

DAKOTA VALLEY SCHOOL DISTRICT



STUDENT HANDBOOK

2022-2023

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WELCOME

Dear Students and Parents:

On behalf of the faculty, administration, and board of education, we welcome you to another school year. We are looking forward to helping your children reach their learning potential and achieve their educational goals in the upcoming year.

Please read this handbook carefully. Students and their parents are responsible for knowing the rules, regulations, and procedures covered in this handbook. The student handbook is an extension of school policies and has the force and effect of board policy when approved by the board of education.

This handbook contains information of value to every student and parent. It contains explanations of school regulations and procedures necessary for our school to run smoothly and efficiently. If you are ever in doubt about what is the right thing to do, ask a classroom teacher, or speak with the building principal.

Sincerely,

Dr. Tonia Warzecha
Superintendent

Intent of Handbook

This handbook is intended to be used by students, parents, and staff as a guide to the rules, procedures, and general information about this school district. Students and their parents must become familiar with the handbook, and parents should use it as a resource and assist their children in following the rules contained in it. The use of the word "parents" refers to any adult who has the responsibility for making education-related decisions about a child, including, but not limited to biological parents, adoptive parents, legal guardians, and adults acting in loco parentis.

Although the information in this handbook is detailed and specific on many topics, it is not intended to be all-encompassing or to cover every situation and circumstance that may arise during a school day or school year. This handbook does not create a "contract" with parents, students, or staff, and the administration may make decisions and rule revisions at any time to implement the educational program and to assure the well-being of all students. The administration is responsible for interpreting the rules contained in the handbook. If a situation or circumstance arises that is not specifically covered in this handbook, the administration will make a decision based on applicable school district policies, and state and federal statutes and regulations.

Notice of Nondiscrimination

The school district does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the nondiscrimination policies:

Name: Bill Clements

Title: Activities Director

Address: 1150 Northshore Drive, North Sioux City, SD 57049

Telephone: 605-422-3820

E-mail: Bill.Clements@k12.sd.us

For further information on notice of nondiscrimination, visit https://ocrcas.ed.gov/contact-ocr?field_state_value=684 or contact:

Office for Civil Rights
U.S. Department of Education
One Petticoat Lane
1010 Walnut Street, Suite 320
Kansas City, MO 64106

Telephone: 816-268-0550
FAX: 816-268-0599
TDD: 877-521-2172
Email: OCR.KansasCity@ed.gov

For additional prohibited discrimination and related information, please review school district Policy 3053 – Nondiscrimination.

GENERAL INFORMATION

School Day

Students are to leave the school grounds after dismissal unless participating in a school-sponsored activity or enrolled in Y Club. Parents must arrange for their children to leave school promptly at the end of the day.

Elementary

Students may not arrive on campus prior to 7:40 a.m. First bell rings at 8:10 a.m. Tardy bell rings at 8:20 a.m.

School dismissal is staggered based on mode of transportation.

- Car riders and walkers dismiss at 3:10 p.m.
- Bus riders at 3:15 p.m.

Upper Elementary/Middle School

Supervision for students begins at 8:00 a.m. First bell rings at 8:20 a.m. Tardy bell rings at 8:25 a.m.

School is dismissed at 3:20 p.m.

High School

Supervision for students begins at 8:00 a.m. First bell rings at 8:20 a.m. Tardy bell rings at 8:25 a.m.

School is dismissed at 3:15 p.m.

Contact Information

Elementary Office	605-422-3840
Upper Elementary/Middle School Office	605-422-3830
High School Office.....	605-422-3820
Special Services Director	605-422-3800

Enrollment at Dakota Valley

Upon registration, all new students will be required to provide to the school office:

1. Proof of date of birth through a state certified birth certificate or affidavit in lieu of birth certificate. (SDCL 13-27-3.1)
2. Record of immunizations and a health certificate from a licensed physician. (SDCL 13-28-7.1)
3. Proof of residency document (Accepted documents include: a current rental/lease agreement, purchase agreement, or utility bill in the name

of parent/guardian. Monetary amounts may be blacked out for privacy). (SDCL 13-28-9)

Food Sharing and Allergy Awareness

All food brought to school with the intent to share with others must be in the original packaging with an ingredient list. This includes all birthday treats, classroom snacks, and food intended for classroom parties. Student lunch items should not be shared.

Elementary School-PEANUT FREE

Any food that contains peanuts or tree nuts in any form is **not allowed** in Dakota Valley Elementary School.

Labels stating "may contain" are allowed in classrooms WITHOUT allergies only. Please contact your child's classroom teacher or the school nurse to verify if these products are allowed in your child's classroom.

Labels stating "manufactured or processed on equipment or in a facility" are allowed in all areas of the school and in all classrooms.

Pets on Campus

Pets are not allowed in school buildings without prior approval from a building administrator.

Visitors

All adult visitors to campus must enter through the main building entrance, ring the bell, and upon entry, proceed to the office. A visitor badge will be required to be worn while visiting our campus. All visitors must check out at the building office when leaving.

If you are planning to eat lunch at school with your child, please contact the school office by 9:00 a.m. so that a meal can be ordered for you. Visitor meals will be charged to your child's lunch account.

Minor children who are not enrolled at Dakota Valley may not attend classes with a Dakota Valley student.

**SECTION ONE:
BASIC SCHOOL RULES AND GENERAL PRACTICES**

Attendance

Required Attendance

Every person residing in the school district who has legal or actual charge or control of any child who is of mandatory attendance age shall cause that child to attend a public or private school regularly unless the child has graduated from high school or has been allowed to disenroll pursuant to Policy 5001.

Mandatory Attendance Age

All children who are or will turn five years old before September 1 of the current school year are eligible to attend kindergarten. Children who are or will turn six years old before September 1 but who have not turned eighteen years of age are of mandatory attendance age. Any child who transfers from another state may proceed in a continuous educational program without interruption, even if that student has not previously attended Kindergarten or does not meet the age requirements described in this policy.

Exceptions

This policy does not apply when a child is provided with alternative instruction in accordance with state law.

Attendance Officer

Each building principal is designated as an attendance officer for the district. Each building principal, at his or her discretion, may delegate these responsibilities to any other qualified individual. The attendance officer is responsible for enforcing the provisions of state law relating to compulsory attendance. This responsibility includes but is not limited to filing a report with the county attorney of the county in which a student resides. Compensation for the duties of attendance officer is included in the salary for the superintendent or designee.

Excused Absences

The following absences may be considered excused if they are confirmed by communication to the school from the student's parent/guardian:

1. Physical or mental illness of the student (a physician's verification is required after four (4) consecutive days of absence for illness)
2. Severe weather
3. Attending a wedding or graduation

4. Appearance at court or for other legal matters
5. Personal or family vacations

Excessive Absenteeism

Data shows a student missing 10% or more of the school year results in substantial harm to the student's learning. To avoid this harm, the District will use the following procedure to incentivize attendance.

After 5 missed days, the principal or designee may have a discussion regarding attendance with the student or family, depending on the circumstances related to the absences.

After 10 missed days, the principal or designee will contact the family and/or student to discuss issues and support surrounding attendance. A meeting may be scheduled regarding the student's absences, and a plan for consistent attendance may be developed. Additional support may be provided.

Students missing their 15th day of school will have a letter sent to the parents/guardians, the superintendent and the State's Attorney.

Exempt Absences

Absences for the following reasons will not be counted toward truancy:

- Absences due to school activities
- College Visits (Maximum of two per year)
- Medical appointments (physician verification required)
- Death in the student's immediate family
- Religious holidays

Students not in attendance for these reasons will still be responsible for completing all required schoolwork.

Absences due to illness

The school district will contact parents if a student becomes ill at school. A student who is absent due to illness has one day for every day of absence to complete missed assignments, unless otherwise directed by the teacher.

Planned absences

Parents who know in advance that a student will be absent must notify the school office at the earliest possible date. Students who will be absent for reasons that can be anticipated, such as routine medical appointments and school activities, should complete any work required by the teacher before the absence. Parents should make every attempt to schedule medical and other appointments after school hours when possible.

Students are obligated to:

- 1) Complete all class work in advance for any absence that can be anticipated as required by the teacher.
- 2) Attend school a full day before attending practice or participating in a scheduled student activity except in cases of family emergencies or pre-arranged absences.
- 3) Check out of school at the office if leaving school during the school day.
- 4) Make up any and all work that is assigned by teachers as make-up work for the instructional time that has been missed.

Parents are obligated to:

- 1) Notify the appropriate building office to inform the school of the reason for each absence by 8:30 a.m.
- 2) Submit a doctor's statement, if requested, for each period of absence due to illness that exceeds four consecutive days.
- 3) If applicable, submit a doctor's statement for each period of absence on a given day to remain eligible for participation in activities on that day.

Pregnant and Parenting Students

Students who are pregnant or parenting are encouraged to continue participating in the district's educational and extracurricular programs. Students who anticipate deviations from their regular school experience or accrue absences due to pregnancy or parenting should notify their building principal as early as possible to discuss their educational programming. The building principal will work with the student to develop a plan to assist the student in participating in district curriculum and extra-curricular activities.

Backpacks, Purses, & Duffle Bags

Students in Grades 4-8 will be assigned a locker in the academic locker area. All personal items, backpacks, personal electronic devices, toys, and books should be kept in lockers. The school is not responsible for items lost or stolen from lockers or backpacks. Students shall not store in their lockers or backpacks, or have in their possession, any items that are expressly prohibited or violate safety, health, or standard morality. Examples are weapons, drugs, alcohol, tobacco, or any items that may jeopardize the welfare or safety of other students. Students will use only the locker assigned to them.

Students may use their own backpacks to bring their belongings to and from school each day. Backpacks, shoulder bags, purses, or any bag aside from the school provided laptop bag will not be permitted in the classroom. If there is a legitimate medical reason that requires use of a backpack during the day and in the classroom, there must be documentation provided by a doctor. This documentation needs to be updated and provided at the beginning of each school year. The principal will make the final determination based on the provided medical documentation. A parent may have the doctor call or email the principal to explain the necessity of a backpack for all day use. If there is an obvious need for a student to use a backpack for each class (i.e., student is on crutches or has an injury to hand/arm/shoulder), the principal or nurse can make that determination without need for a doctor's note.

Bills

Lunch Account: Payment may be made online at myschoolbucks.com or by cash/check remitted to the building office. Payment may also be made directly to the lunch cashier.

Dual Credit College Courses: Classes taken through WIT (Western Iowa Tech) are paid directly to Dakota Valley School District and remitted to the HS Office. Classes taken through the SD Regental System are paid directly to the individual university through their online payment system.

Advanced Placement, ASVAB and PSAT Tests: Payment is made to Dakota Valley School District and remitted to the HS Office.

Fines, Insurance, Activity Passes & Other Supplies: Payment is made to Dakota Valley School District and remitted to the individual building office. Some items may be purchased directly through myschoolbucks.com.

Pursuant to board policy, the district will assess an additional penalty as imposed by the school's bank for any check returned from the bank for insufficient funds.

Books and Supplies

Students must take care of books and other supplies provided by the district. The school will assess fines for damage to books and school property.

Students must supply their own consumable items such as pens, pencils, tablets, notebooks, erasers, and crayons. Supply lists for students will be provided as appropriate at the beginning of the school year.

Breastfeeding and Lactation

In order to accommodate lactating and breastfeeding students, the district will provide reasonable opportunities to express breast milk or breastfeed in a place, other than a bathroom, which is shielded from view and free from intrusion from district students, employees, and the public. The district will also provide a location for students to store expressed breast milk in or near the location designated for students to express milk to create the least amount of disruption to the student's participation in class or activities.

Students who wish or need to express breast milk on a regular schedule must work with school administrators to create a schedule that accommodates the student's needs while facilitating education to the maximum extent possible.

In order to prevent interference with the educational process, no student shall express breast milk within school classrooms or buses. Nothing in this policy limits the authority of the administration to impose consequences consistent with South Dakota Student Discipline Law and other state and federal law.

Bulletin/Video Boards

Bulletin/video boards are maintained throughout the building to communicate general information, material, and school announcements.

Bulletin board or electronic publishing space may be provided for the use of students and student organizations for notices relating to matters of general interest to students. The following general limitations apply to all posting or publishing:

1. All postings must be approved by the appropriate building principal or designee. Students may not post any material containing any statement or expression that is libelous, obscene, or vulgar; that would violate board of education policies, including the student code of conduct; or that is otherwise inappropriate for the school environment.
2. All postings must identify the student or the student organization posting or publishing the notice.
3. Material shall be removed after a reasonable time to assure full access to the bulletin boards or electronic publishing media.

Bullying

Students are prohibited from engaging in any form of bullying. The Centers for Disease Control and Prevention defines bullying as "any unwanted aggressive behavior(s) by another youth or group of youths who are not siblings or current dating partners that involves an observed or perceived

power imbalance and is repeated multiple times or is highly likely to be repeated.” South Dakota statute defines bullying as:

“A pattern of repeated conduct that causes physical hurt or psychological distress on one or more students that may include threats, intimidation, stalking [as defined by state law], physical violence, theft, destruction of property, any threatening use of data or computer software, written or verbal communication, or conduct directed against a student that:

- Places a student in reasonable fear of harm to his or her person or damage to his or her property; and either
- Substantially interferes with a student's educational performance; or
- Substantially disrupts the orderly operation of a school.

Bullying also includes retaliation against a student for asserting or alleging an act of bullying.”

The District’s administrators will consider these definitions when determining whether any specific situation constitutes bullying. Both of these definitions include both in-person and cyberbullying behaviors.

The disciplinary consequences for bullying will depend on the severity, frequency, duration, and effect of the behavior and may result in sanctions up to and including suspension or expulsion. Students who believe they are being bullied should immediately inform a teacher or the building principal.

