will be posted to the official transcript. Students may appeal, in writing, any loss of credits to the superintendent and school board.
2. Absences for participation in co-curricular and extracurricular activities will not be counted as an absence.
3. Students must be in attendance at school for at least 1/2 a day or 4 periods if they are to participate in an after school activities that night. Exception may be granted with approval of an administrator.
4. Seniors will be allowed 1 college campus visit per school year if approved by the principal. Students will be encouraged to arrange those visits on non-instructional school days.
5. Parents are encouraged to monitor attendance by using the Infinite Campus Parent Portal.
6. Parents/guardians are encouraged to schedule appointments for students after school or on non-instructional school days.

### **Make-Up Work**

Students must check in with the front office before re-entry to class. Student must meet with teachers and note in their planner any missed work. It is the responsibility of the student to make arrangements with teachers for class assignments and activities missed during any absence.

## **Truancy**

1. Truancy is an absence from class or leaving school without checking out, or failure to follow procedures after an absence or any combination of the above. Continued patterns of truancy may be dealt with in a legal manner.
2. Proper authorities will be notified by the District in the event of repeated absence by any student under the age of 18. Based upon the information available, the authorities may file charges with the States Attorney to compel attendance.

## **Tardiness**

A student is tardy if she/he is not in their assigned room when the class is to begin, unless a student brings a pass from a teacher or the administration excusing the tardy.

### **Classroom Tardiness Recorded by Teachers Per Semester**

- **6<sup>th</sup> hour tardy** – automatic period of detention
- **2 tardies**—If two tardies are received in one week, student will serve a period of detention.
- **5 tardies**--a letter sent home to parents by the principal.
- **10 tardies**-for each tardy 6-10, 1/2 hour of detention will be served. After 10 tardies you will be given zero's for that class for any additional tardies.
- **15 tardies**- for each tardy 11--14, 1 hour of detention will be served. Upon your 15th tardy you will be suspended from school and readmitted only after meeting with the school board and the school administration.

## **Release of Student Directory Information**

The Willow Lake School District #12-3 designates the following as personally identifiable information contained in a student's education record and it will disclose that information without prior consent.

1. The student's name.
2. The name of the student's parents.
3. The student's address.
4. The student's date of birth.
5. The student's class designation (I.E. 1<sup>st</sup> grade, 10<sup>th</sup> grade, etc.)
6. The student's extracurricular participation.
7. The student's achievement awards or honors.
8. The student's weight and height if a member of an athletic team.
9. The student's photograph.
10. The school or school district the student attended and before they enrolled in the Willow Lake School District.

Parents/guardians will have thirty (30) days from the beginning of the school year or enrollment to advise the school district in writing (a letter to the school superintendent's) of any or all of the items refuse to permit the district to leave in about that student.

At the end of the two-week period, each student's records will be appropriately marked by the records custodians to indicate the items the district will designate as directory information about that student. This designation will remain in effect until it is modified by the written direction of the student's parent or the eligible student.

## **Student Records**

A Federal law, the Family Educational Rights and Privacy Act, commonly called FERPA, requires prior written consent from a student's parent or guardian (or student age 18 or older) prior to any disclosure of a student's educational records unless a specific exception is applicable such that prior written consent is not required.

A student's educational records are those records that are:

- (1) directly related to a student; and
- (2) maintained by the District or by a party acting for the District.

Student educational records do not include:

- (1) records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record,
- (2) records of the law enforcement unit of the District, subject to certain limitations,
- (3) records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are:

- (i) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity,
  - (ii) made, maintained, or used only in connection with treatment of the student, and
  - (iii) disclosed only to individuals providing the treatment. (For the purpose of this provision, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the agency or institution,
- (4) records created or received by an educational agency or institution after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student and
- (5) grades on peer-graded papers before they are collected and recorded by a teacher.

FERPA permits the disclosure of Personally Identifiable Information (PII) from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that certain conditions are met.
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to certain requirements.
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf.
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to certain limitations.
- To organizations conducting studies for, or on behalf of, the school, in order to:
  - (a) develop, validate, or administer predictive tests;
  - (b) administer student aid programs; or
  - (c) improve instruction.
- To accrediting organizations to carry out their accrediting functions.
- To parents of a student if the student is a dependent for IRS tax purposes.
- To comply with a judicial order or lawfully issued subpoena.
- To appropriate officials in connection with a health or safety emergency, subject to certain limitations.
- Information the school has designated as "directory information."

The District shall not collect information which is not necessary for the determination of student academic progress, state and federal reporting requirements, or other duties prescribed to a school district, or for the calculation of funding for public education.

### **Student Surveys**

No elementary school or secondary school student shall be required to submit to a survey, analysis, or evaluation that reveals information concerning the following subject matters, without the prior written consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent:

- (1) Political affiliations or beliefs of the student or the student's parent;
- (2) Mental or psychological problems or aspects of the student or the student's family;
- (3) Sex behavior or attitudes of the student or the student's family;
- (4) Illegal, anti-social, self-incriminating, or demeaning behavior;
- (5) Critical appraisals of other individuals with whom the student has a close family relationship;
- (6) Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- (7) Religious practices, affiliations, or beliefs of the student or student's parent;
- (8) Personal or family gun ownership; or
- (9) Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program);

Prior consent from parents must be obtained through a parental signature on a written notice received by the parents, identifying the nature of the survey, the purpose of the survey, that the student will not be personally identifiable (except possibly for identification as a male-female or by grade), and that the parent has the right to refuse participation by the student in the survey, analysis or evaluation. (The term, parent, for purposes of this policy, includes a legal guardian or other person standing in loco parentis.

Prior written consent from an emancipated minor or student age 18 or older must be obtained through the student's signature on a written notice which identifies the nature of the survey, the purpose of the survey, that the student will not be personally identifiable (except possibly for identification as a male-female or by grade), and that the student has the right to refuse participation by the student in the survey, analysis or evaluation.

The student shall not participate in the survey, analysis or evaluation if the school does not receive the required written consent. Denials of consent shall be reflected through the form being returned and in which consent is denied, or when the form is not be returned. Written consent is required prior to a student participating in a survey addressing one or more of the topics identified above and in no case shall consent be presumed.

**Non-Discrimination Policy:** Applicants for admission and employment, students, parents, persons with disabilities, employees and all unions or professional organizations holding collective bargaining or professional agreements with the Willow Lake School District No. 12-3 are hereby notified that this school does not discriminate on the basis of race, color, national origin, sex, age, or disability in admission or access to, treatment or employment in, its programs and activities. Any person having inquiries concerning the school's compliance with the regulations implementing Title IV, Title IX, the Americans with Disabilities Act (ADA) or Section 504 is directed to contact Dan Tonak, Title IX, Tracy Bratland-Bruns Section 504, the Willow Lake School, P.O. Box 170, Willow Lake, SD 57278; phone (605) 625-5945, who have been designated by the school to coordinate efforts to comply with the regulations regarding nondiscrimination, or the Regional Director, Department of Education, O.C.R., 1244 Speer Boulevard Suite 310, Denver, CO 80202-3582; phone (303) 844-5695 or TDD (303) 844-3417.

### **NONDISCRIMINATION IN FEDERAL PROGRAMS**

The District will not violate any of the provisions of applicable federal programs, statutes or regulations, including but not limited to Title IX, ESEA/Title I, Rehabilitation Act Section 504, Title II (Americans with Disabilities Act), ESSA and McKinney-Vento Act (homeless children). The District will not discriminate in any of its policies and programs on the basis of age, race, color, creed, national origin, ancestry, religion, sex or disability.

The District will provide the following:

1. an adequate, reliable, and impartial investigation of complaints, including the opportunity for the complainant and alleged perpetrator to present witnesses and provide evidence;
2. evaluation of all relevant information and documentation relating to a complaint of discrimination;
3. specific, reasonably prompt time frames at each stage of the grievance process;
4. written notice to all parties within a specified timeframe of the outcome or disposition of the grievance at each stage of the process;
5. an opportunity to appeal the findings or remedy, or both;
6. an assurance that the District will take steps to prevent recurrence of any discrimination and correct discriminatory effects on others; and
7. language in the policies and grievance procedures indicating that any attempts to informally or voluntarily resolve the complaint or grievance should not delay the commencement of the District's investigation.

In compliance with applicable federal laws and regulations, the Board has appointed the Superintendent as the District's Compliance Officer to coordinate program compliance with federal programs. The Superintendent can be reached at:

School District Name

Physical School District Address

Phone #: (605) \_\_\_\_\_.

A complaint may also be filed with the United States Office for Civil Rights, U.S. Department of Education at: 1010 Walnut Street, Suite 320, Kansas City, Missouri 64106; Telephone: (816) 268-0550; Facsimile: (816)268-0599; Telecommunication Device for the Deaf: (877) 521.2172; E-mail: OCR.KansasCity@ed.gov.

### **COMPLAINT PROCEDURE**

The Board has adopted a specific procedure to ensure that parental/student/public complaints related to the provisions of applicable federal programs, statutes or regulations, including claims of retaliation. The Board will not discriminate, in any of its policies and programs, on the basis of age, race, color, creed, national origin, ancestry, religion, sex or disability.

The purpose of this complaint procedure is to outline a procedure for addressing parental/student/public complaints about federal program compliance and/or discrimination. *Complaints against school employees and complaints related to sexual harassment, bullying, and instructional and library materials are addressed through other School District policies and not through this policy.*

For the purposes of this policy, a "complaint" is a perceived or alleged violation of federal programs, statutes or regulations (e.g., Title IX, ESEA/Title I, Rehabilitation Act Section 504, Title II (Americans with Disabilities Act), ESSA, McKinney-Vento Act (homeless children), etc.) and/or discrimination in a policy and/or program on the basis of age, race, color, creed, national origin, ancestry, religion, sex or disability.

To protect the confidentiality of all concerned, it is imperative that any school employee in receipt of a complaint treat the complaint as confidential and that the complaint not be reproduced in any form, nor disclosed or discussed with any person other than those identified as proper recipients of the complaint (i.e., the principal, superintendent, school board).

When a federal program compliance complaint or discrimination/harassment complaint based on race, color, national origin, age or sex (excluding sexual harassment complaints) is brought directly to an individual board member or the entire Board, the board member or entire Board may listen to the person's complaint but shall take no action unless there has been compliance with this Policy. The person bringing the complaint will be directed to the procedure as set forth below. The following procedure is designed to ensure the proper balance in protecting the rights of the person(s) bringing the complaint and

the rights of the employee against whom the complaint is made. It is only when the person having the complaint and the employee involved cannot resolve the problem, and the complaint cannot be resolved at the administrative level, will the Board and board members become involved.

Should it be determined that discrimination or harassment occurred based on race, color, national origin, age or sex, the District will take steps to prevent recurrence of any discrimination or harassment and to correct its discriminatory effects on others, if appropriate.

#### **STEP 1: Initial Complaint**

- A.** The person having the complaint related to federal program compliance or discrimination/harassment complaint based on race, color, national origin, age or sex (excluding sexual harassment complaints), the person must initiate the complaint procedure in one of the following ways:
- meet and discuss the concern with the Employee involved; OR
  - meet and discuss the concern with the Employee's Principal.

If the Complainant met with the Employee and the complaint was not resolved, the Complainant must meet and discuss the complaint with the Employee's Principal within ten (10) calendar days of the meeting with the Employee. The Principal shall complete a Complaint Form, Exhibit AC-E(1). The Complainant shall sign and date the Complaint Form verifying bsp; The Principal may uphold, modify or reverse his or her initial decision. After a matter has been referred back to the Principal, and the Principal rendered a second decision, that decision may also be appealed to the Superintendent.