Reporting Bullying

Students who experience or observe bullying behavior must immediately report what happened to a teacher or administrator. Students may always confer with their parents or guardians about bullying they experience or witness, but the students must also ultimately report the situation to a teacher or administrator.

Bullying Investigations

School district staff will investigate allegations of bullying using the same practices and procedures that the district observes for student disciplinary matters. In no circumstance will school district staff be deliberately indifferent to allegations of bullying.

Candy and Gum

Students may not bring candy or gum to school unless they have prior permission from their classroom teacher or the administration.

Cell Phones and Other Electronic Devices

Students may not use cell phones or other electronic devices while at school, except as permitted in this handbook.

In no event shall photographs or video recordings be taken or made in restrooms, locker rooms, or other areas where there is a reasonable expectation of privacy. Students who violate this policy may be subject to discipline up to and including expulsion.

ELEMENTARY, UPPER ELEMENTARY & MIDDLE SCHOOL

Students may use cell phones or other electronic devices on the school sidewalks and in the common areas of the school before and after school, so long as they do not create a distraction or a disruption or utilize their device inappropriately. Students may not use cell phones or other electronic devices while they are in locker rooms or restrooms.

Students must leave their cell phones and other electronic devices in their lockers/backpacks during the school day.

When traveling for school activities students may not use cell phones or other electronic devices while riding in a school vehicle unless they have express permission to do so from the vehicle's driver or advisor/supervisor.

Students are personally and solely responsible for the security of their cell phones and other electronic devices. The school district is not responsible for theft, loss, or damage of a cell phone or any calls made on a cell phone.

Students who violate this policy may have their cell phones or other electronic devices confiscated immediately. The administration will return confiscated devices to the student at the end of the day, unless there are extenuating circumstances. Students who violate this policy may, at the discretion of the school's administration, be subject to additional discipline, up to and including suspension or expulsion.

The taking, disseminating, transferring, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or otherwise may constitute a crime under state and/or federal law. Any person engaged in these activities while on school grounds, in a school vehicle or at a school activity will be subject to the disciplinary procedures of the student code of conduct. Any student found to be in possession of

obscene, pornographic, lewd, or otherwise illegal images or photographs will be promptly referred to law enforcement and/or other state or federal agencies, which may result in arrest, criminal prosecution, and possible inclusion on sex offender registries.

HIGH SCHOOL

Students may use cell phones or other electronic devices on the school sidewalks and in the common areas of the school before and after school, so long as they do not create a distraction or a disruption or utilize their device inappropriately. Students may not use cell phones or other electronic devices while they are in locker rooms or restrooms.

Students may use cell phones throughout the school day at the discretion of the teacher and/or administration.

When traveling for school activities students may not use cell phones or other electronic devices while riding in a school vehicle unless they have express permission to do so from the vehicle's driver or advisor/supervisor.

Students are personally and solely responsible for the security of their cell phones and other electronic devices. The school district is not responsible for theft, loss, or damage of a cell phone or any calls made on a cell phone.

Students who violate this policy may have their cell phones or other electronic devices confiscated immediately. The administration will return confiscated devices to the student at the end of the day, unless there are extenuating circumstances. Students who violate this policy may, at the discretion of the school's administration, be subject to additional discipline, up to and including suspension or expulsion.

The taking, disseminating, transferring, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or otherwise may constitute a crime under state and/or federal law. Any person engaged in these activities while on school grounds, in a school vehicle or at a school activity will be subject to the disciplinary procedures of the student code of conduct. Any student found to be in possession of obscene, pornographic, lewd, or otherwise illegal images or photographs will be promptly referred to law enforcement and/or other state or federal agencies, which may result in arrest, criminal prosecution, and possible inclusion on sex offender registries.

Cheating, Plagiarism, and Academic Dishonesty

Students may not cheat, plagiarize, or otherwise participate in any academic dishonesty in any form. Prohibited behavior includes:

- Obtaining, attempting to obtain, or aiding another person to obtain credit for work by any dishonest or deceptive means.
- Lying.
- Copying another person's work or answers.
- Sabotaging or destroying the work of others.
- Discussing the answers or questions on a test or assignment unless specifically authorized by the teacher.
- Taking or receiving copies of a test without the permission of the teacher.
- Using or displaying notes, "cheat sheets," or other sources of unauthorized information.
- Using the ideas or work of another person as if they were your own without giving proper credit to the source.
- Submitting work or any portion of work completed by another person.
- Failing to give credit for ideas, statements, facts, or conclusions which rightfully belong to another person.
- Failing to use quotation marks or other appropriate means of attribution when quoting directly from another person or source.

A student who cheats, plagiarizes, or otherwise participates in any academic dishonesty is subject to discipline, which may include no credit for assignment and other measures as appropriate.

Child Abuse and Neglect

School employees will report suspected abuse or neglect of a child as required by state law and school policy. South Dakota law defines an "abused and neglected child" as a child:

- Whose parent, guardian or custodian has abandoned the child or has subjected the child to mistreatment or abuse;
- Who lacks proper parental care through the actions or omissions of the parent, guardian or custodian;
- Whose environment is injurious to his welfare;
- Whose parent, guardian or custodian fails or refuses to provide proper or necessary subsistence, supervision, education, medical care or any other care necessary for his health, guidance, or well-being; or
- Who is homeless, without proper care, or not domiciled with his parent, guardian or custodian through no fault of his parent, guardian or custodian;
- Who is threatened with substantial harm;

- Who has sustained emotional harm or mental injury as indicated by an injury to his intellectual or psychological capacity evidenced by an observable and substantial impairment in his ability to function within his normal range of performance and behavior, with due regard to his culture;
- Who is subject to sexual abuse, sexual molestation or sexual exploitation by his parent, guardian, custodian or any other person responsible for his care;
- Who was subject to prenatal exposure to abusive use of alcohol, marijuana or any controlled drug or substance not lawfully prescribed by a practitioner as authorized by state law;
- Whose parent, guardian or custodian knowingly exposes the child to an environment that is being used for the manufacture, use or distribution of methamphetamine or any other unlawfully manufactured controlled drug or substance.

Class Dismissal

Classes are in session from the ringing of the tardy bell until the teacher dismisses the class. The bell at the end of the period is not a dismissal bell, and students may not leave their classrooms until they have been excused by their classroom teacher.

Classroom Behavior

Student behavior and attitude in the classroom must be cooperative, respectful and engaged in learning. All students must:

- arrive to class on time;
- prepare for class with all necessary materials;
- be considerate of others;
- respond promptly to all directions of the teacher; and
- take care of school property and the property of others.

Teachers will establish classroom conduct rules that students must obey.

Classroom/Homeroom Placement

Grades JK-6

Each spring, there is considerable discussion about placing children in classes for the next school year. This is a matter that we do not take lightly at our school, and the staff spends countless hours forming well-balanced classes in which all children will have an opportunity to learn and to grow in their academic and social skills. It is hoped that a frank review of our procedures for class placement of students will alleviate the need for parents/guardians to individualize their concerns or make requests for specific teachers.

When classes are structured, we follow a clear set of guidelines. Classes are formed into deliberate heterogeneous groups with the following in mind:

- An even boy-girl balance.
- A full range of aptitudes within each class.
- An even proportion of abilities and learning styles across the classes at each grade level.
- An equal number of students in each class on a grade level.
- An even proportion of children with English language proficiency.

Once these factors have been considered, teachers begin to build a class of children who show promise of working well together. At this point, attempts are made to match pupil and teacher personality style. Quite understandably, these decisions are based upon observations made by the teachers during the course of the year. While we welcome your input about your child's individual learning needs, we trust that you understand that your comments constitute just one of the many factors that we consider in forming classes. We will only honor room requests when extenuating circumstances exist. If a parent/guardian feels they have good reasons to make a request, they need to pick up a form from the school office and return it by April 15th. The final decision on class placements resides with the teachers and administration

Closed Campus

The school campus is a closed campus. All students shall remain on the school campus during the hours that school is in session unless released by the building principal, the building principal's designee, or as permitted by this policy. The building principal or designee will release a student only upon confirming that the student has permission from a parent or an authorized adult. Nothing in this policy shall prevent the school from sending a student home when the student is ill.

A High School student may leave campus during Student Responsibility Block if:

- the student is in good academic standing,
- the student has no missing assignments,
- the student's parents have agreed in writing for the student to leave campus.

In addition, High School students may leave campus:

- upon completion of their semester tests as permitted by the building principal, or
- as part of an approved curricular activity.

Communicable Diseases

Any student who has contracted a contagious disease may be restricted from physical attendance at school until the student is no longer contagious. Generally, individuals with a communicable disease will be restricted only to the extent necessary to prevent the transmission of the disease, to protect their health and rights of privacy, and to protect the health and safety of others. If there are questions regarding the communicability of your child's health condition or if you know your child has contracted a contagious or communicable disease or condition not otherwise specified in board policy or this handbook, please call the school nurse.

Communicating with Parents

Parents shall be kept informed of student progress, grades, and attendance through report cards, progress reports, and parent/teacher conferences. Grades are kept up-to-date on Infinite Campus in grades 4-12. All families have access to Infinite Campus and may check student grades and progress regularly.

Parents will also be notified of their student's possible failure to meet graduation requirements. Other pertinent information will be communicated to parents by mail or by personal contact. Official transcripts of student progress, grades, and attendance will be sent to other school systems upon the student's transfer when the district receives a written request signed by the student's parent or guardian or upon being notified that the student has enrolled in another school.

Complaint Procedure

Good communication helps to resolve many misunderstandings and disagreements. This complaint procedure applies to board members, patrons, students and school staff, unless the staff member is subject to a different grievance procedure pursuant to policy or contract. Individuals who have a complaint should discuss their concerns with appropriate school personnel in an effort to resolve problems. When such efforts do not resolve matters satisfactorily, including matters involving discrimination or harassment on the basis of race, color, national origin, sex, marital status, disability, or age, a complainant should follow the procedures set forth below.

A preponderance of the evidence will be required to discipline a party accused of misconduct. This means that the investigator must conclude that it is more likely than not that misconduct occurred.

Complaint and Appeal Process.

1. The first step is for the complainant to speak directly to the person(s) with whom the complainant has a concern. For example, a parent who is unhappy with a classroom teacher should initially discuss the matter with the teacher. However, the complainant should skip the first step if complainant believes speaking directly to the person would subject complainant to discrimination or harassment.
2. The second step is for the complainant to speak to the building principal, Title IX/504 coordinator, superintendent of schools, or president of the board of education, as set forth below.
 - a) Complaints about the operation, decisions, or personnel within a building should be submitted to the principal of the building.
 - b) Complaints about the operations of the school district or a building principal should be submitted in writing to the superintendent of schools.
 - c) Complaints about the superintendent of schools should be submitted in writing to the president of the board of education.
 - d) Complaints involving discrimination or harassment on the basis of race, color, national origin, sex, marital status, disability, or age may also be submitted, at any time during the complaint procedure to the School District's Title IX/504 coordinator. Complaints involving discrimination or harassment may also be submitted at any time to:

The Office for Civil Rights
U.S. Department of Education
One Petticoat Lane
1010 Walnut Street, Suite 320
Kansas City, MO 64106

Telephone: (816) 268-0550
Fax: (816) 268-0599
TDD: 877-521-2172
Email: OCR.KansasCity@ed.gov

3. When a complainant submits a complaint to an administrator or to the Title IX/504 coordinator, the administrator or Title IX/504 coordinator shall promptly and thoroughly investigate the complaint, and shall:
 - a) Determine whether the complainant has discussed the matter with the staff member involved.
 - 1) If the complainant has not, the administrator or Title IX/504 coordinator will urge the complainant to discuss the matter directly with that staff member, if appropriate.
 - 2) If the complainant refuses to discuss the matter with the staff member, the administrator or Title IX/504 coordinator shall, in his or her sole discretion, determine whether the complaint should be pursued further.
 - b) Strongly encourage the complainant to reduce his or her concerns to writing.
 - c) Interview the complainant to determine:
 - 1) All relevant details of the complaint;
 - 2) All witnesses and documents which the complainant believes support the complaint;
 - 3) The action or solution which the complainant seeks.
 - d) Respond to the complainant. If the complaint involved discrimination or harassment, the response shall be in writing and shall be submitted within 180 days after the administrator or Title IX/504 coordinator received the complaint.
4. If either the complainant or the accused party is not satisfied with the administrator's or the Title IX/504 coordinator's decision regarding a complaint, he or she may appeal the decision to the superintendent.
 - a) This appeal must be in writing.
 - b) This appeal must be received by the superintendent no later than ten (10) business days from the date the administrator or Title IX/504 coordinator communicated his/her decision to the complainant.

- c) The superintendent will investigate as he or she deems appropriate. However, all matters involving discrimination or harassment shall be promptly and thoroughly investigated.
 - d) Upon completion of this investigation, the superintendent will inform the complainant in writing of his or her decision. If the complaint involved discrimination or harassment, the superintendent shall submit the decision within 180 days after the superintendent received complainant's written appeal.
5. If either the complainant or the accused party is not satisfied with the superintendent's decision regarding a complaint, he or she may appeal the decision to the board.
- a) This appeal must be in writing.
 - b) This appeal must be received by the board president no later than ten (10) business days from the date the superintendent communicated his/her decision to the complainant.
 - c) This policy allows, but does not require the board to receive statements from interested parties and witnesses relevant to the complaint appeal. However, all matters involving discrimination or harassment shall be promptly and thoroughly investigated.
 - d) The board will notify the complainant in writing of its decision. If the complaint involved discrimination or harassment, the board shall submit its decision within 180 days after it received complainant's written appeal.
 - e) There is no appeal from a decision of the board.
6. When a formal complaint about the superintendent of schools has been filed with the president of the board, the president shall promptly and thoroughly investigate the complaint, and shall:
- a) Determine whether the complainant has discussed the matter with the superintendent.
 - 1) If the complainant has not, the board president will urge the complainant to discuss the matter directly with the superintendent, if appropriate.