- B.** The Superintendent's decision may be appealed by the Complainant to the School Board within (10) ten calendar days of receipt of the Superintendent's written decision pursuant to Step questions of the other's witnesses. The Hearing Officer and school board members may ask questions of any witness.
8. After the Complainant and the Employee have presented their respective cases, the Superintendent shall then present the basis of his/her decision which led to the appeal, if a decision was rendered. The Complainant and Employee shall have the opportunity to ask the Superintendent questions. The Hearing Officer and board members may also ask questions of the Superintendent.
  9. Unless a witness is a party to the appeal, witnesses may be present only when testifying unless the Hearing Officer rules otherwise. All witnesses must take an oath or affirmation administered by the School Board President/ Chairperson, Hearing Officer or other person authorized by law to take oaths and affirmations.
  10. The Hearing Officer shall admit all relevant evidence. The Hearing Officer may limit unproductive or repetitious evidence. The strict rules of evidence do not apply. *Moran v. Rapid City Area School Dist., 281 N.W.2d 595. 602 (S.D. 1979) ("This [school board hearing related to teacher contract nonrenewal] does not mandate nor necessitate the use of strict evidentiary rules.")*.
  11. Both parties shall be given the opportunity to make a closing statement, with the Complainant having the first opportunity, followed by the Employee, and then the Superintendent. The Complainant shall be given the opportunity for a brief rebuttal.
  12. After the evidentiary hearing, the School Board shall continue to meet in executive session for deliberations. No one other than the Hearing Officer may meet with the Board during deliberations. During deliberations, the Board may seek advice from an attorney who did not represent any of the parties in the hearing. Consultation with any other person during deliberation may occur only if a representative of the Complainant, Employee and Superintendent are present. The Board may, in its sole discretion, continue the proceedings and make a final decision on the appeal at a later date.
  13. Within twenty (20) calendar days of the hearing, the School Board shall render its decision and issue its written Findings of Fact, Conclusions of Law and Decision. The time frame for rendering a decision may be extended by the Board President for good cause and upon written notification to the Complainant, Employee and Superintendent. The notification shall identify the reason for the extension and the date on or before which the decision shall be rendered.

14. The decision of the School Board must be based solely on the evidence presented at the hearing and must be formalized by a motion made in open meeting. The Board will reconvene in open session. The Board may uphold, reverse, or modify the Superintendent's decision, or render a decision on the merits of the complaint in the absence of a Superintendent's decision. Findings of Fact, Conclusions of Law and Decision, consistent with the Board motion, shall be in writing and approved by the Board. The Complainant, Employee, Principal and Superintendent will receive copies after the Findings of Fact, Conclusions of Law and Decision are approved by the School Board.
15. If the Complainant is dissatisfied with the School Board's decision, the Complainant may appeal the decision by filing an appeal to the circuit court pursuant to SDCL Ch. 13-46

### **Student Due Process Rights**

All students are entitled to due process when they are subjected to disciplinary actions such as suspension or expulsion. The board and school officials have the legal authority to deal with disruptive students and student misconduct. Due process, in the context of the administrative proceedings carried out by school authorities, refers to the procedures established by the state Board of Education applicable to short-term suspension, long-term suspension, and expulsion. Due process procedures will conform to the following basic practices:

1. They must be fair.
2. They must apply equally to all.
3. They must be enforced in a fair manner, which involves:
  - Adequate and timely notice and an opportunity to prepare a defense.
  - An opportunity to be heard at a reasonable time and in a meaningful manner.
  - The right to a speedy and impartial hearing on merits of the case.

### **Attire and Appearance**

Students are expected to dress with standards that enhance a safe learning environment. Attire that creates a health or safety hazard, invades the rights of others, detracts from decency and decorum in school, or disrupts the educational environment will not be permitted. Profanity and suggestive themes, such as alcohol, drugs, tobacco, sex, death, suicide, or violence will not be permitted on school attire.

- All garments must completely cover the upper and lower body and cover the waist at all times.
- All shirts must have a single shoulder strap that is at least 2" wide.
- Underclothing should NOT be visible.
- Skirts, skorts, and shorts must be mid-thigh or longer. (In determining appropriate length, a student may hold their arms at their sides; the length of the garment must be at least to the bottom of the student's longest finger.)
- No headgear, inappropriate chains, studs, studded jewelry, or face paint.
- No clothing with excessive holes or holes located above mid-thigh

The staff has an obligation to enforce this. If dressed improperly, you will be asked to call your parents and have appropriate clothing brought to the school or administration will provide appropriate attire.

### **Electronic Communications Devices Policy (January 2014):**

Student cell phones, I-pod, pagers, etc., will be allowed on the school premises during the day, it will be placed on the top of the students desk at the start of each class period. Cell phones, I-pods, and pagers will be used as a student's hall pass; they will be turned into the teachers which will allow students to use the restrooms or go to their lockers, office, etc. Cell phone, I-pod and pagers usage at extra-curricular events will be at the coaches' discretion. Cell phones, I-pods and pagers at extra-curricular events will be kept in the valuables bag.

- **First Offense** - Anyone caught misusing cell phone, I-pod or pager during the restricted hours or in the restricted areas will have the device confiscated. The cell phone, I-pod or pager may be picked up at the end of the school day or at the end of the extra-curricular event from the administrator or coach in charge. The student will receive 1 day of detention.
- **Second Offense** by the same individual will result in the cell phone, I-pod or pager being confiscated, the parent/guardian notified, and, will require the parent/guardian to come in and reclaim the device. The student will serve 2 days of detention.
- **Third Offense and subsequent offenses** will require the parent/guardian picking up the device and the student will serve 1 day of ISS.
- ISS days will be added for additional offenses.

## Student Conduct (May 2015)

All students will exhibit responsible, respectful, positive inter-personal behavior consistently in all situations. All students will be courteous, display citizenship which will enable them to live and work together cooperatively. Any student which interferes with the effective administration of the school and/or with effective teaching or learning in the classroom or any other school activity will have consequences.

- First Offense: A student will be removed from classroom, area or activity and sent directly to the office. They will receive 1 day detention
- Second Offense: A student will be removed from classroom, area or activity and sent directly to the office. They will receive the remainder of the day in ISS and 1 day of detention.
- Third Offense: Will result in a conference with parents and students, and will receive 3 days of ISS.
- Repeating Offenses: Will result in a 2-3 day OSS

School conduct, as well as conduct anywhere else, is largely a matter of exercising self-discipline. If you think before you act, you can answer for yourself the question as to whether your proposed act is proper or not.

## Lunchroom Behavior

Students are asked to be neat and orderly in the lunchroom. Please clean up your eating area when you have finished eating. Throwing of food, unruly behavior will result in disciplinary action. No food is to be taken from the lunchroom.

## Detention Policy

1. The detention policy will pertain to all HS and MS students.
2. Students may be assigned detention by the Administration, Teachers and Staff.
3. Parents of students who have detention will be contacted by the office. The students will also be notified when they are to serve detention.
4. Detention is given for:
  - Tardy for 6<sup>th</sup> period
  - Tardiness to class or study hall
  - Skipping school
  - Leaving school early without permission
  - Failing to report to study hall
  - Being out of class or study hall without a pass
  - **Disrespect to ALL staff, students and/or community members.**
5. A student reporting to detention shall bring schoolwork to do during detention. If the student fails to bring work or reading material for the entire detention period he/she will serve one more detention period.
6. **NO PERSONAL MOBILE DEVICES OF ANY KIND WILL BE ALLOWED!!!!!!!!!!!!!!!!!!!!!!**
7. Detention time will be served Monday thru Friday during your lunch period each day.
  - Students placed on detention **must** serve detention the day following the violation or may serve it the same day of the violation.
  - Students arriving late for detention will not be credited for that detention and asked to leave.
  - Students failing to serve detention on the assigned day will have their detention doubled. We will only double it 2 times before we enact next statement.
  - Students refusing to serve detention will receive 1 day of ISS for each day of detention not served.
  - Students who have accumulated 5 detentions will receive 1 day of ISS upon future violations all detentions will become ISS.



### **In-school Suspension**

For certain infractions in-school suspension may be imposed. In such a case, parents will be notified by the school administration.

- A. Student will be isolated from the student body within the school facilities.
- B. No contact with the student body will be allowed during school hours.
- C. Student will be allowed to go to the restroom, drinking fountains etc., once in the a.m. and once in the p.m. 20 minutes will be provided for noon lunch. The student will eat dinner at the school.
- D. In-school suspension may be assigned 1 to 3 days.
- E. Any infraction of the in-school suspension rules will result in automatic out-of-school suspension.
- F. All schoolwork will be completed. Grades will be reduced by one grade point for all work assigned during this period.

### **Suspension From School**

For certain infractions you may be sent home and will be readmitted only after the period of suspension has ended. In such cases, parents will be notified prior to sending a student home. Among those infractions which may result in suspension include, but not limited to, include:

- A. Fighting in school or on school property.
- B. Deliberate destruction of property.
- C. Use of obscene, threatening or flagrantly disrespectful language toward a school employee.
- D. Continuous, disruptive behavior in school and class. Note to students: extra-curricular activities are an extension of the school day. All in-school rules apply to extra-curricular activities.

### **School Trips**

School trips are a privilege. Students are expected to follow all school rules on trips. Students are expected to obey all rules set down by the advisor. You are a representative of your school, be proud of it. Students breaking laws of the state such as stealing, purchasing or selling drugs or alcohol, disobeying advisors, rules etc., will receive an automatic three-day suspension and commensurate loss of activities participation. Conduct during school trips must be of the highest order.

### **Student Behavior On Buses**

The privilege of riding a school bus carries with it some responsibilities on the part of the student. Drivers are expected to keep order and discipline on the bus, but their major responsibility has to be driving the bus. Therefore, students are to comply with the following regulations:

1. Pupils are not to hang on sides of the bus and are not to hand heads, arms, legs, bodies, or ands out the windows of the bus.
2. Pupils are to be seated immediately upon entering the bus and are to remain seated until they arrive at their destination school in the morning and bus debarkation stations in the afternoon.
3. Loud talking and other noises are not permitted on the bus.
4. Pupils are not to molest other pupils while waiting for a school bus, and the same rule applies while riding on the bus.
5. Vulgar language and smoking are prohibited on the school bus.
6. Students will board the bus and leave the bus according to the instructions of the driver.
7. Students are to obey all orders of the drivers and to show proper respect to the drivers.
8. Students will be held financially responsible for damage to the interior of the bus, including torn seats.
9. Students may not leave the bus on its way to or from the school except to ride with parents. In such cases, parents must inform the school bus driver before the student may leave the bus.
10. Students are not to throw objects while on the school bus.
11. Students must sit in seats assigned by the driver if the driver makes that assignment.
12. Assistance in keeping the bus clean will be appreciated.
13. Each passenger is expected to help in keeping the bus clean. Pick up paper and other objects that may be dropped on the floor. Their shoes, boots, should be as free of med as conditions will permit before entering the bus.
14. Town children must have permission from the superintendent's office or the bus driver, when they wish to ride the bus.
15. No beverages may be brought into the bus without driver permission.
16. All children riding a bus other than their own must get permission from the bus driver of the bus they intend to ride or from the director of transportation.

17. When students are not riding the bus in the morning, the parent should call the bus driver before 7:00 or the home of the student directly preceding you so he/she can transmit this information to the driver and save the bus driver the time of making that stop.

Any bus passenger that cannot abide by accepted rules and regulations for bus transportation will be denied that privilege. With a "first offense", a telephone call will be made to the parents informing them of the discipline problem and the actions that will be taken if the discipline problem continues. A "second offense" will deny bus transportation for a period of one week. A "third offense" will deny bus transportation for the remainder of that given school year.

### **Activity Bus Policy**

Often school activities are conducted at places other than the Willow Lake School, extracurricular activities being the most common example. The parents and school have a shared responsibility in insuring that students are under proper supervision on the way to and from the activity. In order to provide proper supervision of student participants, students who participate in activities are required to ride the activity bus to and from the activity. The activity bus departs from and returns to the school, and unless parents have made prior arrangements with the school as set forth below, students are required to ride the activity bus.

As an activity begins and ends at the Willow Lake School, all activity participants are to ride to the activity on school transportation, or with parents on prior parental notice given to the school; students are not allowed to drive or ride with other person. Should parents wish a deviation from this rule, and while such requests will generally be granted, should circumstances exist after the approval is given which causes school personnel to reasonably believe that a student's safety is in jeopardy by not returning to the school on the activity bus the school may require in such instances the student return on the activity bus to the school.

Should parents wish their student to get on or off the activity bus at some location other than the Willow Lake School, parents shall put the request in writing and identify the exact location where the student is to board and/or get off the bus. This request shall identify the person (a responsible adult) the student is to ride home with if they are not driving themselves or riding with a parent or guardian. The request must be in writing and provided to the school no later than the time the bus departs to the activity. The request shall be signed and dated by the parent and identify the activity for which the request is made. The request may be made for a single activity or a season. The written request shall be given to the athletic director, high school principal or superintendent.

Should the parents (or guardians) attend the activity and wish the student to return to the district with them, the parents or guardian may make the request in person at the time of the activity. The school employee responsible for the students will have a signature form for the parents to sign indicating the parental wish to take the student with them at the conclusion of the activity. Should a parent wish a student to return from the activity with a person other than the parent, in all cases the request must be made in writing and provided to the school no later than the time the bus departs to the activity. Again, should the school believe that such circumstances exist which causes the school employee responsible for participants to reasonably believe that the student's safety is jeopardized by not returning to the school on the activity bus the school may in such cases require that the student returns on the activity bus to the school.

This policy will also be applicable should the school take a spectator bus to the school activities.  
(Adopted 1-11-93, effective January 22, 1993)

## **Student Athletics and Activities**

### **Grading Policy (April 2015)**

In order for students to have equal opportunities, it's important that our eligibility scales are similar. The coop board has made adjustments to be more consistent between schools by looking at percentages rather than grade at one site due to different grading scale. Willow Lake: Students must maintain 70% in each class and have NO F's to be eligible for school sponsored activities. Clark: A student must maintain at least a 1.6 on a 4 point scale to participate. It is up to the discretion of the coaches as to whether or not the student athlete will continue to practice or attend the qualifying events during the academic suspension. Grades will be turned in at 4 ½ week intervals. If a student is deemed ineligible (seven days-Monday to the next Monday), grade will be checked on weekly intervals (each Friday) until student becomes eligible. Ineligibility grade percentage is not cumulative beyond each nine-week grading period.

### **Dual Participation Policy-Clark/Willow Lake Cyclones (Added July 30, 2009)**

#### **General Information**

1. Parents must arrange a meeting with the activities director at least two weeks prior to the first practice of the involved activities (prior to whichever activity starts first). This meeting will allow parents to request that their child be allowed to participate in two school sponsored activities during the same season.
2. This meeting will include parents, students, activities director, and the coaches/advisors of both activities. The agenda of this meeting includes guidelines, scheduling conflicts, expectations, and workability. In cases of consensus, the agreement form will be completed and causes of termination will be discussed.
3. Parents and students must fully understand that requests for dual participation may not always be workable.

#### **Guidelines: Each student who participates in dual activities will:**

1. Maintain a grade point average of 2.0 on a 4.0 grading scale and have no F's.
2. Be expected to fulfill the practice requirements for both activities as determined by the coaches/advisors.
3. Be limited to two dual sporting activities per week determined by departure times for the activity.

Failure to comply with any of the guidelines will result in termination of dual participation. In cases of termination, the student will be allowed to continue with one of the two activities (to be determined at a termination meeting).

### **Training & Extra-curricular Rules**

#### **Student Insurance:**

Parents are required to provide proof of insurance in order for students to participate in extra-curricular school sponsored athletics and/or activities.

#### **Athletic**

- A. Student athletes of the Clark/Willow Lake Coop shall not possess, use, sell, give or be under the influence of any drug, or counterfeit drug, the possession of which is prohibited by law. This includes narcotics, hallucinogenic drugs, alcohol, amphetamines, steroids, cocaine, or intoxicants of any kind. The use of any tobacco product is also prohibited. It is not a violation for a student to be in possession of a legally defined drug specifically prescribed by a doctor.
- B. This policy will be subject to enforcement and/or disciplinary action by the department heads and administration for the school year including any school related events during the summer months. Violations may carry over to the next school year if qualifying events are not satisfactorily carried out and served the previous school year.
- C. The Willow Lake School District will not grant permission for alternative instruction students to participate in interscholastic contests.

#### **Social functions. School parties and/or dances may be authorized.**

- A. The party must be planned by an organization, under the direction of an advisor.
- B. Permission to hold the party must be obtained from the administration.

- C. Chaperones will be needed at all parties. The number will depend on the type of party. The organization advisor and one other faculty member will be needed at most parties, others as needed.
- D. Only members of our school are allowed to attend unless arrangements are first made with the advisor and the principal. People attending the party must stay in the building during the party. Permission to leave and return may be obtained from the chaperones.
- E. The sponsoring group must clean up the facilities used after the party.
- F. No social function shall continue later than 11:00 p.m. without the consent of the administration. In any case, no event will extend beyond 12:00 midnight.
- G. Smoking, drinking of alcoholic beverages or the use of drugs will not be allowed at the parties.
- H. Students in the 9<sup>th</sup> grade and above may attend high school dances. Grades 7-9 are permitted to attend junior high dances.

### **Penalties for Rule Violations**

Penalty starts at first qualifying event the student participates, after school becomes aware of violation and notifies student. It is up to the discretion of the coach or advisor as to whether the individual would continue to practice or attend the qualifying events during the suspension.

**First Violation:** After confirmation of the first violation, the student shall lose eligibility for the next (2) two qualifying events during the suspension.

**Second Violation:** After confirmation of the second violation, the student shall lose eligibility for the next (4) qualifying events during the suspension.

**Third Violation:** After confirmation of the third violation, the student shall lose eligibility for one (1) calendar year.

**Curfew:** Training hours for Sunday through Thursday – 10:30 p.m.; unless there is a school activity. Athletes must be home ½ hour after the activity ends. Training hours for Friday and Saturday nights – 1:00 a.m. It is strongly encouraged that parents reinforce this policy.

### **JH Co-op Athletics Practice and Activity Participation** (Revised 8-4-15)

No junior high practices and activities will be held on Wednesdays. Junior High students may participate in Varsity athletics as needed or requested by the coach. In some activities, such as track, dance, and golf, JH and varsity will be combined in most instances. At the discretion of the coach and if numbers warrant, all 6<sup>th</sup> graders will be allowed to participate in Junior High activities except for football; however, 6<sup>th</sup> graders will be allowed to play only one grade up. Junior High participants will not be required to practice on Wednesdays. Penalty for non-participation will be withheld.

### **Concussion Policy:** (Approved August 9, 2010)

Any athlete with a concussion or concussion like symptoms will be medically cleared by an appropriate health-care professional prior to resuming participation in any practice or competition.

### **Athletic/Activities Equipment**

Athletic equipment is loaned to the students for use during the athletic season. Students are responsible for this equipment and must return all equipment loaned out at the completion of the season. Students are required to replace missing or damaged (beyond reasonable wear) equipment at the end of the season. Any student found wearing or in possession of school property following the athletic season will be subject to a three day suspension and returning the property should the student be in violation of this policy. *Adopted August 10, 1992*

Uniforms are provided for activities without charge. Lost uniforms must be paid for and fines will be charged for any damage beyond reasonable wear. Band uniforms should be turned back dry cleaned and other athletic uniforms washed.

### **Student Run Business** (Adopted July 11, 2005)

The school run businesses (not to be confused with fundraisers for established curriculum programs such as FACS and Vocational Agriculture or class/sports programs or the yearbook) must have a specific purpose, a business plan, a supervisor and approval from the board and/or administration. Any profits from the business shall be donated to a non-profit organization or project. Students will have input

concerning the designation of the donation. There shall be no student compensation from the businesses.

### **Child Abuse Policy**

It is the policy of the Willow Lake School District that any teacher or other school employee who has reasonable cause to suspect that a child under 18 years of age has been neglected or physically abused (including sexual or emotional abuse) by any person including parent or other person, other than by accidental means, shall report orally or in writing to the principal or superintendent who shall then immediately report to the states attorney or to the Department of Social Services or to the county sheriff or to the city police. The principal or superintendent shall inform the school employee initiating the action within 24 hours and in writing that the report has been made. The employee shall make the report directly to the proper authorities if the principal or superintendent fails to do so.

The report shall contain the following information: name, address and age of child; name and address of parent or caretaker; nature and extent of injuries or description of suspected abuse or neglect; any other information that might help establish the cause of injuries or condition. School employees, including administrators shall not contact the child's family or any other persons to determine the cause of the suspected abuse or neglect. It is not the responsibility of the school employees to prove that the child has been abused or neglected, or to determine whether the child is in need of protection, only to report their suspicions of abuse or neglect.

Records concerning reports of suspected abuse or neglect are confidential and the release to person other than provided by law is a criminal offense (Class 1 Misdemeanor). Failure to make a report when there is a reasonable cause to suspect abuse or neglect is also criminal offense (Class 1 Misdemeanor).

Anyone who participates in making a report in accordance with the law and in good faith is immune from any civil or criminal liability that may otherwise arise from the reporting or from any resulting judicial proceeding.

### **Student Bullying/Harassment** **SECTION 1 – Policy Statement**

The District is committed to maintaining a constructive, safe, and bullying-free school climate that is conducive to all students' educational opportunities and which fosters an environment in which all students are treated with respect and dignity. Bullying can inhibit a student's educational opportunities and may also have long-term negative effects on a student. Bullying of students shall not be tolerated and is strictly prohibited. Bullying of students from other schools who are at a District activity, parents, school employees, guests, visitors, volunteers and vendors of the District shall also not be tolerated and is strictly prohibited.

This policy shall not be interpreted or applied to prohibit civil exchange of opinions or debate protected under the state or federal constitutions if the opinion expressed does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others. However, conduct which substantially interferes with the work of the school, causes material and substantial interference with school work and discipline, and might reasonably have led school authorities to forecast substantial disruption of or material interference with school activities is not constitutionally protected speech and is therefore prohibited under this policy.

All students, parents, employees, guests, visitors, volunteers and vendors shall conduct themselves in a civil and responsible manner and in a manner consistent with school policies related to student, parent, employee and visitor conduct. This policy prohibiting bullying shall apply to all students, parents, employees, guests, visitors, volunteers and vendors while on school property, while attending or participating in school activities, on school-owned property or on non-school property, while in any school-owned or leased vehicle, while at a school bus stop, or when in a private vehicle located on school property during school or during school activities..

The District shall investigate all reported instances involving bullying. Unless a different person is designated by the Superintendent to conduct the investigation, the Principal of the school attendance

center where the bullying is alleged to have occurred is responsible for investigating the alleged bullying. Allegations of bullying may also be reported by the administration to other authorities, including but not limited to law enforcement.

Students who violate this policy shall be subject to appropriate disciplinary action, up to and including expulsion. Employees who violate this policy shall be subject to appropriate disciplinary action, up to and including termination of employment. Parents, guests, visitors, volunteers, and vendors who violate this policy may be prohibited from being on school property.

**Pursuant to state law:**

- A. any school district employee, school volunteer, student, or parent who promptly reports in good faith an act of bullying to the appropriate school district official as designated in the school district's policy, and who makes the report in compliance with the provisions of the school district's policy, is immune from any cause of action for damages arising from failure to remedy the reported incident, and
- B. no cause of action is created against the school district, school district employee, school volunteer, student, or parent unless there has been substantial noncompliance with the school district's policy which results in injury to a person.

The District will maintain confidentiality to the maximum extent possible under the circumstances. However, a person reporting bullying conduct must understand that should the administrator who is investigating the report determine there is reasonable cause to suspect that bullying did occur which could result in administrative discipline or a referral to the School Board, the person alleged to have abused the other person may have the right to know the identity of the person(s) making the report in order that he/ she may have an opportunity to defend himself/herself.

The District strictly prohibits retaliation against any person because he or she has made a report, testified, assisted, or participated in the investigation of a report of alleged bullying. Retaliation includes, but is not limited to, any form of verbal or physical reprisal or adverse pressure. The person(s) alleged to have bullied another person shall not directly or indirectly (such as through another person) harass, pressure, or retaliate against any other person because of the complaint being reported. A violation of this provision may lead to separate disciplinary action based on the retaliation. Any person who believes he or she is being subjected to retaliation because of his or her involvement with a bullying report should immediately contact a school administrator.