- 2) If the complainant refuses to discuss the matter with the superintendent, the board president shall, in his or her sole discretion, determine whether the complaint should be pursued further.
- b) Strongly encourage the complainant to reduce his or her concerns to writing.
- c) Determine, in his or her sole discretion, whether to place the matter on the board agenda for consideration at a regular or special meeting.
- d) Respond to the complainant. If the complaint involved discrimination or harassment, the response shall be in writing and shall be submitted within 180 days after the president received the complaint.

No Retaliation.

The school district prohibits retaliation against any person for filing a complaint or for participating in the complaint procedure in good faith.

Special Rules Regarding Educational Services and Related Services to Students with Disabilities.

Students with disabilities and their families have specific rights outlined in state and federal law, including administrative processes by which they may challenge the educational services being provided by the school district. Therefore, the appeal process contained in this policy may not be used to challenge decisions made by a student's individualized education plan (IEP) team or 504 team.

Complaints about the educational services provided to a student with a disability, including but not limited to services provided to a student with an IEP, access to curricular and extracurricular activities, and educational placement must be submitted to the school district's Director of Special Education. The Director of Special Education will address the complaint in a manner that he/she deems appropriate and will provide the complainant with a copy of the Notice of IDEA Parental Rights promulgated by the South Dakota Department of Education.

Complaints about the educational services provided a student with a disability pursuant to a Section 504 plan must be submitted to the school district's 504 Coordinator. The 504 Coordinator will address the complaint in a manner that

he/she deems appropriate and will provide the complainant with a copy of the Notice of Section 504 Parental Rights adopted by the board of education.

Complaints about the educational services provided to a student who is suspected of having a disability must be submitted in writing to the school district's Director of Special Education or to the district's 504 Coordinator. The Director of Special Education or 504 Coordinator will either refer the student for possible verification as a student with a disability or will provide prior written notice of the district's refusal to do so.

Bad Faith or Serial Filings.

The purpose of the complaint procedure is to resolve complaints at the lowest level possible within the chain of command. Complaints filed (a) without a good faith intention to attempt to resolve the issues raised; (b) for the purpose of adding administrative burden; (c) at a volume unreasonable to expect satisfactory resolution; or (d) for purposes inconsistent with the efficient operations of the district may be dismissed by the superintendent without providing final resolution other than noting the dismissal. There is no appeal from dismissals made pursuant to this section.

Computer Network Use by Students

Students are expected to use computers and the Internet as an educational resource. The following procedures and guidelines govern the use of computers and the Internet at school.

I. Student Expectations in the Use of the Internet

A. Acceptable Use

1. Students may use the Internet to conduct research assigned by teachers.
2. Students may use the Internet to conduct research for classroom projects.
3. Students may use the Internet to gain access to information about current events.
4. Students may use the Internet to conduct research for school-related activities.
5. Students may use the Internet for appropriate educational purposes.

B. Unacceptable Use

1. Students shall not use school computers to gain access to material that is obscene, pornographic, harmful to minors, or otherwise inappropriate for educational uses.
2. Students shall not engage in any illegal or inappropriate

- activities on school computers, including the downloading and copying of copyrighted material.
3. Students shall not use e-mail, chat rooms, instant messaging, or other forms of direct electronic communications on school computers for any unauthorized or unlawful purpose or in violation of any school policy or directive.
 4. Students shall not use school computers to participate in on-line auctions, on-line gaming or file sharing systems including, but not limited to Aimster or Freenet and the like.
 5. Students shall not disclose personal information, such as their names, school, addresses, or telephone numbers outside the school network.
 6. Students shall not use school computers for commercial advertising or political advocacy of any kind without the express written permission of the system administrator.
 7. Students shall not publish web pages that purport to represent the school district or the work of students at the school district without the express written permission of the system administrator.
 8. Students shall not erase, rename, or make unusable anyone else's computer files, programs or disks.
 9. Students shall not share their passwords with fellow students, school volunteers or any other individuals, and shall not use, or try to discover, another user's password.
 10. Students shall not copy, change or transfer any software or documentation provided by the school district, teachers or another student without permission from the technology department.
 11. Students shall not write, produce, generate, copy, propagate, or attempt to introduce any computer code designed to self-replicate, damage, or otherwise hinder the performance of any computer's memory, file system, or software. Such software is often called, but is not limited to, a bug, virus, worm, or Trojan Horse.
 12. Students shall not configure or troubleshoot computers, networks, printers or other associated equipment, except as directed by a teacher or the system administrator.
 13. Students shall not take home technology equipment (hardware or software) without permission of the system administrator.
 14. Students shall not falsify electronic mail messages or web pages.
 15. Students shall not alter system software or hardware that

has been installed and/or configure by the technology department.

16. Students shall not attempt to circumvent the District's technology protection measures/filters to access blocked sites.
17. Students shall not use VPNs or proxies under any circumstances.

II. **Enforcement**

A. Methods of Enforcement

1. The district monitors all Internet communications, Internet usage, and patterns of Internet usage. Students have no right of privacy to any Internet communications or other electronic files. The computer system is owned by the school district. As with any school property, any electronic files on the system are subject to search and inspection at any time.
2. The school district uses a technology protection measure that blocks access to some Internet sites that are not in accordance with the policy of the school district. Standard use of the Internet utilizes a proxy server-based filter that screens for non-curriculum related pages.
3. Due to the nature of filtering technology, the filter may at times filter pages that are appropriate for student research. The technology department may override the technology protection measure for the student to access a site with legitimate educational value that is wrongly blocked.
4. The school district staff will monitor students' use of the Internet through direct supervision and by monitoring Internet use history to ensure enforcement of the policy.

B. Consequences for Violation of this Policy

1. Access to the school's computer system and to the Internet is a privilege, not a right. Any violation of school policy and rules may result in:
 - a. Loss of computer privileges;
 - b. Short-term suspension;
 - c. Long-term suspension or expulsion in accordance with state law; and
 - d. Other discipline as school administration and the school board deem appropriate.
2. Students who use school computer systems without permission and for non-school purposes may be guilty of a criminal violation and will be prosecuted.

III. **Protection of Students**

A. Children's Online Privacy Protection Act (COPPA)

1. The school will not allow companies to collect personal information from children under 13 for commercial purposes. The school will make reasonable efforts to disable advertising in educational computer applications.
 2. This policy allows the school to act as an agent for parents in the collection of information within the school context. The school's use of student information is solely for education purposes.
- B. Education About Appropriate On-Line Behavior**
1. School district staff will educate students about appropriate online behavior, both in specific computer usage units and in the general curriculum.
 2. Staff will specifically educate students on
 - a. Appropriate interactions with other individuals on social networking websites and in chat rooms.
 - b. Cyberbullying awareness and response.
 3. The School District's technology department shall inform staff of this educational obligation and shall keep records of the instruction which occurs in compliance with this policy

Conferences

Students' academic success has been closely linked to parental involvement in school. The school district has formal parent-teacher conferences twice per year.

In addition to formal conferences, classroom teachers will communicate with parents as necessary. Parents are encouraged to communicate with their student's teacher or the building administrator to discuss parental concerns, student needs or any other issue.

Copyright and Fair Use

The school district complies with federal copyright laws. Students must comply with copyright laws when using school equipment or working on school projects and assignments. Federal law prohibits the unauthorized reproduction of works of authorship, regardless of the medium in which they were created.

The "fair use" doctrine allows limited reproduction of copyrighted works for educational and research purposes. "Fair use" of a copyrighted work includes reproduction for purposes such as criticism, news reporting, teaching (including multiple copies for classroom use), scholarship, or research. Students who are unsure whether their proposed reproduction of copyrighted material constitutes "fair use" should consult with their teacher or building principal, review the school district's copyright compliance policy, and review

Copyright for Students found at <https://www.whoishostingthis.com/resources/student-copyright/>. You can find more information on copyright compliance requirements and permitted uses from the U.S. Copyright Office and the Library of Congress at the following site: <http://www.loc.gov/teachers/usingprimarysources/copyright.html>.

Damage to School Property

Students who damage school property either intentionally or unintentionally may be required to pay to replace or restore the property, at the discretion of the administration.

Discrimination and Harassment

The school district prohibits discrimination and harassment based upon or related to race, color, national origin, sex, religion, marital status, disability, age or any other unlawful basis that (1) has the purpose or effect of creating an intimidating, hostile, or offensive school environment, (2) has the purpose or effect of substantially or unreasonably interfering with a student's school performance, or (3) otherwise adversely affects a student's school opportunities. Students who believe that they have been the subject of unlawful discrimination or harassment due to their disability should contact the following Section 504 Coordinator: Linda Steele at 605-422-3800 (phone number), Linda.Steele@k12.sd.us (e-mail address) or in person at school. Students who believe that they have been the subject of unlawful discrimination or harassment due to their sex should contact the following Title IX Coordinator: Bill Clements at 605-422-3820, bill.clements@k12.sd.us, 1150 Northshore Dr., North Sioux City, SD 57049 (mailing address) or in person at school. Students who believe that they have been the subject of any other unlawful discrimination or harassment should contact the building administrator at 605-422-3800 (phone number), or in person at school. Students may report discrimination or harassment to any staff member who will then forward it on to the appropriate coordinator or administrator. The staff member will follow school district policies to respond to the report.

Dress Code

Students must come to school dressed in clean, neat, and appropriate clothing to conform to educational standards.

Students are prohibited from wearing the following attire:

1. Clothing displaying indecent, suggestive or profane writing, pictures or slogans
2. Clothing that advertises or displays alcohol, tobacco or any illegal substance

3. Any item that covers the head except for safety purposes in industrial arts, religious or cultural beliefs and/or in special situations approved by the principal. This includes caps, hats, hoods, and bandannas.
4. Bare feet (some type of footwear must be worn)
5. Shorts may be allowed if appropriate.
6. Undergarments worn as visible clothing. This includes sports bras, boxers, and other undergarments.
7. Any clothing that could cause damage to others or school property
8. Costumes and/or those clothes intended only for entertaining or special occasions except during school-sponsored dress-up days
9. Bare "midriff" (belly-button) styles, see-through and low-cut blouses, tube tops or strapless tops
10. Pants and shorts worn below the waist so as to expose undergarments

Students who violate dress code guidelines will be required to correct the violation by changing into something appropriate at school or returning home to change. A detention or suspension may be given to make up the time away from school. Repeated dress code violations may result in more severe consequences.

Driving and Parking Personal Vehicles

Students who drive to school are to park in the designated student lot only. Speed limit in the lot is 15 mph. Please observe that limit. Students are prohibited from parking in the Visitor parking lot and the Staff parking lot. Students who fail to park within a legal parking spot may receive disciplinary action. A continuous problem with improper parking or reckless driving may also result in a loss of the student's school driving privilege. Students will be required to provide vehicle information if requested.

Drug Free Schools

The board of education has adopted policies to comply with the Federal Drug-Free Schools and Communities Act. Students are prohibited from using, possessing, or selling any drug, alcohol, or tobacco while on school grounds, at a school activity or in a school vehicle. In addition, students who participate in the school's activities program should refer to the Activities Handbook which prohibits the use or possession of alcohol, controlled substances and tobacco at all times.

Any student who violates any school policy regarding drug, alcohol, and tobacco use will be disciplined, up to and including short-term suspension, long-term suspension, or expulsion from school and/or referral to appropriate authorities for criminal prosecution.

Emergency Contact Information

Parents must provide emergency contact information for each child enrolled in the district. Parents must promptly inform the school if this contact information changes during the school year.

Evacuations

The school district will hold routine evacuation drills throughout the school year. Classroom teachers will provide students with detailed instructions on building evacuations.

Food Service Program

The school district provides a food service program that is designed to provide adequate nutrition and an educational experience for students.

Breakfast

The school will serve breakfast daily. Students who qualify for free or reduced-price lunch also qualify for free or reduced-price breakfast. The cost of breakfast can be found on the district website.

Lunch

Lunch prices depend on the federal funding that the program receives. The cost of lunch can be found on the district website.

Payment for Meals

Students are encouraged to pay for meals several weeks in advance. Payment should be made online at myschoolbucks.com or cash/check may be sent to the building office.

The district will not allow students who have no funds available to purchase any "ala carte" items. The district will continue to provide meals to students until the student accrues a negative balance of one hundred dollars. Students who qualify for free meals will not be denied a reimbursable meal, even if they have accrued a negative balance from other food purchases.

If a student repeatedly lacks funds to purchase a meal, has not brought a meal from home, and is not enrolled in a free meal program, the district will use its resources and contacts to protect the health and safety of the student. Failure or refusal of parents or guardians to provide meals for students may require mandatory reporting to child protection agencies as required by law.

Collection of Delinquent Meal Charge Debt

The school district is required to make reasonable efforts to collect unpaid meal charges. Households will be contacted about unpaid meal charges and will be notified of the availability of the free and reduced meal program and/or

establish payment plans and due dates by telephone, e-mail, or other written or oral communication. If these collection efforts are unsuccessful, the school district may pursue any other methods to collect delinquent debt as allowed by law.

Collection efforts may continue into a new school year.

Notice of Non-discrimination

In accordance with federal law and U.S. Department of Agriculture policy, this institution is prohibited from discrimination on the basis of race, color, national origin, sex, age, disability, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA. To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) Mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410
- (2) Fax: (202) 690-7442; or
- (3) Email: program.intake@usda.gov

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.), should contact the school district. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

Field Trips

Classes occasionally take field trips off school property for educational enrichment. A student's parent or guardian must authorize a student to participate in a field trip by signing a permission slip and providing it to the school before the field trip. Students who are not in good academic standing may not be allowed to attend field trips. Students must comply with the student code of conduct, any applicable extracurricular conduct codes, and all directives by trip chaperones.

First-Aid

First-aid items may only be used by school staff. Students who need first aid should ask for assistance from their classroom teacher or the nearest staff member.

Head Lice

Students found to have head lice or nits may be sent home. Upon discovering the presence of any indication of lice or nits, the student's parent(s) or guardian(s) will be notified, and if appropriate will be asked to pick up the student from school.

The District may require the student to remain home until the district finds that no live lice or nits can be detected. The parent(s) or guardian(s) may be required to treat the student.

Health Problems Limiting Activities

We encourage healthy lifestyles and active play. Therefore, students should participate in daily recess and physical education classes. In certain extenuating circumstances due to health reasons, a child may occasionally need to sit out. In these cases, a doctor's note is required. A clearance to return to physical activity may be requested.

Parents should notify the school nurse and/or building principal if their student has any special health problems such as diabetes, asthma, or the like.

Homeless Children and Youth

Homeless students generally include children who lack a fixed, regular, and adequate nighttime residence, as further defined by applicable state and federal law.

It is the school's policy not to stigmatize or segregate homeless students on the basis of their status of being homeless. Transportation for homeless students who enroll in the district shall be furnished by the district under the same guidelines applying to other students or if such transportation is necessary for compliance with federal law.

Each homeless child shall be provided services for which the child is eligible comparable to services provided to other students in the school selected regardless of residency. Homeless children shall be provided access to education and other services that such children need to ensure that they have an opportunity to meet the same student performance standards to which all students are held.

If a homeless child registered to attend school in the district is receiving family reconciliation services pursuant to state law, the district will work in cooperation with any county or department of social services in the district to jointly develop an educational program for the child. The district's homeless coordinator is Linda Steele who may be contacted at 605-422-3800.

Illness or Injury at School

Students who feel ill or are hurt while at school should seek immediate assistance from their classroom teacher or the nearest staff member. The school will contact parents to pick students up from school whenever necessary. In the event that parents cannot be reached, the school will call the emergency contacts provided by the parents.

When school officials determine that a student needs immediate medical attention but neither the parents nor the emergency contacts can be reached by phone, emergency services will be summoned or the student will be taken directly to the hospital.

Immunizations

All students must furnish a physician's certification that the student has received the following immunizations within 45 days of the start of classes:

- poliomyelitis;
- diphtheria;
- pertussis;
- rubeola;
- rubella;
- mumps;
- tetanus;
- meningitis; and
- varicella.

Exceptions. The student is not required to receive immunizations if the student can provide certification from a licensed physician that immunizations would endanger the student's health or the student's parent or guardian provides a written statement asserting adherence to a religious doctrine opposed to immunization.

Lockers and Other School Property

The school district owns and exercises exclusive control over student lockers, desks, computer equipment, and other such property. Students should not expect privacy regarding usage of or items placed in or on school property, because school property is subject to search at any time by school officials. Periodic, random searches of lockers, desks, computers, and other such

property may be conducted at the discretion of the administration. The assignment of a locker is on a temporary basis and may be revoked at any time. School officials may inspect student lockers without any particularized suspicion or reasonable cause.

Lost and Found

All lost and found articles are to be taken to the building office. Students may claim lost articles there. Unclaimed articles will be donated to a local charity or otherwise disposed of after each semester.

Medications

Prescription medication. Parents/guardians must provide a physician's written authorization for the administration of the medication. Parents/guardians must provide their own written permission for the administration of the medication. The medication must be brought to school in the prescription container and must be properly labeled with the student's name, the physician's name, and directions for administering the medication.

Non-prescription medication. Parents/guardians must provide written permission for the administration of the medication. The medication must be brought to the school in the manufacturer's container. The container must be labeled with the child's name and with directions for provision or administration of the medication.

The district reserves the right to review and decline requests to administer or provide medications that are not consistent with standard pharmacological references, are prescribed in doses that exceed those recommended in standard pharmacological references, or that could be taken in a manner that would eliminate the need for giving them during school hours. The district may request parental authorization to consult with the student's physician regarding any medication prescribed by such physician.

Self-Administration. Students in 8th grade or lower may not self-administer medication. Students in 9th grade or higher may self-administer medication in accordance with the manufacturer's instructions. Students who violate this policy are subject to disciplinary action.

Medical Cannabis. Medical cannabis is not considered a "medication" under this provision. Medical Cannabis is addressed by District Policy 3055.

Media Center

Students must check out materials from the librarian on duty. Each borrower is responsible for all books checked out in his/her name. If a book is lost and not found by the end of the semester, the student must pay for it. Students must also pay for any damage they cause to library books.

Opting Out of Assessments

The District cannot approve requests to opt out of state assessments. Approval of such requests is contrary to state law.

Parental Involvement

The school district recognizes the unique needs of students who are being served in its Title I program, and the importance of parent and family engagement in the Title I program. Parent and family engagement in the Title I Program shall include, but is not limited to:

1. An annual meeting to which all parents of participating children will be invited to inform parents of their school's participation under this part, to explain the requirements of this part, and the right of the parents to be involved. Invitations may take the form of notes sent with students or announcements in the school newsletter. Additional meetings may be scheduled, based upon need and interest for such meetings.
2. An explanation of the details for the child's and parents' participation, including but not limited to: curriculum objectives, the forms of academic assessment used to measure student progress and the achievement levels of the challenging State academic standards, type and extent of participation, parental input in educational decisions, coordination and integration with other Federal, State, and district programs, and evaluations of progress.
3. Opportunities for participation in parent involvement activities such as training to help parents work with their children to improve achievement. A goal of parent activities is to provide parents with opportunities to participate in decisions relating to the education of their students, where appropriate.
4. The district will, to the extent practicable, provide parents of limited English proficiency, parents with disabilities, parents with limited literacy, are economically disadvantaged, are of a racial or minority background or parents of migratory children with opportunities for involvement in the Title I Program. Communication to parents about student progress and the district's other Title I Program communications will be provided in the language used in the home to the extent

practicable. Responses to parent concerns will be provided in a timely manner.

5. Opportunities for parent-teacher conferences, in addition to those regularly scheduled by the school district, if requested by the parents or as deemed necessary by school district staff.
6. The district will coordinate and integrate parental involvement programs and activities with other programs in the community. These may include cooperation with other community programs such as Head Start and preschools and other community services such as the public library.
7. Educate teachers, specialized instructional support personnel, principals, and other school leaders, with the assistance of parents in the value and utility of contributions of parents, how to reach out to, communicate with and work with parents as equal partners.

Parties

Grades JK-5 classrooms may have seasonal parties during the year. Classroom teachers will contact families regarding specific details for each party. Parents should notify the classroom teacher if they do not wish their child to participate. Invitations for private parties and non-school-sponsored events may not be distributed at school unless all students in the class are invited.

Personal Items

The school provides the necessary equipment for classroom and school day activities. **Students should not bring items such as athletic equipment, electronic devices, toys, or other similar personal items to school unless they have the prior permission of their classroom teacher or a school administrator. The school is not responsible for damaged or lost personal items or equipment.**

Physical Education

The school district requires students to receive physical education to assist them in developing gross and fine motor skills. Students are required to wear appropriate shoes for P.E.

Physical Exam

All students in Grades 7-12 wishing to participate in athletics will provide evidence of a physical examination by a licensed physician in accordance with the rules and regulations of the SDHSAA.

Pictures

The school district arranges for a photographer to be present at school in the fall to take student pictures. Parents will be notified of the date. Included in the individual packet is a class composite. Parents who want pictures of their students or of their student's class composite may purchase them directly from the photographer.

Police Questioning and Apprehension

Police or other law enforcement officers may be called to the school at the request of school administration, or may initiate contact with the school in connection with a criminal investigation. The building principal will make reasonable attempts to contact a student's parent for their consent and/or presence before the student is interviewed. In the event that a parent cannot be contacted after reasonable attempts, the student will be questioned only if the law enforcement officer identifies emergency circumstances requiring immediate questioning. A building principal or designee shall be present for such questioning solely to further school purposes or avoid duplication of the investigative process. The student will be brought to a private room and the contact will be made out of sight of others as much as practicable.

Protection of Student Rights

The Board of Education respects the rights of parents and their children and has adopted a Protection of Pupil Rights policy in consultation with parents to comply with the Protection of Pupil Rights Amendment (PPRA). The policy is available on the district's website or upon request from the district's administrative office. Parents may opt their child out of participation in activities identified by the Protection of Pupil Rights policy by submitting a written request to the superintendent. Parents may have access to any survey or other material described in the Protection of Pupil Rights policy by submitting a written request to the superintendent.

Public Displays of Affection

Students may not engage in public displays of affection. Prohibited conduct includes hugging, kissing, touching or any other display of affection that a staff member determines to be inappropriate.

Rights of Custodial and Non-Custodial Parents

The school district will honor the parental rights of natural and adoptive parents unless those rights have been altered by a court.

The term "custodial parent" refers to a biological or adoptive parent to whom a court has given primary physical and legal custody of a child, and a person such as a caseworker or foster parent to whom a court has given legal custody of a child.

The district will not restrict the access of custodial and non-custodial parents to their students and their students' records, unless the district has been provided a copy of a court order that limits those rights. If the district is provided such a court order, school officials will follow the directives set forth in the order.

The district will provide the custodial parent with routine information about his or her child, including notification of conferences. The district is not required to provide the non-custodial parent with such information on a routine basis, but will provide it upon the non-custodial parent's request unless it has been denied by the courts.

A non-custodial parent who communicates to the district their desire to attend conferences regarding his or her child will be provided information about conference times so both parents may attend a single conference. The district is not required to schedule separate conferences if both parents have been previously informed of scheduled conference times.

If either or both parents' behavior is disruptive, staff members may terminate a conference and reschedule it with appropriate modifications or expectations.

Recess

Grades JK-3

Students must be dressed appropriately for the weather. Students go outside for daily recess if the temperature or "feels like" temperature is 0 degrees or above. Students must wear mittens/gloves, hats, and winter coats when the weather demands it. In addition, students must wear snow pants and boots to play in the snow.

Grades 4-8

Students must be dressed appropriately for the weather. Students go outside for daily recess if the temperature or "feels like" temperature is 0 degrees or above. Students are encouraged to wear mittens/gloves, hats, and winter coats when the weather demands it.

Playground Rules:

Students must follow these rules to keep the playground safe when they are using the playground as part of the school day:

1. Students must obey the playground supervisor at all times.
2. Students may not leave the playground area for any reason unless given permission by the playground supervisor.
3. Students must use the playground equipment properly and in a safe manner.

Other rules guiding fair and safe play, while treating others with respect and kindness, will apply and be appropriate for each building level. Students will be taught the applicable rules at the beginning of each school year.

Students who violate these rules will be disciplined with the loss of recess or other privileges, detention, and/or other consequences.

The school's playgrounds, equipment, and surrounding areas are generally not supervised except during scheduled recesses. Staff will supervise students when the students are using these areas as part of the school day or as part of a school activity. At all other times and in all other circumstances, the school district does not provide supervision of its playgrounds, equipment, and surrounding areas.

Self-Management of Diabetes or Asthma/Anaphylaxis

Subject to school policy, the school district will work with the parent or guardian in consultation with appropriate medical professionals to develop a medical management plan for a student with diabetes, asthma, or anaphylaxis. Parents desiring to develop such a plan should contact the district nurse.

Smoking and Tobacco

The use or possession of any tobacco product, including cigarettes, cigars, or other tobacco or tobacco derivative products; vapor products or electronic nicotine delivery systems; alternative nicotine products; or any other such look-alike or imitation product, is not permitted on school property at any time.

Sniffer (Drug) Dogs

The administration is authorized to use sniffer dogs to minimize the presence of illicit items on school grounds. Students and staff are specifically notified of the following:

1. Lockers may be sniffed by sniffer dogs at any time.
2. Vehicles parked on school property may be sniffed by sniffer dogs at any time.
3. Classrooms and other common areas may be sniffed by sniffer dogs at any time students and staff are not present.
4. If contraband of any kind is found, the student or staff member shall be subject to appropriate disciplinary action.

Student Assistance

Parents who believe their students have any learning, behavior, or emotional needs that they believe are not being addressed by the school district should contact the student's teacher. If appropriate, the teacher may convene a team of teachers and support personnel who can explore possibilities and strategies that will best meet the educational needs of the student.

Student Fee Policy

The school district shall provide free instruction in accordance with the South Dakota State Constitution and South Dakota law. The district also provides activities, programs, and services that extend beyond the minimum level of constitutionally required free instruction. The district is permitted to charge students fees for these activities or to require students to provide specialized equipment and attire for certain purposes. This policy is subject to further interpretation or guidance by administrative or board regulations. Students are encouraged to contact their building administration, their teachers or their coaches, and sponsors for further specifics.

Student Illness

Students who suffer from a significant illness which has an actual or expected duration of six months or more may be eligible for accommodations and supports under Section 504 of the Rehabilitation Act or under the Individuals with Disabilities in Education Act. The school will provide accommodations to students who are returning to school after a prolonged absence due to illness, including pediatric cancer, through a 504 plan or an IEP, as appropriate. The student's plan will include informal or formal accommodations, modifications of curriculum and monitoring by medical or academic staff as determined by the student's IEP team or 504 committee. Parents and staff will engage in ongoing communication about the needs of a student who is facing these circumstances.