*Complaints against school employees and complaints related to Sexual Harassment are addressed through other school district policies and not through this policy.*

**SECTION 2 – Bullying Defined**

- A. Bullying is an intentional isolated act or pattern of repeated conduct toward another person that is sufficiently severe and offensive to a reasonable person, and
  - 1. has the purpose or effect of creating an intimidating, hostile or offensive school environment for one or more students, parents, employees, guests, visitors, volunteers or vendors, and/or
  - 2. has the purpose or effect of substantially or unreasonably interfering with a student's educational opportunities (i.e., academic, co-curricular activities, extra-curricular activities, and social opportunities, etc. within the school environment), employee's and volunteer's work environment or performance, or access by parents, guests, visitors or vendors, and/or
  - 3. places a person in reasonable fear of harm to his or her person or damage to his or her property, and/or
  - 4. causes physical hurt or psychological distress to a person, and/or
  - 5. constitutes retaliation against any person for asserting or alleging an act of bullying, and/or
  - 6. disrupts the orderly operation of a school.
- B. Bullying conduct includes threats, intimidation, physical violence, theft, destruction of property, hazing, stalking (SDCL 22-19A-1), harassment (SDCL 22-19A-4), and threatening or harassing contact by telephone or other communication devices, commonly referred to as

cyberbullying (SDCL 49-31-31). Neither the physical location nor the time of day of any incident involving the use of computers or other electronic devices is a defense to any disciplinary action taken by the School District for conduct determined to meet the definition of bullying in SDCL 13-32-15.

1. Hazing defined: any verbal or physical act or acts done on school property or at a school activity which directed toward another person and done for the purpose of initiation into any group, regardless of whether the group is a school sanctioned organization, when the act or acts causes or may create a reasonable risk of causing mental, emotional or physical harm to the person who is the recipient of the act or acts.
2. Stalking defined: willfully, maliciously, and repeatedly following or harassing another person; making a credible threat to another person with the intent to place that person in reasonable fear of death or great bodily injury; or willfully, maliciously, and repeatedly harassing another person by means of any verbal, electronic, digital media, mechanical, telegraphic, or written communication.
3. Harass defined: a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, or harasses the person, and which serves no legitimate purpose.
4. Threatening or harassing contacts by telephone or other electronic communication device defined: using or knowingly permitting a telephone or other electronic communication device under his or her control for any of the following purposes:

(1) to contact another person with intent to terrorize, intimidate, threaten, harass or annoy such person by using obscene or lewd language or by suggesting a lewd or lascivious act,

(2) to contact another person with intent to threaten to inflict physical harm or injury to any person or property,

(3) to contact another person with intent to extort money or other things of value,

(4) to contact another person with intent to disturb that person by repeated anonymous telephone calls or intentionally failing to replace the receiver or disengage the telephone connection.

### **SECTION 3 – Reporting Procedure**

Any individual who believes that he or she has been or is being subjected to bullying or has reason to suspect another person has been or is being subjected to bullying should immediately report it to a teacher or school administrator. The report may be made verbally or in writing. A report may be made anonymously, although disciplinary action may not be based solely on an anonymous report. If disciplinary action is being requested, the individual reporting the bullying will be asked to either submit a signed written complaint or sign a completed Bullying Report Form, Exhibit JFCD-E(1), verifying the accuracy of its content. The written complaint or Bullying Report Form must include the following:

- the date the written complaint was filed or the Bullying Report Form was completed,
- the school employee receiving the complaint (if applicable),
- the name of the person reporting the bullying,
- the address/phone # of the person reporting the bullying,
- the specific conduct or nature of the bullying complaint including the person(s) alleged to have bullied the complaining party or another person, the date(s) and location where the conduct occurred, witnesses, etc.,
- the date the school employee completed the form (if applicable),
- the date and signature of the person reporting the bullying.

If the signed written complaint was given to a teacher, or if the Bullying Report Form was completed by a teacher, the teacher shall forward the complaint or Bullying Report Form to the teacher's building principal.

### **SECTION 4 – Procedure for Addressing Bullying Complaints**

#### **STEP 1: Principal.**

Should there be a report which alleges a District student, parent, employee, guest, visitor, volunteer or vendor has been subjected to bullying, an investigation into the alleged bullying will be initiated. The District's investigation may include, but is not limited to, such things as interviewing individuals with actual or possible knowledge regarding the conduct in question, identifying facts related to the conduct in question, identifying when and over what period of time the conduct is to have occurred, determining whether the conduct negatively affects the educational opportunities or employment condition of the victim, identifying prior history of a similar nature by any of the individuals involved, and attempting to obtain possible verification from other persons. The investigation shall be conducted promptly and completed in a reasonable time frame given the nature of the complaint.

The person alleged to have bullied another person will be notified that a complaint has been filed pursuant to this policy and that the complaint is being investigated. The name of the person making the complaint will not be disclosed to the person alleged to have violated this policy unless and until the investigation results in a determination that there is reasonable cause to suspect that bullying did occur.

Upon reasonable suspicion by the school administrator responsible for the investigation that the allegation of bullying may be true, the employee, student or other person accused of bullying conduct shall be notified in writing that reasonable suspicion exists that the complaint may be valid, including a statement of the facts supporting the determination that reasonable suspicion exists, and the name of the alleged victim.

The person alleged to have bullied another person in violation of this policy shall be afforded an opportunity to respond to the allegation of bullying but is not required to submit a response.

Pending the outcome of the investigation the school administrator responsible for conducting the investigation may take such action consistent with school policy and state law as deemed appropriate in order to facilitate the investigation and protect the rights of all persons involved. If there is reasonable suspicion to believe that a person bullied another person while at school or at a school activity on non-school property in violation of this policy, the administration may prohibit that person from being on school property or at school activities.

Upon reasonable suspicion by the school administrator responsible for the investigation that the allegation of bullying may be true, the employee, student or other person accused of bullying conduct shall be notified in writing that reasonable suspicion exists that the complaint may be valid, a statement of the facts supporting the determination that reasonable suspicion exists, and the name of the alleged victim and complaining individual(s).

The person alleged to have bullied another person in violation of this policy shall be afforded an opportunity to respond in writing to the notification of alleged bullying but is not required to submit a written response.

At the conclusion of the investigation, the Principal shall make a determination as to whether bullying did occur or whether the facts are insufficient to determine that a determination that bullying occurred. The complainant and the person alleged to have bullied another person will receive written notice of the Principal's determination. Should the Principal conclude that bullying did occur, the Principal shall take such action as deemed appropriate, which may include imposing disciplinary consequences on the person found to have violated this policy prohibiting bullying.

## **STEP 2: Appeal to the Superintendent**

The following procedure shall be used to address an appeal of the Principal's decision in Step 1 to the Superintendent :

1. If either party is not satisfied with the Principal's decision, or if the Principal does not render a written decision within fourteen (14) calendar days of the request for a decision on the merits of the complaint, that party may appeal to the Superintendent by filing form JFCD-E(2). The appeal must be filed within ten (10) calendar days of receipt of the Principal's written decision, or ten (10) days of the deadline for the Principal's written



decision, whichever comes first. The appealing party must attach the Principal's written decision.

2. Within fourteen (14) calendar days from the date the appeal was filed, the Superintendent shall render a decision in writing. All parties shall receive copies of the decision. The Superintendent shall uphold, reverse, modify the principal's decision, or the Superintendent may refer the matter back to the Principal for further investigation and supplemental decision which decision may restate, modify or reverse the Principal's initial decision. A supplemental decision by the Principal after a referral back to the Principal is subject to appeal to the Superintendent. The time frame for rendering a decision by the Superintendent may be extended by the Superintendent for good cause and upon written notification to all parties, which notification shall identify the reason for the extension and the date on or before which the decision shall be rendered.

### **STEP 3: Appeal to the Board**

If either party is not satisfied with the Superintendent's decision, or if the Superintendent does not render a written decision within fourteen (14) calendar days of the receipt of the appeal, that party may appeal to the School Board by filing with the Business Manager using Form JFCD-E(3) within ten (10) calendar days of receipt of the Superintendent's written decision, or ten (10) days of the deadline for the Superintendent's written decision, whichever comes first. The appeal shall be in writing and the appealing party must attach to the appeal the Principal's written decision, the appeal to the Superintendent, and the Superintendent's written decision or notice of the Superintendent's failure to render a written decision.

The following procedure shall be used by the Board to address an appeal of the Superintendent's decision on the merits related to a bullying complaint:

1. Upon receipt by the Board President/Chairperson of an appeal by the Complainant, a copy of the appeal shall be given to the person alleged to have violated the bullying policy.
2. Upon receipt of an appeal, the Board shall at its next meeting schedule a date, time and location for the appeal hearing.
3. The following procedure shall be applicable at the appeal hearing before the Board:
  - A. The Board shall appoint a board member or a person who is not an employee of the school district as the hearing officer;
  - B. Within thirty (30) calendar days of an appeal being filed with the Board, the Board shall conduct a hearing in executive session;
  - C. The Complainant, person alleged to have violated the bullying policy, and Superintendent each have the right to be represented at the hearing;
  - D. The Board shall make a verbatim record of the hearing by means of an electronic or mechanical device or by court reporter. This record and any exhibits must be sealed and must remain with the hearing officer until the appeal process has been completed;
  - E. The issue on appeal is whether the Superintendent's decision should be upheld, reversed or modified;
  - F. All parties shall be given the opportunity to make an opening statement, with the appealing party being given the first opportunity, followed by the other party, and then the Superintendent;
  - G. The appealing party shall present his or her case first, and the other party shall then present his or her case. Both parties shall have the opportunity to ask questions of the other's witnesses. The hearing officer and board members may ask questions of any witness;
  - H. The Superintendent shall present the basis of his/her decision which led to the appeal. Both parties shall have the opportunity to ask the Superintendent questions. The hearing officer and board members may also ask questions of the Superintendent;
  - I. Unless a witness is a party to the appeal, witnesses may be present only when testifying unless the hearing officer rules otherwise. All witnesses must take an oath or affirmation administered by the School Board president, hearing officer or other person authorized by law to take oaths and affirmations;

- J. The hearing officer shall admit all relevant evidence. The hearing officer may limit unproductive or repetitious evidence. The strict rules of evidence do not apply. *Moran v. Rapid City Area School Dist.*, 281 N.W.2d 595. 602 (S.D. 1979).
- K. All parties shall be given the opportunity to make a closing statement, with the appealing party having the first opportunity, followed by the other party, and then the Superintendent. The appealing party shall be given the opportunity for a brief rebuttal;
- L. After the evidentiary hearing, the Board shall continue to meet in executive session for deliberations. No one other than the hearing officer may meet with the Board during deliberations. The Board may seek advice during deliberation from an attorney who has not represented any of the parties to the hearing. Consultation with any other person during deliberation may occur only if a representative of both parties and Superintendent are present. The Board may, in its sole discretion, continue the proceedings and make a final decision on the appeal at a later date; Within twenty (20) calendar days of the hearing, the Board shall render its decision and issue its written Findings of Fact, Conclusions of Law and Decision. The time frame for rendering a decision may be extended by the Board President for good cause and upon written notification to both parties and the Superintendent, and the notification shall identify the reason for the extension and the date on or before which the decision shall be rendered;
- M. The decision of the School Board must be based solely on the evidence presented at the hearing and must be formalized by a motion made in open meeting. The Board will convene in open session and a motion to uphold, reverse, or modify the Superintendent's decision shall be made and voted upon. Findings of Fact, Conclusions of Law and Decision, consistent with the Board motion shall be in writing and approved by the Board. Both parties, the Principal and the Superintendent will receive copies after the Findings of Fact, Conclusions of Law and Decision are approved by the Board.
- N. Following the Board hearing, should the Board determine there has been a violation of this policy prohibiting bullying, Board action may include but is not limited to the following: (1) suspend or expel a student from any or all school programs, including but not limited to classes, extracurricular activities, or attendance at school activities; (2) pursuant to statute, reprimand, suspend without pay, or terminate the contract of an employee, or (3) prohibit a person from being on school property or at school activities for such time as may be determined by the Board.
- O. If either party is dissatisfied with the Board's decision, that party may appeal the decision by filing an appeal to circuit court pursuant to SDCL 13-46-1.