Students who become ill at school will be sent to the building office where the school nurse or other school employee will determine the appropriate response. When a child is too ill to remain at school, a school employee will contact the child's parent(s) and arrange for the child to be picked up or sent home. If an illness or injury requires immediate medical attention, school officials shall attempt to contact the child's parent(s) regarding treatment for the child. If the parents cannot be contacted, school officials will call the provided emergency contacts. Students who show symptoms of a contagious disease may be sent home, and the district may require a physician's statement before allowing such students to return to school.

Transfer of Records Upon Student Enrollment

Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. The school is not obligated to inform parents when it makes a disclosure under this provision.

Complaints

Individuals who wish to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA may contact the Office that administers FERPA:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

Student Schedule Changes

High School student schedule changes may be made during the first week of each semester. Students cannot change their schedule unless they first consult with appropriate instructors and have parental approval.

Tardiness

High School:

Students are expected to be through the door of the classroom when the bell sounds. Any student who is not in the classroom when the bell rings is tardy for class. Students are allowed two (2) tardies (excused or unexcused) and then will be assigned a 30-minute detention for every subsequent tardy.

Upper Elementary/Middle School:

Students are expected to be through the door of the classroom when the bell sounds. After a student has received three (3) tardies in one class, in one semester, he/she will serve a detention.

Telephone Calls

The school's telephone may be used by students only with permission of staff.

Transportation Services

The district contracts services for school buses as a convenience for students and parents. They represent a substantial investment, and students are expected to care for and respect them.

Transportation to School

Students who ride the bus to school will arrive in time for them to eat breakfast at school. Bus drivers endeavor to adhere to their schedule, and will wait for riders only a short period of time so as not to jeopardize the time remaining for the rest of their schedule.

The contracted bus company will schedule bus routes, and questions concerning them should be directed to that office. The Transportation Director's contact is: Valerie Trudell at 605-540-0566 or Valerie.Trudell@harlowsschoolbus.com.

Bus Regulations

Riding school vehicles is a privilege, not a right. The bus drivers have the same authority as teachers while transporting students. Students must comply with the following rules and all school conduct rules, code of conduct, and directives while riding in school vehicles. If misconduct is recurring, the student will not be allowed to ride the bus.

a) Rules of Conduct on School Vehicles:

- 1) Students must obey the driver promptly.
- 2) Students must wait in a safe place for the bus to arrive, clear of traffic and away from where the vehicle stops.
- 3) Students are prohibited from fighting, engaging in bullying, harassment, or horseplay.
- 4) Students must enter the bus without crowding or disturbing others and go directly to their seats.
- 5) Students must remain seated and keep aisles and exits clear while the vehicle is moving.
- 6) Students are prohibited from throwing or passing objects on, from, or into vehicles.
- 7) Students may not use profane language, obscene gestures, tobacco, alcohol, drugs, or any other controlled substance on the vehicles.
- 8) Students may not carry weapons, look-a-like weapons, hazardous materials, nuisance items, or animals onto the vehicle.
- 9) Students may carry on conversations in ordinary tones, but may not be loud or boisterous and should avoid talking to the driver while the vehicle is in motion. Students must be absolutely quiet when the vehicle approaches a railroad crossing and any time the driver calls for quiet.
- 10) Students may not open windows without permission from the driver. Students may not dangle any item (e.g., legs, arms, backpacks) out of the windows.

- 11) Student must secure any item or items that could break or produce injury if tossed about the inside of the vehicle if the vehicle were involved in an accident
- 12) Students must respect the rights and safety of others at all times.
- 13) Students must help keep the vehicle clean, sanitary, and orderly. Students must remove all personal items and trash upon exiting.
- 14) Video cameras may be placed on buses, at random, to monitor student behavior on the bus.

b) **Consequences**

Drivers must promptly report all student misconduct to the administration. These reports may be oral or written. Students who violate the Rules for Conduct will be referred to their building principal for discipline. Disciplinary consequences may include a note/phone call home to parents, suspension of bus riding privileges, exclusion from extracurricular activities, in-school suspension, short term or long-term suspension from school, and/or expulsion.

These consequences are not progressive, and school officials have discretion to impose any listed punishment they deem appropriate, in accordance with state and federal law and board policy.

c) **Records**

Records of vehicle misconduct will be forwarded to the appropriate building administrator and will be maintained in the same manner as other student discipline records. Reports of serious misconduct may be forwarded to law enforcement.

Changes to drop-off and pick-up locations throughout the year are made only in the event of a change of address or change of daycare. In these events, a five (5) day notice is required. Requests to be dropped off at a point **not** on the regular route will not be accommodated.

Daily changes to a student's transportation plans must be communicated to the building office no later than 45 minutes prior to dismissal.

Students who are not regular route riders may not ride the bus home with a friend.

Bikes & Skateboards

Students may ride bikes, rollerblades, and/or skateboards to and from school. They must be parked in the available bike racks. Rollerblades and skateboards must be stored in student lockers. Bikes, rollerblades, and skateboards may not be ridden on campus during school hours except to arrive/depart to/from school. The school is not responsible for lost, stolen, or damaged items. Failure to act responsibly may result in the removal of this privilege.

Transportation to Activities

The school district provides transportation for students who are participating in school-sponsored events, and they must ride to those events in a school vehicle. Students who wish to take private transportation home from a school event must submit a release form to the sponsor that has been signed by that student's parent.

Video Surveillance and Photographs

The Board of Education has authorized the use of video cameras on school district property to ensure the health, welfare, and safety of all staff, students and visitors, and to safeguard District facilities and equipment. Video cameras may be used in locations deemed appropriate by the Superintendent. Video surveillance recordings will not be provided to parents.

Unless otherwise authorized, students are prohibited from making audio or video recordings during the school day on school grounds; when being transported to and from school activities or programs in a vehicle owned, leased, or contracted by a school being used for a school purpose by a school employee or by his or her designee; or at a school-sponsored activity or athletic event, unless the recording is made in a manner permitted by the school for members of the public. In such an instance, the students remain subject to the district's appropriate use and student discipline policies. For example, students are not prohibited from making recordings of an athletic event for their personal use similar to a parent or other patron are permitted, subject to other applicable board policy. However, this policy generally prohibits students from using smart-speakers or other devices which actively or passively create or transmit audio or video recordings, including Google Home, Amazon Alexa, Apple HomePod, and AngelSense devices.

An exception will be made to this policy if photographs or video recordings are necessary to accommodate a student's disability or are required by the student's Individualized Education Plan (IEP) or Section 504 Plan.

In no event shall photographs or video recordings be taken or made in restrooms, locker rooms, or other areas where there is a reasonable

expectation of privacy. Students who violate this policy may be subject to discipline up to and including expulsion.

Weather-Related School Closing

School shall be held on the dates set forth on the official calendar, and shall not be closed or dismissed except when the superintendent or his or her designee determines that it is impossible or impracticable to hold school. When school is closed there will be no school-sponsored activities held without the permission of the superintendent or building administrator.

Withdrawal From School

Students who are moving from the district must notify the school office.

SECTION TWO: ACADEMIC INFORMATION

Academic Lettering

The official school letter is awarded to students in grades 9-12 who earn a minimum grade point of 3.5 for two consecutive semesters. Students will receive a bar for each additional year they meet the required grade point average.

The National Honor Society and National Junior Honor Society

Grades 7-8 and Grades 10-12

Members of the Dakota Valley Chapter of the National Honor Society are selected by a faculty council. Criteria have been established by the National Honor Society and include the following:

- Scholarship
- Cumulative GPA 3.0
- Leadership
- Service
- Character

Honor Roll

High School:

There will be three categories of membership in the Dakota Valley Honor Roll for students with GPAs in one of the following brackets: 4.00, 3.50 to 3.99, and 3.00 to 3.49.

Upper Elementary/Middle School:

Academic honor rolls will be published each quarter. A 3.50 grade point average qualifies you for the Honor Roll. A "B" (3.00) average qualifies you for the Merit Roll. (All classes are included toward the Honor and Merit Rolls.)

Class Rank

Student class rank shall be determined by using a numeric grade point average derived from all classes graded on a numeric basis. To be included in the class ranking, a student must have received a numeric grade for each class in which he/she was enrolled.

Students who transfer into the school district no later than first semester of Junior year will be eligible to be included in class ranking and be eligible for valedictorian status.

Course Guide - High School

The high school course guide may be accessed by clicking the [HERE](#). The course guide is also available in the high school counselor’s office.

Bell Schedule - High School

<p style="text-align: center;">A Day</p> <p>8:20 Warning Bell 1A 8:25 to 9:55 - Break 2A 10:05 to 11:35 3A 11:40 to 1:40 - 1st Lunch 11:35 to 12:00 - 2nd Lunch 12:00 to 12:25 - 3rd Lunch 12:25 to 12:50 Fourth Period 1:45 to 3:15</p>	<p style="text-align: center;">B Day</p> <p>8:20 Warning Bell 1B 8:25 to 9:55 - Break 2B 10:05 to 11:35 3B 11:40 to 1:40 - 1st Lunch 11:35 to 12:00 - 2nd Lunch 12:00 to 12:25 - 3rd Lunch 12:25 to 12:50 SRB 1:45 to 3:15</p>
<p style="text-align: center;">1:30pm Dismissal–A DAY</p> <p>8:20am Warning Bell 1A 8:25 to 9:20 - Break 2A 9:30 to 10:25 3A 10:30 to 11:35 4A 11:40 to 1:30 - 1st Lunch 11:35 to 12:00 - 2nd Lunch 12:00 to 12:25 - 3rd Lunch 12:25 to 12:50</p>	<p style="text-align: center;">1:30pm Dismissal–B DAY</p> <p>8:20am Warning Bell 1B 8:25 to 9:55 - Break 2B 10:05 to 11:35 3B 11:40 to 1:30 - 1st Lunch 11:35 to 12:00 - 2nd Lunch 12:00 to 12:25 - 3rd Lunch 12:25 to 12:50 No SRB</p>
<p style="text-align: center;">Two Hour Late Start</p> <p>10:20 Warning Bell First Period 10:25 to 11:35 Second Period 11:40 to 1:10 - 1st Lunch 11:35 to 12:00 - 2nd Lunch 12:00 to 12:25 - 3rd Lunch 12:25 to 12:50 Third Period 1:15 to 2:10 Fourth Period 2:15 to 3:15</p>	

Bell Schedule - UE/MS

<u>Daily Bell Schedule</u>	
<u>8:20</u>	<u>Warning Bell</u>
<u>8:25</u>	<u>Tardy Bell</u>
<u>8:25 - 8:35</u>	<u>Morning Meeting</u>
<u>8:39 - 9:26</u>	<u>1st Period</u>
<u>9:30 - 10:17</u>	<u>2nd Period</u>
<u>10:21 - 11:07</u>	<u>3rd Period - 4th grade lunch and recess</u>
<u>11:11 - 11:57</u>	<u>4th Period - 5th / 6th grade lunch and recess</u>
<u>12:01 - 12:47</u>	<u>5th Period - 7th / 8th grade lunch and recess</u>
<u>12:51 - 1:38</u>	<u>6th Period</u>
<u>1:42 - 2:29</u>	<u>7th Period</u>
<u>2:33 - 3:20</u>	<u>8th Period</u>

Seniors Only- Semester Test Reward System

All students will be required to take semester tests each semester. For seniors in the Spring semester, the following attendance reward is in place:

- In the spring semester, seniors who are absent in a class LESS THAN THREE times and do NOT have more than 3 tardies are exempt from the semester test in that class.
- As an incentive for maintaining high grades, seniors who have achieved a 94% or higher will also receive this reward in the classes where they have a 94% or higher.
- Students who are enrolled in an AP course or Dual Credit course will be required to complete the semester test in those courses. If a student opts to take the AP exam, the student is not required to take the semester test.
- **Any senior who has exhibited behavior throughout the school year which results in being assigned either ISS or OSS by the Principal the designee forfeits the right to earn the Semester Test Reward.**

Seniors who have earned the reward may choose to take their tests in the spring in an attempt to improve their grade. If the semester test does not improve the grade, the test will not be counted against the grade.

This is a REWARD system. No student is punished for having missed three or more days through the semester test reward for attendance. You must EARN the REWARD by being present in school.

An appeal process is possible where a student may appeal in writing (typed, dated, signed and hand delivered to the building principal 5 days prior to the first day of the senior's semester testing) their absences and state the reasons they feel they should be granted the reward even though the days of attendance to earn the reward have been exceeded. Being sick, family vacations, and similar absences are not granted as exemptions and are denied in the appeal process. Appeals are rarely granted as we do understand there is some luck involved in earning the reward, but the focus is on this being a reward and not a consequence.

Report Cards

Report cards are available following the end of the reporting period. End-of-year report cards are sent home with students or mailed after final grades are posted at the UE/MS and HS levels.

Grades

DVHS Grading Scale

99-100 A+	90-91 B+	81-82 C+	72-73 D+
94-98 A	85-89 B	76-80 C	67-71 D
92-93 A-	83-84 B-	74-75 C-	65-66 D-

Grades 5-8 Grading Scale

98-100 A+	88-89.9 B+	78-79.9 C+	68-69.9 D+
93-97.9 A	83-87.9 B	73-77.9 C	63-67.9 D
90-92.9 A-	80-82.9 B-	70-72.9 C-	60-62.9 D-

Grades JK-4

Students in Grades JK-4 receive a standards-based report card indicating level of mastery with content. Students in these grades do not receive letter grades.

Missing/Incomplete Assignments Grades 5-12

All assignments need to be completed by the end of the grading period. Any assignments not completed by the end of the grading period may result in a "0" recorded for those assignments.