## **Sexual Harassment Policy**

### **SECTION 1 – Policy Statement**

The District is committed to a school environment which is free from sexual harassment and conducive to all students' educational opportunities. Sexual harassment can inhibit a student's educational opportunities and an employee's work. Sexual harassment of students attending school in the District or students from other schools who are at a District activity, and sexual harassment of school employees, school volunteers, parents, guests, visitors and vendors of the District shall also not be tolerated and is strictly prohibited.

All students, school employees, school volunteers, parents, guests, visitors and vendors shall conduct themselves in a civil and responsible manner and in a manner consistent with school policies. This policy prohibiting sexual harassment shall apply to all students, school employees, school volunteers, parents, guests, visitors and vendors while on school property, while attending or participating in school activities, on school-owned property or on non-school property, while in any school-owned or leased vehicle, while at a school bus stop, or when in a private vehicle located on school property during school or during school activities.

The District shall investigate all reported instances involving sexual harassment. Attempts to informally or voluntarily resolve the complaint should not delay the commencement of the District's

investigation. Unless a different person is designated by the Superintendent to conduct the investigation, the school administrator of the school attendance center where the sexual harassment is alleged to have occurred is responsible for investigating the alleged sexual harassment. Allegations of sexual harassment may also be reported by the administration to other authorities, including but not limited to law enforcement.

The District will maintain confidentiality to the maximum extent possible under the circumstances. However, a person reporting sexual harassing conduct must understand that should the administrator who is investigating the report determine there is reasonable cause to suspect that sexual harassment did occur which could result in administrative discipline or a referral to the School Board, the person alleged to have sexually harassed another person may have the right to know the identity of the person(s) making the report in order that he/ she may have an opportunity to defend himself/herself.

The District strictly prohibits retaliation against any person because he or she has made a report, testified, assisted, or participated in the investigation of a report of alleged sexual harassment. Retaliation includes, but is not limited to, any form of verbal or physical reprisal or adverse pressure. The person(s) alleged to have sexually harassed another person shall not directly or indirectly (such as through a third person) harass, pressure, or retaliate against any other person because of the complaint being reported. A violation of this provision may lead to separate disciplinary action based on the retaliation. Any person who believes he or she is being subjected to retaliation because of his or her involvement with a sexual harassment report should immediately contact a school administrator.

Students who violate this policy shall be subject to appropriate disciplinary action, up to and including expulsion. Employees who violate this policy shall be subject to appropriate disciplinary action, up to and including termination of employment. School volunteers, parents, guests, visitors, and vendors who violate this policy may be prohibited from being on school property.

*Complaints against school employees and complaints related to bullying are addressed through other school district policies and not through this policy.*

## **SECTION 2 – Sexual Harassment Defined**

Sexual harassment is defined as sexually oriented words and actions which tend to annoy, alarm or be physically or verbally abusive toward another person and which serve no legitimate or valid purpose regardless of the intent of the person accused of the sexually harassing conduct. Not all harassment falls within the definition of sexual harassment (i.e., harassment that is of a sexual nature). Other laws, regulations and policies also prohibit inappropriate conduct and provide a means for addressing inappropriate conduct should it occur.

Sexual harassment is a specific type of harassment which is prohibited under this policy. Examples of sexual harassment include, but not limited to:

1. Unwelcome sexual flirtations, advances or propositions;
2. Verbal comments, jokes, or abuse of a sexual nature;
3. Graphic verbal comments about an individual's body;
4. Sexually degrading words used to describe an individual;
5. Displaying pornographic material;
6. Physical contact or language of a sexually suggestive nature.

## **SECTION 3 – Sexual Harassment Reporting Procedure**

Any individual who believes that he or she has been or is being subjected to sexual harassment or has reason to suspect another person has been or is being subjected to sexual harassment should immediately report it to a teacher, guidance counselor, or school administrator. The report may be made verbally or in writing. A report may be made anonymously, although disciplinary action may not be based solely on an anonymous report. If disciplinary action is being requested, the individual reporting the sexual harassment will be asked to either submit a signed written complaint or sign a completed Sexual Harassment Report Form, Exhibit ACAA-E(1), verifying the accuracy of its content. The written complaint or Sexual Harassment Report Form must include the following:

- the date the written complaint was filed or the Sexual Harassment Report Form was completed,
- the school employee receiving the complaint (if applicable),
- the name of the person reporting the sexual harassment,
- the address/phone # of the person reporting the sexual harassment,
- the specific conduct or nature of the sexual harassment complaint including the person(s) alleged to have sexually harassed the complaining party or another person, the date(s) and location where the conduct occurred, witnesses, etc.,
- the date the school employee completed the form (if applicable),
- the date and signature of the person reporting the sexual harassment .

If the signed written complaint was given to a teacher or guidance counselor, or if the Sexual Harassment Report Form was completed by a teacher or guidance counselor, the teacher or guidance counselor shall forward the complaint or Sexual Harassment Report Form to the teacher's building school administrator.

#### **SECTION 4 – Procedure for Addressing Sexual Harassment Complaints**

##### **STEP 1: School Administrator Investigation and Determination.**

Should there be a report which alleges a District student, employee, school volunteer, parent, guest, visitor or vendor has been subjected to sexual harassment, an investigation into the alleged sexual harassment will be initiated. The District's investigation may include, but is not limited to, such things as interviewing individuals with actual or possible knowledge regarding the conduct in question, identifying facts related to the conduct in question, identifying when and over what period of time the conduct is to have occurred, determining whether the conduct negatively affects the educational opportunities or employment condition of the victim, identifying prior history of a similar nature by any of the individuals involved, and attempting to obtain possible verification from other persons. The investigation by the school administrator responsible for the investigation shall be conducted promptly and completed in a reasonable time frame given the nature of the complaint. Unless the nature of the complaint and investigation dictate otherwise, the investigation should be completed and determination made by the school administrator on the merits of the complaint within thirty (30) calendar days of receipt of the complaint.

The person alleged to have sexually harassed another person will be notified that a complaint has been filed pursuant to this policy and that the complaint is being investigated. The name of the person making the complaint will not be disclosed to the person alleged to have violated this policy unless and until the investigation results in a determination that there is reasonable cause to suspect that sexual harassment did occur.

Upon reasonable suspicion by the school administrator responsible for the investigation that the allegation of sexual harassment may be true, the employee, student or third person accused of sexual harassment conduct shall be notified in writing that reasonable suspicion exists that the complaint may be valid, including a statement of the facts supporting the determination that reasonable suspicion exists, and the name of the alleged victim.

The person alleged to have sexually harassed another person in violation of this policy shall be afforded an opportunity to respond to the allegation of sexual harassment but is not required to submit a response.

Pending the outcome of the investigation the school administrator responsible for conducting the investigation may take such action consistent with school policy and state law as deemed appropriate in order to facilitate the investigation and protect the rights of all persons involved. If there is reasonable suspicion to believe that a third person sexually harassed a student, employee or guest while at school or at a school activity on non-school property in violation of this policy, the administration may prohibit that person from being on school property or at school activities.

At the conclusion of the investigation, the school administrator shall make a determination as to whether sexual harassment did occur or whether the facts are insufficient to determine that a determination that sexual harassment occurred. The complainant and the person alleged to have sexually harassed another person will receive written notice of the school administrator's

determination. Should the school administrator conclude that sexual harassment did occur, the school administrator shall take such action as deemed appropriate, which may include imposing disciplinary consequences on the person found to have violated this policy prohibiting sexual harassment.

### **STEP 2: Appeal to the Superintendent**

The following procedure shall be used to address an appeal of the school administrator's decision in Step 1 to the Superintendent:

1. If either party is not satisfied with the school administrator's decision, or if the school administrator does not render a written decision within fourteen (14) calendar days of the request for a decision on the merits of the complaint, that party may appeal to the Superintendent by filing form ACAA-E(2). The appeal must be filed within ten (10) calendar days of receipt of the school administrator's written decision, or ten (10) days of the deadline for the school administrator's written decision, whichever comes first. The appealing party must attach the school administrator's written decision.
2. Within fourteen (14) calendar days from the date the appeal was filed, the Superintendent shall render a decision in writing. All parties shall receive copies of the decision. The Superintendent shall uphold, reverse, modify the school administrator's decision, or the Superintendent may refer the matter back to the school administrator for further investigation and supplemental decision which decision may restate, modify or reverse the school administrator's initial decision. A supplemental decision by the school administrator after a referral back to the school administrator is subject to appeal to the Superintendent. The time frame for rendering a decision by the Superintendent may be extended by the Superintendent for good cause and upon written notification to all parties, which notification shall identify the reason for the extension and the date on or before which the decision shall be rendered.

### **STEP 3: Appeal to the Board**

If either party is not satisfied with the Superintendent's decision, or if the Superintendent does not render a written decision within fourteen (14) calendar days of the receipt of the appeal, that party may appeal to the School Board by filing with the Business Manager using Form ACAA-E(3) within ten (10) calendar days of receipt of the Superintendent's written decision, or ten (10) days of the deadline for the Superintendent's written decision, whichever comes first. The appeal shall be in writing and the appealing party must attach to the appeal the school administrator's written decision, the appeal to the Superintendent, and the Superintendent's written decision or notice of the Superintendent's failure to render a written decision.

The following procedure shall be used by the Board to address an appeal of the Superintendent's decision on the merits related to a sexual harassment complaint:

1. Upon receipt by the Board President/Chairperson of an appeal by the Complainant, a copy of the appeal shall be given to the person alleged to have violated the sexual harassment policy.
2. Upon receipt of an appeal, the Board shall at its next meeting schedule a date, time and location for the appeal hearing.
3. The following procedure shall be applicable at the appeal hearing before the Board:
  - A. The Board shall appoint a board member or a person who is not an employee of the school district as the hearing officer;
  - B. Within thirty (30) calendar days of an appeal being filed with the Board, the Board shall conduct a hearing in executive session;
  - C. The Complainant, person alleged to have violated the bullying policy, and Superintendent each have the right to be represented at the hearing;
  - D. The Board shall make a verbatim record of the hearing by means of an electronic or mechanical device or by court reporter. This record and any exhibits must be sealed

- and must remain with the hearing officer until the appeal process has been completed;
- E. The issue on appeal is whether the Superintendent's decision should be upheld, reversed or modified;
  - F. All parties shall be given the opportunity to make an opening statement, with the appealing party being given the first opportunity, followed by the other party, and then the Superintendent;
  - G. The appealing party shall present his or her case first, and the other party shall then present his or her case. Both parties shall have the opportunity to ask questions of the other's witnesses. The hearing officer and board members may ask questions of any witness;
  - H. The Superintendent shall present the basis of his/her decision which led to the appeal. Both parties shall have the opportunity to ask the Superintendent questions. The hearing officer and board members may also ask questions of the Superintendent;
  - I. Unless a witness is a party to the appeal, witnesses may be present only when testifying unless the hearing officer rules otherwise. All witnesses must take an oath or affirmation administered by the School Board president, hearing officer or other person authorized by law to take oaths and affirmations;
  - J. The hearing officer shall admit all relevant evidence. The strict rules of evidence do not apply. *Moran v. Rapid City Area School Dist.*, 281 N.W.2d 595. 602 (S.D. 1979).
  - K. All parties shall be given the opportunity to make a closing statement, with the appealing party having the first opportunity, followed by the other party, and then the Superintendent. The appealing party shall be given the opportunity for a brief rebuttal;
  - L. After the evidentiary hearing, the Board shall continue to meet in executive session for deliberations. No one other than the hearing officer may meet with the Board during deliberations. The Board may seek advice during deliberation from an attorney who has not represented any of the parties to the hearing. Consultation with any other person during deliberation may occur only if a representative of both parties and Superintendent are present. The Board may, in its sole discretion, continue the proceedings and make a final decision on the appeal at a later date. Within twenty (20) calendar days of the hearing, the Board shall render its decision and issue its written Findings of Fact, Conclusions of Law and Decision. The time frame for rendering a decision may be extended by the Board President for good cause and upon written notification to both parties and the Superintendent, and the notification shall identify the reason for the extension and the date on or before which the decision shall be rendered;
  - M. The decision of the School Board must be based solely on the evidence presented at the hearing and must be formalized by a motion made in open meeting. The Board will convene in open session and a motion to uphold, reverse, or modify the Superintendent's decision shall be made and voted upon. Findings of Fact, Conclusions of Law and Decision, consistent with the Board motion shall be in writing and approved by the Board. Both parties, the school administrator and the Superintendent will receive copies after the Findings of Fact, Conclusions of Law and Decision are approved by the Board.
  - N. Following the Board hearing, should the Board determine there has been a violation of this policy prohibiting sexual harassment, Board action may include but is not limited to the following: (1) suspend or expel a student from any or all school programs, including but not limited to classes, extracurricular activities, or attendance at school activities; (2) pursuant to statute, reprimand, suspend without pay, or terminate the contract of an employee, or (3) prohibit a third person from being on school property or at school activities for such time as may be determined by the Board.
  - O. If either party is dissatisfied with the Board's decision, that party may appeal the decision by filing an appeal pursuant to law.