Grade Point Average (GPA)

The following numerical values are assigned to each letter grade to compute grade point averages (GPA) for awards and class rank:

ALL CLASSES: A=4.0 B=3.0 C=2.0 D=1.0 F=0

OTHER ACADEMIC AWARDS

The Presidents Academic Fitness Award
The Good Citizenship Award
Valedictorian
Salutatorian
The National Scholar/Athlete Award
The Bausch and Lomb Science Award
The Regents Scholarship Award
The National Merit Scholarship
Student of the Month
Principal's Leadership Award

CO-CURRICULAR AWARDS

Awards are also given by the following:
Interscholastic Sports Programs
Vocal and Instrumental Music Programs
Drama Department
Art Department
Journalism Department
Future Business Leaders of America

Valedictorian

All students earning a 4.0 GPA in the first seven semesters of high school are identified as Valedictorian and will receive Valedictorian medals.

Honor Cords

All students earning at least a 3.0 GPA in the first seven semesters of high school shall wear special honor cords at commencement.

Graduation Speakers

DVHS will have three or more senior students speak during the graduation ceremony.

- Top ranked Valedictorian based on GPA, ACT, and Smarter Balanced scores (If multiple students are tied, all of the students with a tied score will speak at graduation)

- Next highest ranked Valedictorian based on GPA, ACT, and South Dakota Summative Assessment scores (If multiple students are tied, all of the students with a tied score will speak at graduation)

- A class representative will be selected by the senior class and high school staff to give a commencement address.

***A student's behavior record may exclude a student from speaking at graduation.

Selection of Senior Academic Representatives

For year-end honors where the school is asked to send one representative from the senior class solely based upon academics, the seniors will be rated on the following formula:

GPA * 250 = _____ 1000 being the most points possible

ACT * 27.777 = _____ 999.972 being the most points possible

The two scores will be added together to sort the students, as several of the awards only allow one nominee from our school. The highest totaled student would get to pick which event they wish to attend, with the second highest picking next, the third picking third, etc.

Early Graduation

This may be arranged and approved on an individual basis through the principal, requiring school board approval. One condition of approval is the ability to complete all required courses as set by the Dakota Valley Board of Education and the State of South Dakota.

Graduation Requirements

Students must earn 23 total credit hours in order to graduate from high school. Note that locally the minimum is 23 credits instead of the minimum 22 credits as established by the state.

- unit of U.S. history and one-half unit of U.S. government;
- Mathematics that includes one unit of Algebra I;

Required courses and credit hours that students must complete in order to qualify for the Dakota Valley High School Diploma are:

- Four units or more of language arts that include the following:
 - One unit of writing;
 - One-half unit of speech or debate; and
 - One unit of literature that must include one-half unit of American literature;
 - One and a half units of electives
- Three units each of:
 - Social studies that include one
 - Science that includes one unit of biology;
- One unit or more of the following in any combination:

- Approved career and technical education courses;
 - A capstone experience; or
 - World languages;
 - One unit of fine arts;
 - One-half unit of each of the following:
 - Personal finance or economics;
 - Physical education;
 - Health or health integration
 - Six and one-half units of electives.
- Students must be enrolled in seven (7) classes, except for the second semester of their senior year.
 - During the second semester of their senior year, students will be required to enroll in a minimum of four (4) classes. The Student Aide course will not count toward eligibility requirements. In order to be eligible for school activities and/or athletics, students must be enrolled in a minimum of 4.0 credits.
 - One semester of class, when successfully completed, earns one-half (1/2) unit.
 - If a senior is within 1 credit or less of meeting all graduation requirements, the student is allowed to participate and walk in the graduation ceremony. A determination of participation will be made by the school counselor and principal after 2nd semester grades have been submitted.
 - All requirements must be fulfilled before receiving a diploma.
 - Students may fulfill a required course in an approved secondary program outside the district if they have failed to successfully complete that course at Dakota Valley High School, with administrative approval.
 - Students' class standings will be decided based on the following credit counts: ○ Seniors - 16, Juniors - 10, Sophomores - 4, and Freshmen - eighth grade completion.
 - Schedule changes should be kept to a minimum and will only be considered for legitimate reasons. Schedules changes will not be accepted following the first full week of school. Procedures and guidelines for schedule changes are contained in the course guide.

Transfer students must meet the minimum hour requirement for graduation both in terms of total number and specific subject areas. Substitutions may be made for deficiencies in required courses, provided that it was not possible to include the courses on the student's schedule while enrolled at this school district.

Students who receive special education services are mainstreamed into the regular education curriculum when appropriate. The curriculum content of regular education classes may be modified to accommodate the individual needs and abilities of verified special education students. Each curriculum modification will be included on the student's Individual Education Plan by the Multi-Disciplinary Team and/or school staffing teams composed of special and

regular education staff. Hours in special education may be counted toward a high school diploma.

Parents of students who may not qualify for their high school diploma because of academic deficiencies will be notified of this possibility by the beginning of the second semester of the student's senior year.

SECTION THREE: STUDENT DISCIPLINE

General Discipline Philosophy

The school district has the authority to discipline students who behave inappropriately on the way to school, at school, during lunch, on the way home, and at all school activities (home and away or any time while on school or district property).

The school district's discipline is guided by the following principles:

1. The school district's discipline policy is intended to ensure that students take responsibility for their behavior.
2. Behavior expectations and the consequences for failing to meet those expectations will be clearly communicated to all students and their parents.
3. The severity of consequences for violating behavior expectations will generally be progressive in nature. That is, consequences will increase with each instance of misconduct; however, each instance will be assessed on its own facts, and consequences will be imposed based on the severity of the misconduct.
4. Parents play a vital role in supporting and reinforcing the school district's expectations of their students.
5. Behavior expectations apply to all students; consequences are enforced consistently without regard to a student's academic record or achievement.

Extracurricular activities including athletics, cheerleading, band, chorus, and club activities, are governed by the Student Activity Handbook. Students who are involved in extracurricular activities may face consequences related to the activity in addition to the consequences discussed in this handbook.

The school district reserves the right to refer to the appropriate non-school agency any act or conduct of its students which may constitute a crime under federal, state, county, or local law. The administration will cooperate with these agencies in their investigations.

Forms of School Discipline

Administrative and teaching personnel may take actions regarding student behavior that are reasonably necessary to aid the student, further school purposes, or prevent interference with the educational process. Such actions may include, but need not be limited to, counseling of students, parent conferences, referral to restorative justice practices or services, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, restriction of extracurricular activity,

or requirements that a student receive counseling, psychological evaluation, or psychiatric evaluation upon the written consent of a parent or guardian to such counseling or evaluation. The actions may also include in-school or out-of-school suspensions. When in-school suspensions, after-school assignments, or other disciplinary measures are assigned, the student is responsible for complying with such disciplinary measures; a failure to serve such assigned discipline as directed will serve as grounds for further discipline, up to expulsion from school. District administrators may develop building-specific protocols for the imposition of student discipline.

In this section, references to "Principal" shall include building principals, the principal's designee, or other appropriate school district administrators.

Any student who is suspended or expelled from school pursuant to this section may not participate in or attend any school activity during the duration of that exclusion.

Leaving School

Students will not be permitted to leave the building before dismissal time without the consent of the principal or principal's designee. Students must check out in the building office prior to leaving school. Students leaving school without permission will serve one (1) day of in-school suspension. Repeat offenses may result in progressive disciplinary action.

After School Sessions and Detentions

Teachers and administrators may require students to stay after school or to serve a detention when the student violates any of the rules contained in this handbook or violates classroom-specific conduct rules set by individual teachers.

Students who ride the bus home from school will be given a 24-hour notice of after-school time or a detention so that the parents may make plans to pick up the student on the day the detention is served.

- Detentions are 30 minutes, served in the office or the detention room designated by the building principal.
- Detentions take precedence over all extracurricular activities and/or after-school jobs.
- Detentions will be served Monday through Thursday, before or after school.
- A student shall serve the detention either the day it is assigned or as soon as possible. Failure to do so will result in doubling of the time.

- Failure to serve the detention will result in a one-day, in-school suspension.

Saturday School

The student missing work list will go out to students, teachers, and parents on scheduled Fridays. Students with five or more missing assignments on Friday will be assigned to Saturday School.

If five or more missing assignments remain, students will be expected to attend the Saturday school session that week (9am-12am). Saturday School will take place 1-2 times per month – scheduled at the beginning of each school year.

In-School Suspension

In-school suspension may be imposed by the principal or designee for violation of school rules or policy where the infraction does not necessarily warrant removal from school by suspension. Students will not have their phones during ISS. Students not completing their In-School Suspension will face further disciplinary action.

Short-Term Suspension

The Principal or the Principal's designee may exclude a student from school or any school function for a period of up to ten school days (short-term suspension) on the following grounds:

1. Conduct constituting grounds for expulsion as hereinafter set forth; or
2. Other violations of rules and standards of behavior adopted by the board of education or the administrative or teaching staff of the school, which occur on or off school grounds, if such conduct interferes with school purposes or there is a nexus between such conduct and school.

The following process will apply to short-term suspensions:

- The Principal, Principal's designee or Superintendent shall give oral or written notice to the student as soon as possible after discovery of the alleged violation, stating the facts that form the basis for the suspension.
- The student shall be given the opportunity to respond to the alleged violation.
- If a student is suspended, the principal, principal's designee or superintendent shall give the parent or guardian oral notice of the suspension, if possible. This notice shall be provided directly to the

student if the student is 18 years of age or older or an emancipated minor.

- The student may be removed from the school's premises following either the written or oral notice, described above, or if the student's presence poses a continuing threat or danger, in which case the student may be immediately removed from the school and transferred into the custody of a parent or law enforcement.
- If a student is suspended, the principal, principal's designee or superintendent shall send to the parent or guardian a written notice which provides information regarding the student's due process rights. This notice shall be provided directly to the student if the student is 18 years of age or older or an emancipated minor. Students who are short-term suspended may be given the opportunity to complete classwork, including but not limited to examinations.

Weapons and/or Firearms

Students may be disciplined for the possession of weapons and/or firearms pursuant to the board's separate policy on weapons and firearms or state law.

Long-Term Suspension

Students may be excluded by the principal from school or any school function for a period of more than ten school days but less than 90 school days (long-term suspension) for any conduct constituting grounds for expulsion as hereinafter set forth. The process for long-term suspension is set forth below.

- The student may be temporarily suspended at the discretion of the Superintendent if the Superintendent finds grounds for a long-term suspension from a class or classes. This suspension shall follow the procedures set forth above for short-term suspensions.
- The superintendent shall file a sealed, written report with the school board by the end of the fifth school day following the first day of the long-term suspension. The report shall include the facts of the situation, the action taken, the reasons for the action, and the superintendent's decision or recommendation. The report must remain in the possession of the school board secretary or business manager, sealed and unavailable for review by individual school board members, until the time set for a hearing.
- The superintendent shall send a copy of the report to the student's parent or to the student if the student is 18 years of age or older or an emancipated minor at the same time the report is filed with the school board's secretary or business manager.

- The superintendent shall also send written notice to the student's parent or to a student who is 18 years of age or older or an emancipated minor of:
 - the rule, regulation, or policy allegedly violated;
 - the reason for the disciplinary proceedings;
 - notice of the right to request a hearing or waive the right to a hearing;
 - a description of the hearing procedure;
 - a statement that the student's records are available at the school for examination by the student's parent or authorized representative;
 - a statement that the student may present witnesses.
- The student, if of the age of majority or emancipated, or the student's parent may waive the right to a hearing in writing to the superintendent.
- If a hearing is requested, the superintendent shall give notice to each school board member of an appeal to the board for a hearing. The superintendent shall set the date, time, and place for the hearing and send notice by first class mail to each school board member and by certified mail, return receipt requested, to the student's parent or to a student who is 18 years of age or older or an emancipated minor.
- If no hearing is requested or the hearing is waived, the action of the superintendent is final.

Hearing Procedure - Long-Term Suspension

The following process applies to any hearing requested and scheduled in relation to a long-term suspension:

- The board shall act as the hearing board and shall conduct the hearing.
- 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.
- Each party shall be provided the opportunity to make an opening statement.
- Each party shall be provided the opportunity to introduce evidence, present witnesses, and examine and cross-examine witnesses.
- Each party shall be provided the opportunity to be represented by an attorney.
- The school administration shall present its case first.
- The hearing shall be closed to the public. A verbatim record of the hearing will be made and will be sealed pending court order.
- Witnesses shall be present only when testifying. All witnesses must take an oath or affirmation administered by the school board president or business manager.

- Each party may raise objections as to relevance and scope of the question.
- All relevant evidence shall be admitted, except that unproductive or repetitious evidence may be limited by the hearing officer.
- The hearing officer may ask questions of witnesses and may allow other school board members to interrogate witnesses.
- Each party shall be provided the opportunity to make a closing statement.
- After the hearing, the school board shall continue to meet in executive session for deliberation. No one other than the hearing officer may meet with the school board during deliberation, except that the school board may seek advice during deliberation from an attorney. Consultation with any other person during deliberation may occur only if a representative of the pupil is present.
- The decision of the school board shall be based solely on the evidence presented at the hearing and must be formalized by a motion made in open meeting. The motion shall omit the name of the pupil and must state the reason for the board's action. The school board shall notify the pupil or the pupil's parents in writing of the decision. The notice must state the length of the suspension or expulsion.
- The student may appeal an adverse decision by the school board to the circuit court.