**Dangerous Weapons Policy** (policy change June, 2007)

Schools should be an example of what is required regarding the observance and respect for the law in society at large. Schools also must be highly conscious of the health, safety, and welfare of students, staff and the public.

State and federal laws as well as board policy forbids the bringing of dangerous or illegal weapons to school or school sponsored activities. Any weapon taken from a pupil shall be reported to the police. Appropriate disciplinary or legal action or both shall be pursued by the building principal.

Dangerous weapon is defined as any firearm, air-gun, or paintball gun, knife or device, instrument, material or substance, whether animate or inanimate, which is calculated or designed to inflict death or serious bodily harm.

No firearms are permitted on any school premise, school vehicle or any vehicle used for school purposes, in any school building or other building or premises used for school functions. An exception would be weapons under control of law enforcement personnel, starting guns while in use at athletic events, firearms, air-guns, or paintball guns at fire ranges, gun shows, authorized supervised training sessions (Expl.: Hunter Safety Course) for the use of firearms or authorized school training sessions for the use of firearms.

Any student bringing, possessing, handling, or transmitting an object, which is ordinarily or generally considered to be a weapon to school, may be expelled for no less than twelve months and will be referred to law enforcement authorities. The chief executive officer (CEO)/Superintendent shall have the authority to recommend to the school board that this expulsion requirement be modified on a case-by-case-basis. This policy shall be implemented in a manner consistent with IDEA and Section 504. For the purpose of this portion of this policy, the term “**firearm**” includes any weapon which is designed to expel a projectile by action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for a weapon, or any explosive, including any poison gas.

**Depending on the seriousness and related circumstances of the violation by the student, disciplinary actions may include one or any combination of the following:**

- A) Referral to the Principal's office and notify parents;**
- B) Parent/Student/Counselor/Administrator Conference;**
- C) In-school suspension for 1-10 days;**
- D) Out of school suspension for 1-10 days;**
- E) Expulsion from school for one school semester;**
- F) Expulsion from school for no less than 12 months.**

Legal Ref: SDCL 12-32-4.2; 12-32-7; 22-1-2      Improving America's Schools Act of 1994, P.L. 103-382

**Complaints against School Employees**

It is the belief of the School Board that complaints may arise as the result of a misunderstanding which could be resolved through the mutual efforts of the person having the complaint and the employee involved. For that reason, efforts should be made by all parties involved to resolve the complaint at the lowest procedural level. It is only in those situations when the complaint cannot be resolved that the Board should be involved.

The purpose of this policy is to outline a procedure for addressing parent/student/public complaints about an employee's conduct, performance, or an employee's administration of a curricular, co-curricular or extra-curricular program. *Complaints related to sexual harassment, bullying, and instructional and library materials are addressed through other School District policies and not through this policy.*

When a complaint against a school employee is brought directly to an individual board member or the entire Board, the board member or entire Board may listen to the person's complaint but shall take no action unless there has been compliance with this Policy. The person bringing the complaint will be directed to the procedure as set forth below. The following procedure is designed to ensure the proper

balance in protecting the rights of the person(s) bringing the complaint and the rights of the person against whom the complaint is made. It is only when the person having the complaint and the employee involved cannot resolve the problem, and the complaint cannot be resolved at the administrative level, will the Board and board members become involved.

## COMPLAINT PROCEDURE

### STEP 1: Initial Complaint

- A. The person having a complaint ("Complainant") must initiate the complaint procedure within thirty (30) calendar days from the date the Complainant knew or should have known of the conduct of the Employee giving rise to the complaint. The person having the complaint related to a school employee must initiate the complaint procedure in one of the following ways:
- meet and discuss the concern with the Employee involved; OR
  - meet and discuss the concern with the Employee's Principal.
1. If the Complainant met with the Employee and the complaint was not resolved, the Complainant must meet and discuss the complaint with the Employee's Principal within ten (10) calendar days of the meeting with the Employee. The Principal shall complete a Complaint Form, Exhibit KL-E(1). The Complainant shall sign and date the Complaint Form verifying the accuracy of its content.
  2. If the Complainant initiates the complaint by meeting the Principal, the Principal shall complete a Complaint Form, Exhibit KL-E(1). The Complainant shall sign and date the Complaint Form verifying the accuracy of its contents.
- B. Upon the Complaint Form being signed and dated by the Complainant, the Principal shall give a copy of the complaint to the Employee and schedule an informal meeting with only the Complainant, Employee and Principal present. At the meeting, the Principal shall attempt to facilitate discussion between the Complainant and Employee by seeking clarification of the issue(s) and seeking a resolution to the complaint. Should a resolution be obtained, the resolution shall be noted on the Complaint Form. Should a resolution not be obtained, the Complainant and/or the Employee may request a decision by the Principal on the merits of the complaint by making the request on the Complaint Form.
- C. If the Principal is asked to make a decision on the merits of the complaint, the Principal has the authority to investigate the complaint beyond the information received from the Complainant and Employee during the meeting with the Complainant, Employee and Principal. The Principal shall render a decision in writing within fourteen (14) calendar days of the request for a decision on the merits of the complaint. The time frame for rendering a decision by the Principal may be extended by the Principal for good cause and upon written notification to the Complainant and Employee, which notification shall identify the reason for the extension and the date on or before which the decision shall be rendered. The Complainant and the Employee shall receive written notification of the Principal's determination/resolution.
- D. The Principal's decision may be appealed by the Complainant or Employee to the Superintendent within (10) ten calendar days of receipt of the Principal's written decision pursuant to Step 2. If the Principal does not render a written decision within the required time frame (14 days unless extended) the Complainant or Employee may appeal to the Superintendent pursuant to Step 2.

*Should the complaint be against a Principal, the Superintendent shall address the complaint through the procedure set forth in Step 1. An appeal by the Complainant pursuant to Step 1D may be filed with the School Board pursuant to Step 3.*

*Should the complaint be against the Superintendent (or the Principal who also is the Superintendent) the Complaint Form, Exhibit KL-E(1), shall be given to the Business Manager. The Business Manager shall give the Complaint Form to the School Board President or Chairperson. At the next School Board meeting, the School Board will designate a person who is not an Employee of the District to address the complaint through the procedure set forth in Step 1. An appeal by the Complainant pursuant to Step 1D may be filed with the School Board pursuant to Step 3.*

### STEP 2: Appeal to the Superintendent

The following procedure shall be used to address an appeal of the Principal's decision made in Step 1, or if the Principal failed to render a decision in the required time frame:



- A. The appeal shall be in writing using Exhibit KL-E(2). The appealing party must attach the Complaint and the Principal's written decision, if a decision was rendered.
- B. Upon receipt of an appeal, the Superintendent will provide a copy of the appeal to the other party. Within five (5) calendar days, the other party may submit a written response to the appeal. The Superintendent shall provide a copy of the response to the appealing party.
- C. In the Superintendent's sole discretion, the Superintendent may (a) meet and discuss the matter with the Complainant and Employee, (b) meet and discuss the matter with the Complainant, Employee and Principal, or (c) meet and discuss the matter with the Principal.
- D. Within fourteen (14) calendar days from the date the appeal was filed with the Superintendent, the Superintendent shall render a decision in writing. The time frame for rendering a decision by the Superintendent may be extended by the Superintendent for good cause and upon written notification to the Complainant and Employee; the notification shall identify the reason for the extension and the date on or before which the decision shall be rendered. The Complainant, Employee and Principal shall receive copies of the decision. The Superintendent may uphold, reverse or modify the Principal's decision. The Superintendent may also refer the matter back to the Principal for further investigation. The Principal may uphold, modify or reverse his or her initial decision. After a matter has been referred back to the Principal, and the Principal rendered a second decision, that decision may also be appealed to the Superintendent.
- E. The Superintendent's decision may be appealed by the Complainant to the School Board within (10) ten calendar days of receipt of the Superintendent's written decision pursuant to Step 3. If the Superintendent does not render a written decision within the required time frame (14 calendar days unless extended) the Complainant may appeal to the School Board pursuant to Step 3.
- F. If the Employee believes the Superintendent's decision constitutes a violation, misinterpretation or inequitable application of School Board policy or collective bargaining agreement applicable to the Employee, the Employee may file a grievance pursuant to the applicable grievance policy. A grievance filed pursuant to this provision shall be initiated at the Superintendent level.

### **STEP 3: Complainant's Appeal to the School Board**

The following procedure shall be used to address an appeal of the Superintendent's decision made in Step 2, or if the Superintendent failed to render a decision in the required time frame:

- A. An appeal to the School Board shall be in writing using Exhibit KL-E(3). The Complainant must attach the complaint, the Principal's written decision if a decision was rendered, the appeal to the Superintendent, the response to the appeal if any, and the Superintendent's decision if one was rendered.
- B. The appeal must be filed with the President/Chairperson of the School Board or Business Manager within ten (10) calendar days of Complainant's receipt of the Superintendent's written decision, or within ten (10) days of the deadline for the Superintendent's written decision, whichever comes first.
- C. Upon receipt by the Board President/Chairperson of an appeal by the Complainant, a copy of the appeal shall be given to the employee involved.
- D. Upon receipt of an appeal to the School Board, the School Board shall at its next meeting schedule a date, time and location for the appeal hearing.
- E. The following procedure shall be applicable at the appeal hearing before the School Board:
  - 1. The School Board shall appoint a school board member or a person who is not an employee of the school district as the hearing officer.
  - 2. Within thirty (30) calendar days of an appeal being filed with the School Board, the School Board shall conduct a hearing in executive session.
  - 3. The Complainant, Employee and Superintendent each have the right to be represented at the hearing.
  - 4. The School Board shall make a verbatim record of the hearing by means of an electronic device or a court reporter. This record and any exhibits must be sealed and must remain with the hearing officer until the appeal process has been completed.
  - 5. The issue on appeal is whether the Superintendent's decision should be upheld, reversed or modified by the School Board; in the absence of a decision by the Superintendent, the School Board will make a decision on the merits of the Complaint.