Expulsion

Students may be excluded by the school board from school or any school function for a period of not more than 12 consecutive months (expulsion) for violation of rules or policies, for insubordination or misconduct, or for aggressive or violent behavior that disrupts school or that affects a health or safety factor of the school or its programs. The following process applies to expulsion:

- The student may be temporarily suspended at the discretion of the Superintendent if the Superintendent finds grounds for expulsion from a class or classes. This suspension shall follow the procedures set forth above for short-term suspensions.
- The superintendent shall file a sealed, written report with the school board by the end of the fifth school day following the first day of the student's exclusion from one or more classes and request that a hearing be held before the school board. The report shall include the facts of the situation, the action taken, the reasons for the action, and the superintendent's decision or recommendation. The report must remain in the possession of the school board secretary or business manager, sealed and unavailable for review by individual school board members, until the time set for a hearing.

- The superintendent shall send a copy of the report to the student's parent or to the student if the student is 18 years of age or older or an emancipated minor at the same time the report is filed with the school board's secretary or business manager.
- The superintendent shall send written notice to the student's parent or to a student who is 18 years of age or older or an emancipated minor of:
 - the rule, regulation or policy allegedly violated;
 - the reason for the disciplinary proceedings;
 - notice of the right to request a hearing or waive the right to a hearing;
 - a description of the hearing procedure;
 - a statement that the student's records are available at the school for examination by the student's parent or authorized representative;
 - a statement that the student may present witnesses; and
 - a statement that the student may be represented by an attorney.
- The superintendent shall set the date, time, and place for the school board hearing. The superintendent shall send notice of the hearing to each school board member by first-class mail and to the student's parent or to a student who is 18 years of age or older or an emancipated minor by certified mail, return receipt requested. If the superintendent recommends expulsion, the school board must act on the recommendation before it is implemented.
- The student, if of the age of majority or emancipated, or the student's parent may waive the right to a hearing in writing to the superintendent.
- If the hearing is not waived, the hearing shall be held on the date and at the time and place set in the hearing notice unless a different date, time, and place are agreed to by the parties.
- If the hearing is waived in writing, the school board may consider the matter at a regular or special meeting without further notice to the student or the student's parents

Hearing Procedure - Expulsion

The following process applies to any hearing requested and scheduled in relation to an expulsion:

- The board shall act as the hearing board and shall conduct the hearing;
- 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;
- Each party shall be provided the opportunity to make an opening statement;

- Each party shall be provided the opportunity to introduce evidence, present witnesses, and examine and cross-examine witnesses;
- Each party shall be provided the opportunity to be represented by an attorney;
- The school administration shall present its case first;
- The hearing shall be closed to the public. The school 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;
- Witnesses shall be present only when testifying. 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;
- Each party may raise any legal objection to evidence;
- All relevant evidence shall be admitted, except that unproductive or repetitious evidence may be limited by the hearing officer;
- The hearing officer may ask questions of witnesses and may allow other school board members to interrogate witnesses;
- Each party shall be provided the opportunity to make a closing statement;
- After the hearing, the school board shall continue to meet in executive session for deliberation. No one other than the hearing officer may meet with the school board during deliberation, except that the school 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 the pupil is present; and
- 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 motion shall omit the name of the student and shall state the reason for the board's action. The school board shall notify the student's parent or parents or a student who is 18 years of age or older or who is an emancipated minor in writing of the decision. The notice shall state the length of the expulsion.
- The student may appeal an adverse decision by the school board to the circuit court.

Grounds for Discipline:

The following conduct constitutes grounds for discipline when such activity occurs on school grounds, in a vehicle owned, leased, or contracted by a

school being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or by his or her designee, or at a school-sponsored activity or athletic event:

Upper Elementary/Middle School Expectations/Consequences Chart:

BEHAVIOR	First Offense	Second Offense	Third Offense	Fourth Offense
Academic Dishonesty *see student handbook	A student who cheats, plagiarizes, or otherwise participates in any academic dishonesty is subject to discipline, which may include no credit for assignment and other measures as appropriate.			
Alcohol and Drugs *use, possession, distribution, paraphernalia	10 day suspension- Admin/parent conference required, notification to superintendent and school board for further action. SRO notified-Counseling assessment recommended.	10 day suspension- Admin/parent conference required, notification to superintendent and school board for further action. SRO notified-Counseling assessment recommended.	Possible removal from school, pending hearing with the superintendent and or board of education.	
Assault on Student or Staff	Immediate three (3) to ten (10) day suspension, and referral to the superintendent and board of education. Admin/parent conference. Liaison Officer notified	Removal from school pending a hearing with the superintendent and/or board of education. Liaison Officer notified.		
Bullying Bullying, which is unwanted, aggressive behavior among school-age children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Examples: •Threatening another student •Spreading rumors •Attacking someone physically or verbally •Excluding someone from a group on purpose •Hazing	School team will investigate claims of bullying with the purpose to identify the intent and then utilize restorative measures when appropriate.	1 - 3 days suspension with parent meeting.	3 - 5 days suspension with parent meeting and student action plan.	5+ days of suspension with parent meeting and student action plan.
Dangerous Items MACE, pepper spray, stink bombs, smoke bombs, lighters, or any other inherently dangerous substance or object.	3 days suspension	5 day suspension	7 day suspension	10 day suspension, with notification to Superintendent and school board

<p align="center">Dress Code</p> <p align="center">See Student Handbook</p>	<p>Teacher reviews/reteaches expectations with individual student and provides the student an opportunity to change into more appropriate clothes.</p>			<p>Teacher writes Office Discipline Referral for insubordination.</p>
<p>Disruptive Classroom Behavior(Minor)</p> <p>Disrupting instruction and the learning of other students in the classroom, including profanity. Disruption does not include occasionally engaging with instruction in a manner that is not aligned with classroom expectations (i.e. occasionally blurting something out or having a side conversation with another student).</p>	<p>Reteach Expectations</p>	<p>Student-Teacher conference. Teacher may assign consequences.</p>	<p>Teacher will assign consequences.</p>	<p>Teacher completes Office Discipline Referral for Insubordination</p>
<p>Disruptive Classroom Behavior(Major)</p> <p>Preventing instruction for a significant time or acting in a way that significantly disrupts class, school, or a school sponsored activity.</p>	<p>Up to 3 days suspension</p>	<p>Up to 5 days suspension</p>	<p>Up to 7 days suspension</p>	<p>Up to 10 days of suspension with notification to the Superintendent.</p>
<p>Fighting</p> <p>Fighting with another student. Inciting or encouraging a fight, recording or filming a fight, or actively skipping class to witness a fight.</p>	<p>3 day suspension</p>	<p>5 day suspension</p>	<p>7 day suspension</p>	<p>10 day suspension, with notification to Superintendent and school board</p>
<p>Harassment of Staff</p> <p>Making threats or committing harassment based, in whole or in part, on a school employee's race, ethnicity, disability, religion, sex or other identifying characteristics. This behavior does not have to rise to the level of bullying, defined above.</p> <p>Examples:</p> <ul style="list-style-type: none"> •Offensive name-calling based on the staff's identifying characteristic •Intimidating, verbally or nonverbally, based on a staff's identifying characteristic <p>Profanity directed at staff</p>	<p>1 - 3 days suspension with parent meeting.</p>	<p>3 - 5 days suspension with parent meeting and student action plan.</p>	<p>5+ days of suspension with parent meeting and student action plan.</p>	

<p>Harassment of Students</p> <p>Making threats or committing harassment based, in whole or in part, on a student's race, ethnicity, disability, religion, sex or other identifying characteristics. This behavior does not have to rise to the level of bullying, defined above.</p> <p>Examples</p> <ul style="list-style-type: none"> •Offensive name-calling based on the student's identifying characteristic •Intimidating another student, verbally or nonverbally, based on a student's identifying characteristic 	<p>School team will investigate claims of harassment with the purpose to identify the intent and then utilize restorative measures when appropriate.</p>	<p>1 - 3 days suspension with parent meeting.</p>	<p>3 - 5 days suspension with parent meeting and student action plan.</p>	<p>5+ days of suspension with parent meeting and student action plan.</p>
<p>Inappropriate Physical Contact</p> <p>Initiating an inappropriate physical act directed at another student that does not rise to the level of a fight or physical attack, such as pushing, shoving or horseplay.</p>	<p>Student-Teacher conference. Teacher may assign consequences.</p>	<p>Teacher will assign consequences.</p>	<p>Teacher completes Office Discipline Referral for Insubordination</p>	<p>1 - 3 days suspension with parent meeting.</p>
<p>Inappropriate Touching</p> <p>This includes engaging in activity or horseplay such as intentionally touching, including through clothing, the intimate parts of another person with any body part or object.</p>	<p>3 day suspension</p>	<p>5 day suspension</p>	<p>7 day suspension</p>	<p>10 day suspension, with notification to Superintendent and school board</p>

<p>Inappropriate Use of Technology</p> <p>Examples may include:</p> <ul style="list-style-type: none"> • using computer for games, chatting, or other non-school related activity 	<p>Teacher reviews/reteaches expectations with individual student and provides the student an opportunity to correct behavior.</p>		<p>Teacher assigns consequence and should contact the parent following the 3rd offense.</p>	<p>Loss of technology until parents, student, and administration meet to discuss the behavior and review the technology agreement.</p>
<p>Inhalants and Tobacco</p> <p>*use, possession, distribution, paraphernalia</p> <p>Smoking/Vaping/use or possession of Tobacco products or any device or product that contains nicotine or used for inhaling or ingestion unless used for medicinal purposes with prescription filed with nurse.</p> <p><i>If the inhalant device contains THC or other drugs, the administration will follow the consequences outlined for Drugs.</i></p>	<p>3 days suspension</p> <p>recommend counseling assessment</p> <p>SRO notified</p>	<p>5 day suspension</p> <p>recommend counseling assessment</p> <p>SRO notified</p>	<p>7 day suspension</p> <p>recommend counseling assessment</p> <p>SRO notified</p>	<p>10 day suspension Admin/parent conference required, notification to superintendent and school board for further action. SRO notified-Counseling assessment recommended.</p>
<p>Insubordination</p> <p>Refusing to follow directions or truthfully respond to questions or requests of teachers, staff, or administrators.</p>	<p>Student-Teacher conference. Teacher may assign consequences.</p>	<p>Teacher will assign consequences.</p>	<p>Teacher completes Office Discipline Referral.</p>	<p>Teacher completes Office Discipline Referral.</p>

<p>Personal Electronic Device</p> <p>Examples may include:</p> <ul style="list-style-type: none"> • cell phone • air pods • iPads 	<p>Teacher confiscates the item and turns it into the office. Student may pick it up at the end of the school day.</p>		<p>Administration assigns consequence and contacts a parent to pick up the device.</p>	
<p>School Threat</p> <p>Making a threat targeted at the general population.</p>	<p>Referral to Superintendent and school board</p>			
<p>Sexual Harassment</p> <p>Making unwelcome sexual advances, requesting sexual acts or favors, or other inappropriate verbal, written, or physical conduct of a sexual nature.</p>	<p>School team will investigate claims of harassment and will follow district policy regarding sexual harassment.</p>			

<p style="text-align: center;">Skipping Class</p> <p>Not being in an assigned class. Examples:</p> <ul style="list-style-type: none"> •Leaving class or school without permission •Hiding in the restroom or other areas of the school •Failure to go to class 	<p>Student, Teacher, and Administrator will meet to determine how the student will make up lost instructional time.</p>	<p>Student, Teacher, and Administrator will meet to determine how the student will make up lost instructional time. Additional consequences may be assigned.</p>	<p>School team meeting including student, parents, teachers and administrators to create an attendance plan.</p>	<p>Consequences will be assigned by administrators.</p>
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<p style="text-align: center;">Tardy</p>	<p>Teacher documents</p>	<p>Teacher documents</p>	<p>School assigned consequences</p>	<p>Additional school assigned consequences</p>
<p style="text-align: center;">Threatening Behavior *No perceived harm</p> <p>Threatening conduct (including verbal, written, or electronic communication or physical gestures) directed toward another student, teacher, staff member, administrator, or other person where there is no reasonable expectation of bodily harm.</p>	<p>School team will investigate claims of threatening behavior with the purpose to identify the intent and then utilize restorative measures when appropriate.</p>	<p>1 - 3 days suspension with parent meeting.</p>	<p>3 - 5 days suspension with parent meeting and student action plan.</p>	<p>5+ days of suspension with parent meeting and student action plan.</p>
<p style="text-align: center;">Threatening Behavior *Perceived harm</p> <p>Acting in a manner that makes another student reasonably believe they are in danger of physical harm, including, but not limited to, verbal statements, written statements, non-verbal aggression, and intimidation.</p>	<p>1 - 3 days suspension with parent meeting.</p>	<p>3 - 5 days suspension with parent meeting and student action plan.</p>	<p>5-7 days of suspension with parent meeting and student action plan.</p>	<p>Up to 10 day suspension, with referral to Superintendent for further disciplinary action, which may include long-term suspension or expulsion</p>
<p style="text-align: center;">Threatening Behavior *Towards staff</p> <p>Acting in a manner targeted at a school employee that makes them reasonably believe they are in danger of physical harm, including, but not limited to, verbal statements, written statements, non-verbal aggression, and intimidation.</p>	<p>Up to 10 day suspension, with referral to Superintendent for further disciplinary action, which may include long-term suspension or expulsion</p>	<p>Referral to Superintendent for further disciplinary action, which may include long-term suspension or expulsion</p>		

<p align="center">Threatening Behavior *Weapon</p> <p>Making threats of weapon violence towards another student where the student reasonably believes and reports that they are in danger of physical harm, including, but not limited to, verbal statements, written statements, pictures and messages on social media and other emails, chat, and text applications.</p>	<p>Up to 10 day suspension, with referral to Superintendent for further disciplinary action, which may include long-term suspension or expulsion</p>			
<p align="center">Vandalism</p> <p>Damaging, defacing, destroying, or taking property that belongs to another person or the District. This behavior does include school prank(s). It does not include horseplay where the student taking or obtaining the property has no intent to keep the property.</p> <p>*Teachers have discretion to handle minor situations in the classroom.</p>	<p>Consequences will be assigned by administrators dependent upon degree of damage, cost, and disruption to the school process.</p> <p>Consequences may include:</p> <ul style="list-style-type: none"> ● Restitution ● Work detail ● Detention ● Suspension ● Referral to Superintendent 	<p>Referral to Superintendent for further disciplinary action, which may include long-term suspension or expulsion</p>		
<p align="center">Weapons</p>	<p>See Weapons and look-alike weapons in the student handbook and district policy</p>			

Note: This flowchart will not cover all possible events that may occur during the school year. If a situation arises that is not specifically covered by this flow chart, the administration will act fairly and quickly to resolve the situation. In reaching a solution, the interest of the student, parents, school district, and community will be taken into consideration.