6. All parties shall be given the opportunity to make an opening statement, with the Complainant being given the first opportunity, followed by the Employee and then the Superintendent.
7. The Complainant shall present his or her case first, and the Employee shall then present his or her case. Both parties shall have the opportunity to ask questions of the other's witnesses. The hearing officer and school board members may ask questions of any witness.
8. After the Complainant and the Employee have presented their respective cases, the Superintendent shall then present the basis of his/her decision which led to the appeal, if a decision was rendered. The Complainant and Employee shall have the opportunity to ask the Superintendent questions. The hearing officer and board members may also ask questions of the Superintendent.
9. Unless a witness is a party to the appeal, witnesses may be present only when testifying unless the Hearing Officer rules otherwise. All witnesses must take an oath or affirmation administered by the School Board President/ Chairperson, Hearing Officer or other person authorized by law to take oaths and affirmations.
10. The Hearing Officer shall admit all relevant evidence. The Hearing Officer may limit unproductive or repetitious evidence. The strict rules of evidence do not apply. *Moran v. Rapid City Area School Dist., 281 N.W.2d 595, 602 (S.D. 1979) ("This [school board hearing related to teacher contract nonrenewal] does not mandate nor necessitate the use of strict evidentiary rules.")*.
11. Both parties shall be given the opportunity to make a closing statement, with the Complainant having the first opportunity, followed by the Employee, and then the Superintendent. The Complainant shall be given the opportunity for a brief rebuttal.
12. After the evidentiary hearing, the School Board shall continue to meet in executive session for deliberations. No one other than the Hearing Officer may meet with the Board during deliberations. During deliberations, the Board may seek advice from an attorney who did not represent any of the parties in the hearing. Consultation with any other person during deliberation may occur only if a representative of the Complainant, Employee and Superintendent are present. The Board may, in its sole discretion, continue the proceedings and make a final decision on the appeal at a later date.
13. Within twenty (20) calendar days of the hearing, the School Board shall render its decision and issue its written Findings of Fact, Conclusions of Law and Decision. The time frame for rendering a decision may be extended by the Board President for good cause and upon written notification to the Complainant, Employee and Superintendent. The notification shall identify the reason for the extension and the date on or before which the decision shall be rendered.
14. The decision of the School Board must be based solely on the evidence presented at the hearing and must be formalized by a motion made in open meeting. The Board will reconvene in open session. The Board may uphold, reverse, or modify the Superintendent's decision, or render a decision on the merits of the Complaint in the absence of a Superintendent's decision. Findings of Fact, Conclusions of Law and Decision, consistent with the Board motion, shall be in writing and approved by the Board. The Complainant, Employee, Principal and Superintendent will receive copies after the Findings of Fact, Conclusions of Law and Decision are approved by the School Board.
15. If the Complainant is dissatisfied with the School Board's decision, the Complainant may appeal the decision by filing an appeal to the circuit court pursuant to SDCL Ch. 13-46.

**Willow Lake School Complaint Policy for Federal Programs (Adopted August 11, 2008) THE DISTRICT MAY WANT TO REVIEW AND CONSIDER ASBSD'S SAMPLE POLICY AC WHICH DEALS WITH NONDISCRIMINATION IN FEDERAL PROGRAMS (THE DISTRICT'S CURRENT POLICY REFERENCES NCLB, WHICH HAS BEEN REPEALED AND REPLACED WITH ESSA, EVERY STUDENT SUCCEEDS ACT).**

A parent, student, employee or district stakeholder who was a complaint regarding the use of federal NCLB

funds and is unable to solve the issue, may address the complaint in writing to the district's superintendent.

Disputes addressing the enrollment, transportation (including inter-district disputes), and other barriers to the education of children and youth experiencing homelessness are also addressed under this procedure. Parents, guardians, and unaccompanied youth may initiate the dispute resolution process directly at the school they choose, as well as at the district or district's homeless liaison's office. The parent or guardian or unaccompanied youth shall be provided with a written explanation of the school's decision including the rights of the parent, guardian or youth to appeal the decision. Students should be provided with all services for which they are eligible while disputes are resolved.

- The superintendent will investigate, within one week, the circumstances of the complaint and render a decision, within two weeks, after receipt of the complaint.
- The superintendent will notify the complainant of the decision in writing.
- The complainant will be allowed one week to react to the decision before it becomes final.
- The complainant will either accept or disagree with the decision and will provide such acknowledgement in writing, addressed to the district superintendent.
- If the issue is not resolved with the superintendent, the complaint will be forwarded to the district's Board of Education for further review. The parent or guardian or unaccompanied youth shall be provided with a written explanation of the district's decision including the rights of the parent, guardian or youth to appeal the decision.
- Unresolved complaints may be forwarded by the stakeholder to the South Dakota Department of Education for review. (Consultant SD Department of Education Complaint Procedure)

### **Alcohol and Other Drug Use By Students**

#### **Disciplinary Sanctions and Implementation Procedures**

The following procedures will be used in dealing with possession, use, distribution, or being under the influence of alcohol and other drugs:

##### **A. First offense.**

1. The administration will try to notify the parent(s), guardian(s) by phone to explain the incident and arrange a conference
2. The administration may suspend the student for ten (10) days in compliance with student due process procedures
3. The administration will notify the parent(s)/guardian(s) in writing of the suspension within thirty-six (36) hours
4. The administration may notify available law enforcement authorities.

##### **B. Second and subsequent offenses.**

1. The administration will contact the parent(s)/guardian(s) to arrange for a conference
2. The administration may notify available law enforcement authorities
3. The administration may suspend for ten (10) days in compliance with student due process procedures
4. Within thirty-six (36) hours, the administration will notify the parent(s)/guardian(s) in writing of the suspension
5. The administration will recommend to the school board that the student be expelled unless the following procedure is followed:
  - a) The student must agree to be assessed by a trained chemical dependency counselor or a licensed physician trained in chemical dependency.
  - b) Upon appropriate authorization, the agency or professional notifies the administration that the student has been assessed and does or does not require treatment. If the student is accepting needed treatment, the recommendation for expulsion may be commuted. Fees for this assessment and/or treatment are the responsibility of the student and family.

##### **C. Supplying/distributing or selling alcohol and other drugs of material represented to be controlled substances.**

1. Within thirty-six (36) hours, the administration will notify parent(s)/guardian(s) in writing of the suspension.
2. Supplying or selling chemicals may result in a ten (10) day suspension.

3. The administration will refer the case to available law enforcement authorities.
  4. A hearing on the case will be conducted by the school board pursuant to due process rules for expulsion. Expulsion may be recommended by the administration.
- D. Students whose observed behavior indicates possible use of alcohol and/or other drugs will be referred to the building administrator. The building administrator and/or "first-responder" medical personnel will determine whether to contact the parent for further instruction, refer to the emergency authorization form or immediately seek additional medical treatment. Following the handling of the medical emergency, this policy statement for alcohol and/or other drug abuse will be followed.
- E. Annual review of the school districts program will be made.
1. To determine the programs' effectiveness and implement changes of the programs if they are needed.
  2. To insure that disciplinary sanctions are consistently enforced.
- Legal reference: Public Law 101-226

### **Guidelines for Searches of School Building by Drug Detection Canines**

1. At the discretion of the school superintendent, the fact that a search will be performed at some time in the future may be announced to the students. The date of the search itself should not be announced.
2. The school superintendent or the superintendent's designate should be present during the search.
3. A limited number of other school staff and faculty – like guidance counselors and drug and alcohol counselors – may be present during the search, at the discretion of the superintendent. Also, the handler can limit the number of persons in attendance to ensure the professionalism of the search and to protect potential evidence.
4. Representative of the media should not be present during the drug dog searches, but if they are, they should avoid videotaping specific locker numbers and faces of any students. They should also avoid mentioning names of any juvenile suspects. If media representatives are unwilling to follow this procedure, the search will stop and they will be instructed to leave the premise.
5. During the search itself, students will not be present in the immediate areas of the search.
6. The handler will conduct a "pre-search" of the area prior to introducing the drug dog to that area.
7. During a search of student lockers, the drug dog may alert to a particular locker. At the discretion of the Highway Patrol, that locker will either be secured and subsequently searched or searched immediately by the Highway Patrol or law enforcement officers.
8. If illegal drugs are found in a locker, the South Dakota Highway Patrol or law enforcement officers may seek out and question the user(s) of the lockers. Unless ordered otherwise by law enforcement, the school administration will notify the student's parent/guardian of law enforcement's intent to question the student.
9. If illegal drugs are not found in a locker to which the drug dog has alerted, the identification of that locker will be reported to the superintendent for action the school deems appropriate. Drug dogs alert to the odor of illegal drugs, which does not always indicate the presence of the drugs themselves. The dogs can smell drug odor for up to two weeks after the drugs are taken out of the locker. They can also detect the odor from the clothing and other personal belonging of a person who does not use drugs but who has recently been around people who do. If a drug user has recently leaned against another student's locker, the dogs may detect drug odor on the innocent student's locker. The South Dakota Highway Patrol strongly supports school administrators who have a zero tolerance policy toward drugs in schools, but cautions that absent actual evidence to the contrary, students are deemed innocent of drug violations. We are united in our stand to eradicate drugs from our schools, but we must never allow an innocent person's reputation to be destroyed.

### **Transportation Policy**

The Willow Lake School District will pick up pre-school children according to what can be feasibly arranged with the yearly established bus route. Transportation will be one way for the ½ day preschool program; the parent of the pre-school child will be responsible for transportation to school. The district will transport open enrolled students, on an individually arranged basis. Adopted 6-12-00

### **Bus Camera Policy (January 2014)** **Use of Video Camera on the School Bus**

The Willow Lake School District approves the use of video cameras on the school buses for the primary purpose of reducing disciplinary problems and vandalism on the bus, thereby allowing the driver to focus on the driving of the bus, providing for safer transportation for our students.

Parents/Guardians shall be notified once a year by letter that video cameras may be used on buses.

Only the bus drivers, Superintendent and principals shall be authorized to view the video tape for the purpose of documenting a problem, and determining which student(s) may be involved. Disciplinary action may be taken with the students based on video documentation. A student being disciplined based on the viewing of a video tape recording, and/or their parent(s)/guardian(s), may view that isolated segment of the video tape that documents the incident for which they are being disciplined. The Superintendent or principal shall document the date and the names of all individuals viewing the tape.

The video tapes shall not be available for viewing by the public in general, employees in general, media, or other individuals. The Superintendent or Principal may authorize other individuals, such as the guidance counselor, school psychologist, or social worker to view segments of a specific video tape, if such individuals are working with the student on the video tape because of behavior, emotional, or learning problem and viewing the video tape is beneficial to their role in assisting the student.

### **Enrollment, Transportation, School of Origin & Elimination of Barriers for Children or Youth Experiencing Homelessness including Unaccompanied Youth**

The Willow Lake School District policy is to:

- Ensure the immediate enrollment of children or youth experiencing homelessness until all enrollment records may be secured, i.e. academic records, medical records, proof of residency or other documentation.
- Keep a child or youth experiencing homelessness in the school of origin, except when doing so is contrary to the wishes of the child's or youth's parent or guardian.
- Ensure the elimination of stigmatization or segregated services and the elimination of other identified barriers for homeless children and youth.
- Provide children or youth experiencing homelessness with services comparable to services offered to other students in the school including the following:
  - Transportation services.
  - Education services for which the child or youth meets the eligibility criteria, such as
    - services provided under Title I of the Elementary and Secondary Education Act of 1965
    - or similar State or local programs, educational programs for children with disabilities,
    - and educational programs for students with limited English proficiency.
  - Programs in vocational and technical education.
  - Programs for gifted and talented students.
  - School nutrition programs

### **Willow Lake School District Parent Portal User Guidelines and System Requirements**

Your Parent Portal account will become active as soon as we receive your signed copy of the Acceptable Use Policy. Your login information, (web site, user name, and password) will be given to you, the parent, by the Willow Lake School District upon receipt of the above mentioned Acceptable Use Agreement Signature.

It will be sent to you by mail addressed to you the parent. If you do not receive this information within two weeks of the date you sent in your signed acceptable use policy, please contact either the school for assistance.

1. Parents will have access to the following data about their child:
  - a. Attendance – updated daily
  - b. Transcripts – available for all past terms – updated each semester
  - c. Grades for current classes – updates will vary from class to class. Parents can expect that grades for an assignment will be posted one-two weeks after that assignment has been turned in. (Teachers will need adequate time to grade all of the student work and to post the scores.)

2. Parents will receive login information and instructions after we receive your signed Acceptable Use Policy agreements.
3. Parents will not share their password and will not set their browsers to auto login to the portal. Passwords are system generated.
4. System recommendations for home computers to access the Parent Portal:
  - a. Internet connection – 56k modem speed or greater.
  - b. Browser – Internet Explorer 6, Mac or Windows. 128 bit encryption.
  - c. A computer that can run the appropriate browser version (IE6)
  - d. A monitor with at least 800 x 600 resolution.
5. Security features of the Parent Portal:
  - a. Three unsuccessful login attempts will disable the Parent Portal account. In order to use the portal again, parents will need to contact the School District Office during school hours to have the account reactivated. Please call 625-5945.
  - b. You will be automatically logged off if you leave the Parent Portal Web browser open and inactive for a period of time.
  - c. All attempts at logging into the system are recorded and monitored, and a full audit trail is tracked on sensitive data.
6. School District Office contact information
  - a. Telephone help with the District Office is available from 8:00 A.M. to 4:00 P.M. Phone 625-5945
  - b. Should you need help with DDN Campus outside of school hours, send an e-mail to [Dawn.Spieker@k12.sd.us](mailto:Dawn.Spieker@k12.sd.us) and expect an answer within 24 hours on school days. Please include your name, your user name, your telephone number and a brief description of the problem in your e-mail request for help.
  - c. Any public use computer that has the above-mentioned system requirements can be used to access the DDN Campus as long as you have the necessary user and password information.

## **Public Health Issues**

### **Medications**

Any medicine used by children at school must be given to office personnel and stored in the office. All prescribed medication must be sent to school in the original prescription bottle with all identifying information clearly legible. Any over the counter medicine must be sent in the original bottle with the child's name clearly written on the bottle. A MAR form MUST BE ON FILE IN THE SCHOOL OFFICE before any prescription or over-the-counter medication is administered to a child. Additional information related to the administration of medicine can be found in Policy JHCD (Administration of Medication to Students and JHCD-E(1), Administration of Medications to Students Consent Form), Policy JHCDA (Student Self-Administration of Asthma or Anaphylaxis Medication and JHCDA-E(1), Student Self-Administration of Asthma or Anaphylaxis Medication Authorization form, Policy JHCDB (Epinephrine Auto-Injectors, and Policy JHCDC (Diabetes Health Care and Insulin Administration). THE POLICIES JUST REFERENCED ARE ASBSD SAMPLE POLICIES AND CAN BE FOUND ON ASBSD'S POLICY SERVICES WEBSITE.

### **Student Communicable Diseases**

The quality and quantity of learning for each student is in direct proportion to the student's physical, mental, emotional and social levels of health. The board recognizes its responsibility to provide a healthy environment for all school students and employees; and in addition, further recognizes its responsibility that, to the extent possible, all students should be permitted to continuously attend school in a normal classroom setting.

The decision as to whether an infected student should be excluded from the normal classroom setting, or from other school activities shall be made on a case by case basis by the building principal or his/her designee.

In situations where the decision requires additional skill and knowledge, the principal will refer the case to an advisory committee for assistance in determining the proper course of action. The principal or designee will be responsible for establishing the advisory committee with a membership which include the following:

1. The building principal or designee.
2. The school nurse (county nurse).

3. The superintendent or designee.

The advisory committee, at the option of the above named people, may also include the following:

1. Representation from the state department of health.
2. The student's personal physician.
3. The student's parents or guardian(s).
4. Teachers or other appropriate school personnel.
5. Other medical personnel as deemed necessary.

The advisory committee shall consider the following in their deliberations:

1. The behavior, developmental level, and medical condition of the student.
2. The expected type(s) of interaction with others in the school environment.
3. The impact of exclusion on both the infected student and others in school programs.
4. The advisory committee may officially request assistance and a recommendation from the state department of health.

If an infected student is restricted from attending classes, the school will provide the student with an appropriate education program. If such program requires personal contact between the student and school employees, only those employees who volunteer and are trained in their assigned responsibilities will be utilized.

Public information about an infected student will not be released regardless of whether such student is excluded or is allowed to remain in attendance. If the student is permitted to remain in the school setting, the following procedure will be followed by the building principal:

Information as to the student's medical condition and other factors needed for consideration in carrying out assigned job responsibilities will be provided, as appropriate, to school employees who have contact with the student.

Health guidelines for school attendance are not inclusive but are intended to be used as a guide and resource. The guidelines are written for and will be interpreted within the context of each situation. Specific needs will be addressed individually. School personnel will refer to school health professionals for specific help in interpreting the guidelines.

Staff members assigned to work with students suspected of being infected with a communicable disease, or those having a confirmed infection, will be given instruction in the appropriate handling and working with suspected or infected students, recommended personal hygiene measures will be observed and practiced in order to create and maintain a healthy environment.

Staff members who have a specific concern about a student's health may request the formulation of an advisory committee for the determination of school attendance or activity participation. All such requests shall be submitted to the principal of the building where the child in question attends.

**\*\*\* The communicable disease guidelines can be accessed in the school administrative office.**

### **AIDS Policy and Guidelines**

1. Most school-age children with AIDS/ARC or HTLV-III antibody should be allowed to attend school and before-and-after school care, with the approval of the child's physician, in an unrestricted manner because of the apparent negligible risk of AIDS virus transmission in this setting. For most children with AIDS virus infection, the benefits of their unrestricted school attendance outweigh the risks of their acquiring another potentially serious illness in that setting. When the local school board or administration is advised by school or health officials that a school-age child does have AIDS/ARC or HTLV-III antibody, the school board should not exclude the child from attending school unless the school board can document compelling reasons to do so, as is prescribed in this policy.
2. Some infected children may potentially pose more of a risk to others. Until more is known about transmission of the AIDS virus, the following exceptional conditions may require a more restricted environment for the infected school-age child:
  - A. The child is not toilet-trained or is incontinent, or otherwise is unable to control drooling.
  - B. The child is unusually physically aggressive, with a documented history of biting or harming other.
  - C. The child has other medical conditions, such as un-coverable, oozing sores.
3. For infected school-age children with questionable behavior or other medical conditions, individual judgments need to be made regarding placing those children in an unrestricted school setting. The South Dakota Secretary of Health will authorize an expert advisory committee to evaluate each of these children on an on-going basis. The committee will consist of five permanent members and will include the State Epidemiologist, the medical officer for the South Dakota Department of Health, a representative from the South Dakota Department of Education and Cultural Affairs, a physician with

expertise in infectious diseases, and a physician with expertise in the care of AIDS patients. Other members of the committee will be specifically assigned for each child and may include the child's parent or guardian and personal physician and relevant employees from the school in which the child is to be enrolled. The State Epidemiologist will chair the committee and will be responsible for convening the committee as necessary. The committee's appraisal and recommendation on each child's placement will be based on the child's behavior, neurological development, physical condition and the expected type of interaction with others in the school setting. The committee will weigh the risks and benefits to both the infected child and to others. The hygienic practices of a child with HTLV-III infection may improve as the child matures; conversely, the hygienic practices may deteriorate if the child's condition worsens. The committee will re-evaluate children periodically as deemed necessary by the State Epidemiologist.

4. School districts must seek an evaluation by the advisory committee, through an official request of the Secretary of Health, to individually evaluate an AIDS/ARC or HTLV-III antibody positive child whom a local school board deems has any of the exceptional conditions described above. School districts seeking review by the committee will bear the burden of proof of demonstrating that the child exhibits the behavior or manifests the symptoms, which would justify exclusion from school, but shall be provided with an alternate educational program. Results of the committee's appraisal and its recommendation will be issued as rapidly as possible, and not later than 30 days after referral by the school district to the Secretary of Health, the superintendent of the child's school and the president of the local school board. If the committee concludes that the child should attend school, the child should immediately be admitted to school.
5. A school-age child with AIDS/ARC or HTLV-III antibody who is recommended by the committee to not attend school and who is a home bound child, must be provided with special education programs and all other rights and privileges provided by federal and state law.
6. Sanitary clean-up procedures (see guidelines for cleaning personnel concerning AIDS carriers on the following page).
7. Children infected with the AIDS virus may experience immunodeficiency and are at increased risk of experiencing severe complications from such infections as Chicken Pox, Tuberculosis, Herpes and Measles. Children may have a greater risk of encountering these infections in school than at home. Thus, assessment of the risk to the immunosuppressed child of attending school in an unrestricted setting is best made by the child's parents and personal physician should be notified and the child should be excluded from school until the outbreak is over.
8. An immunosuppressed child should not receive live virus vaccines and should be medically exempted from any such requirements.
9. A school-age child with AIDS/ARC or HTLV-III antibody has the right to privacy. Persons involved in the care and education of infected children should respect their right to privacy, and private records should be maintained and protected as specified by state law. Only those individuals who are necessary to assure the proper care of the infected child and to detect situations in which the potential for transmission may increase should be informed of the child's condition (e.g. principal, child's teacher, school nurse).
10. Based on available data, mandatory screening of children as a condition for school entry or attendance is not warranted.

These guidelines are the policy of the South Dakota Division of Public Health. The policy does consider the protection of the public health and the civil rights aspects of school attendance.

#### **Guidelines For Cleaning Personnel Concerning AIDS Carriers**

All schools, regardless of whether children with AIDS/ARC or HTLV-III antibody are known to be in attendance, should adopt routine procedures for handling blood or body fluids. School healthcare workers, teachers and other employees should be educated about these procedures. For example, interior surfaces soiled with blood, vomit, urine, feces or saliva should be promptly cleaned with a detergent, followed by a disinfectant such as a freshly prepared solution of household bleach (sodium hypochlorite) which is both inexpensive and very effective. Concentrations ranging from a 1:100 dilution of bleach to water are effective, depending on the amount of organic material present on the surface to be cleaned and disinfected. After removal of the major portion of the spill with a detergent, soil surfaces can also be decontaminated with other germicides that are approved and registered by the US Environmental Protection Agency (EPA) as "hospital disinfectants" capable of killing tuberculosis germs. Information on specific commercial germicides can be obtained by writing to the Disinfectants Branch, Office of



Pesticides, Environmental Protection Agency, 401 M Street S.W., Washington, D.C., 20460. Disposable towels or tissues should be used whenever possible and disposed of properly, and mops should be rinsed in the disinfectant. Cleaning personnel should always avoid exposing any open skin lesions to blood or body fluids and should wear disposable gloves when cleaning up spills. In any setting involving the exposure of blood and body fluids, good hand washing practices should be observed. Blood or fluid soaked items (e.g., sanitary napkins, towels, used bandages and dressings) should be disposed of in sealed plastic bags. Laundry and dishwashing cycles commonly used in medical facilities and commercial establishments are adequate to decontaminate lines, dishes, glassware and utensils.

**Procedure For Handling Body Fluids** (Added 1992-Revision Adopted 1-11-93)

Guidelines to assist in preventing infectious diseases when dealing with body fluids (such as blood, vomit, feces, urine, saliva, tears, etc.). The most significant factor in preventing the spread of pathogens (bacterial, viral, etc.) in the school setting is through hand washing after urinating or defecating, before eating and after cleaning one's nose.

**Procedures**

1. Wear gloves (preferably disposable)
2. Clean up secretion/excretion with disposable paper towels (if injury is involved, if at all possible, have the student clean their own wound.)
3. Disinfect surfaces involved with one of the following:
  - A. Ethyl or isopropyl alcohol (70%)
  - B. Germicidal detergent in a 1% aqueous solution (e.g. Lysol)
  - C. Household bleach and water solution 1 to 10% - 1 1/2 cups bleach to each gallon of water used, made fresh for each use, and then disposed of.
  - D. Micro-bactericidal agent (for use on carpets and other surfaces that would be damaged by use of the other solutions)
4. Using a plastic bag, dispose of all cleaning materials and secretions/excretions, transport to dumpster outside the building
5. At the conclusion of the cleaning and disinfection process:
  - A. Remove gloves - To remove the first glove, grasp palm, pull glove off and drop in waste can. With the clean hand, insert fingers inside second glove and pull off, avoiding contact with the outside glove. Dispose of in waste can.
  - B. Wash hands - using soap, water and vigorous rubbing for at least 15 to 30 seconds; dry hands with disposable paper towel and use towel to shut off water supply.

*PLEASE SIGN AND RETURN BACK TO THE OFFICE*

**I have read and understand the parent/student policy handbook:**

- Please pay special attention to the following sections:
  - Attendance (pgs. 12-14)
  - Tardiness (pg. 14)
  - Student Conduct (pg. 16)
  - Electronic Communication (pgs. 15-16)

Student Signature \_\_\_\_\_ Date \_\_\_\_\_

Parent/Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_