Dakota Valley High School Discipline Chart

Behavior	1st Offense	2nd Offense	3rd Offense	Subsequent Offenses
<p>General Classroom or Hallway Misconduct and/or Use of Profanity and/or Dress Code Violation</p>	<p>Written warning, or staff assigned detention.</p>	<p>Written warning, or staff assigned detention and student conference</p>	<p>Detention, removal from class or lunch (1 day), staff/parent conference (via telephone call).</p>	
	<p>4th Offense</p>	<p>5th Offense</p>	<p>6th Offense</p>	
	<p>Student removed from class or lunch for two (2) days, with loss of class time. Admin/parent conf.</p>	<p>Student removed from class or lunch for three (3) days with loss of class time, and one (1) day suspension.</p>	<p>Student removed from class for the remainder of the semester, with grade of "WF" and loss of credit. Parent notified.</p>	

	1st Offense	2nd Offense	3rd Offense	Subsequent Offenses
Leaving School Without Permission and Unexcused Absence	FULL day suspension. Parents notified.	Immediate two (2) day suspension. Parent (s) notified.		Immediate three (3) day or more day suspension, with Admin/parent conference. Repeated offenses may be referred to the superintendent and board of education.
	1st Offense	2nd Offense	3rd Offense	Subsequent Offenses
Skipping Class Without Leaving the Building	One (1) hour detention assigned by Admin. Per class skipped.	1/2-day suspension. Parent notified.	Full day suspension. Parent notified	Multiple day suspension by Administration. Admin/parent conference.
Use of Profanity Directed at Staff	Immediate removal, plus one (1) day suspension; teacher/student, admin/parent conf.	Immediate removal, plus two (2) day suspension, parent(s) notified.	Immediate removal, plus three (3) to five (5) day suspension, with same staff-removal from class for the remainder of the semester, with a grade of "WF" and loss of credit. Admin/parent conf.	Repeated offenses may be referred to the board of education.
Hazing or Harassment of Students	Written warning and/or detention assigned. Admin/parent conf. Counselor referral.	One (1) day suspension. Admin/parent conf.	One (1) to five (5) day suspension. Admin/parent conf.	Repeated offenses may be referred to the board of education. Parents notified.
Harassment of Staff Member	Immediate three (3) to five (5) day suspension. Admin/parent conference with possible referral to board of education.	Immediate three (3) to ten (10) day suspension, with referral to superintendent, and board of education. Parents notified.	Removal from school pending a hearing with the superintendent and/or the board of education.	
Fighting	Immediate removal, plus three (3) day suspension. Admin/parent conference. Liaison/Police notified	Immediate removal, plus (5) day suspension. Admin/parent conference. Liaison/Police notified.	Immediate removal, plus 5-to-10-day suspension. Parent notified. Liaison/Police notified, may be referred to Supt./Board of Education	Immediate removal, plus three (3) or more days of suspension. Referral to Supt. And board of education. Admin/parent conf.

Insubordination	Referral to office with possible detention or suspension. Teacher/student conference.	Immediate removal, plus one (1) day suspension, and removal from class for two (2) days. Admin/parent conf.	Immediate removal, plus two (2) day suspension, and removal from class w/a grade of "WF" & a loss of credit for the semester. Parent notified.	Immediate removal, plus three (3) or more days of suspension. Referral to Supt. And board of education. Admin/parent conf.
Assault on Students or Staff	Immediate three (3) to ten (10) day suspension, and referral to the superintendent and board of education. Admin/parent conference. Liaison Officer notified	Removal from school pending a hearing with the superintendent and/or board of education. Liaison Officer notified. Parent notified.		
	1st Offense	2nd Offense	3rd Offense	Subsequent Offenses
Theft of Personal Property	Immediate three (3) to ten (10) day suspension, and referral to the superintendent and board of education. Admin/parent conference. Liaison Officer notified.	Removal from school pending a hearing with the superintendent and/or board of education. Liaison Officer notified. Parent notified.		
Smoking and/or Possession/Use of Tobacco Products, or any device or product that contains nicotine, or a device that is used for inhaling or ingestion unless used for medicinal purposes with a prescription	Immediate three (3) day suspension. Parent notified, recommend counseling assessment. Liaison/Police notified.	Immediate five (5) to ten (10) day suspension. Parent notified. Liaison/Police notified.	Immediate three (3) or more day suspension. Parent notified. Liaison/Police notified.	
Possession or Use of Alcohol, Drugs, or Related Items on School Property or at School Events (see Alcohol and other drug use by students in the K-12 section)	Immediate (10) day suspension. Admin/parent conference required, with notification to the Superintendent/board of education for further action. Liaison/Police/liaison officer notified; recomm.	Immediate ten (10) day suspension. Admin/parent conference required, with notification to the Superintendent/board of education for further action. Liaison/Police/liaison officer notified; recomm. Counseling assessment.	Removal from school, pending a hearing with the superintendent and/or board of education.	

	Counseling assessment.			
Possession or Use of Alcohol, Drugs, or Related Items - Not on school property or at school events	See Student Conduct Code at the beginning of the Dakota Valley High School Discipline Policy			
Vandalism to School	Detention or suspension, with work detail assigned, and payment of damages. Liaison Officer notified.	Suspension with work detail assigned, and payment of damages. Admin/parent conference. Liaison officer notified.	Immediate removal, plus one (1) to three (3) day suspension and payment of damages. Parent(s) and Liaison officer notified.	Referral to superintendent, and board of education. Parent(s) and Liaison officer notified.
Weapons and Look Alike Weapons	See Weapons and Look Alike Weapons sections of the K-12 section of the handbook			

NOTE: Students involved in extracurricular activities are subject to additional consequences as specified in the Athletic/Activities Handbook.

The length of any suspension, expulsion, or mandatory reassignment shall be as provided or allowed by law.

Reporting Requirement to Law Enforcement

Violations of this section will result in a report to law enforcement if:

1. The violation includes possession of a firearm or weapon as defined by state and federal law;
2. The violation results in child abuse or neglect as defined by state law;
3. It is a violation of the South Dakota Criminal Code that the administration believes cannot be adequately addressed by discipline from the school district;
4. It is a violation of the South Dakota Criminal Code that endangers the health and welfare of staff or students; or
5. It is a violation of the South Dakota Criminal Code that interferes with school purposes.

Student Code of Conduct

This code is designed to provide a consistent, positive, and safe environment for the students in the Dakota Valley School District. This code applies to all students and covers all school activities, whether home or away, such as but not limited to athletics, dance, drill team, cheerleading, student council, band, choir, orchestra, debate and speech, (if the same are not related to courses for credit) and any other extra-curricular activity, including Homecoming and Prom activities. The graduation ceremony is defined as a culminating academic activity and is not considered a school activity. Therefore, the attendance or participation at graduation is not covered by the student conduct code.

All violations of this code must be reported to the principal or his/her designee, and in the case where the student is involved in athletics, the athletic director shall also be informed of the incident. All students must sign this form (part of student handbook) in order to participate in any of the activities listed above. All violations, which occur on school property, have additional penalties which are found in the K-12 section of the student handbook.

A. Prohibited Student Conduct (on or off school property) is as follows:

1. The sale, distribution, use or possession of any mind-altering chemicals, including a controlled substance or marijuana.

Students who use prescription drugs or medical cannabis authorized by a licensed physician do not violate this Code of Conduct if the students conform to the prescription and appropriate school policies.

(Violations & penalties will be pursuant to state law, which are in addition to the violations and penalties outlined in this code.)

*** Note that the State of South Dakota has a specific law (13-32-9) that states that students involved with the legal system for drug related offenses will be ineligible to participate for one calendar year, which may be reduced to thirty (30) calendar days for completing an assessment and treatment program. The student is also ineligible for a minimum of two SDHSAA sanctioned events upon completion of the reduced suspension period. The one-year suspension for a 2nd offense may be reduced to sixty (60) calendar days if the student completes an accredited

intensive prevention or treatment program. If the 14-day suspension for a second offense is reduced, the student is also ineligible for a minimum of six SDHSAA sanctioned events upon completion of the reduced suspension period. A student is ineligible for the remainder of his or her high school career for a third offense.

2. The sale, distribution, use or possession of alcohol.
3. The use or possession of tobacco of any kind, including smoking or chewing tobacco, or devices or smokeless products which resemble the smoking of tobacco or any nicotine producing product.
4. Disobedience of public laws resulting in adjudication or finding of guilt of any criminally related activities.

If a student violates # 2, 3, or 4 of the above prohibited conduct, the following penalties will be assessed. It is the intent and specific policy of the Dakota Valley School District that violations will be cumulative during the student's seventh and eighth grade years. At the commencement of the student's ninth grade year, all students will be considered to have no violations but all violations thereafter, grades 9-12, will be cumulative. Penalties for violation of the code are as follows:

NOTE: The reduction in suspension is not an option for any of the violations if the student had contact with law enforcement officials anytime during the violation.

First Violation - The student will be suspended and will not be allowed to attend or participate in any school or after school activity or extra-curricular activities for a period of fourteen (14) calendar days. However, the student must participate in any extra-curricular activity practices during the fourteen (14) day suspension. If the student voluntarily admits the violation and reports the violation to the administration of his/her school, the school, in its sole discretion, may reduce the suspension to seven (7) calendar days and the imposition of fifteen (15) hours community or school service which must be completed prior to participating or attending any school activity.

Second Violation - The student will be suspended and will not be allowed to attend or participate in any school or after school activity or extra-curricular activities for a period of sixty (60) calendar days. If the student voluntarily admits the violation and reports the violation to the administration of his/her school, the school, in its sole discretion, may reduce the suspension to thirty (30) calendar days and the imposition of thirty (30) hours community or school service which must be completed prior to participating or attending any school activity.

Third Violation - The student will be suspended and not allowed to attend or participate in any school or after school activities or extracurricular activities for twelve (12) months. If the student at their own expense completes an evaluation and completes a treatment program, the penalty will be reduced to ninety (90) days.

Fourth Violation and all subsequent violations - The student will be suspended and not allowed to attend or participate in any school or after school activities or extracurricular activities for twelve (12) months.

Violation of the suspension – If a student violates any of the above suspensions, consequences will be determined by the building administrator and activities director. Being banned from participating in all 15 school events (including Homecoming, Prom, and the Graduation Ceremony as examples) would be considered as a consequence.

* All calendar day penalties define a day as ending at 11:59 pm. An example would be a 7-day penalty, which means that the student is ineligible to participate or attend school activities until 11:59 pm of the seventh day.

B. Appeal Process

During the appeal process, the student will be ineligible. If an appeal of the administrative decision is desired, the process is as follows:

- A. The Administration must meet with the student. If the parent(s) desire, the parent(s) may also meet with the Administration.
- B. In the event the student or parent/guardian believes that the action taken by the Administration is inappropriate, they may appeal the Administration's decision in the following manner:
 1. An advisory three (3) member panel of impartial school staff members shall review the case. Two (2) members of the review panel shall be appointed by the school principal. One (1) of these two (2) staff members may be chosen by the student, if so desired. The third (3rd) panel member will be designated by the superintendent of schools from the central administration staff.
 2. The student and his/her parent(s)/guardian(s) shall be notified when and where the review panel will meet, and they shall be allowed to appear before the review panel.

3. The review panel shall consider the circumstances and evidence and make its findings and recommendations in writing, to the student and parent(s)/guardian(s), and to the school principal. Responsibility for the decision of the appeal rests solely with the principal of the school.
4. Following the decision, the student and parent(s)/guardian(s) shall have three (3) school days to file an appeal with the superintendent. The appeal shall be heard at the earliest feasible opportunity, but no later than seven (7) days following the filing of the appeal.
5. If the appeal conducted by the superintendent is not acceptable, then an appeal may be made to the board of education at the next regularly scheduled board meeting, in closed session.

C. Good Behavior Clause

1. If a student is found to be in violation of this code, he/she may be rewarded for subsequent good behavior. If the student maintains good behavior and is not in violation of this code for eighteen (18) months, then the student will move back one level. An example would be that a student violates the code and is on their first violation in October of their 9th grade year. If the student exhibits good behavior and does not violate the policy again until December of their 11th grade year, the second violation will have occurred after 18 months of good behavior so the penalty for the second violation will be reduced to that of a first violation. 16 This code applies to all students, regardless of whether or not they have signed a receipt form. For students wishing to participate in any school sponsored activities (as opposed to attending as a spectator), the student and parent will be required to sign and return this form prior to participating in that activity.

D. Credible Witness

1. Judgment as to whether a student has violated this code will be based upon an arrest, citation, or notification from Law Enforcement, self-admission, or court proceedings. Credible witness is defined as school staff, law enforcement, or parents of the violator. Additional witnesses may enter evidence to be considered if they are willing to submit information in a signed statement.

E. Dates of Enforcement

1. This code is in effect upon the first day of practice and/or the first day of school, whichever arrives first. The code remains in effect until the last school sanctioned event in the summer.

Title IX Policy

It is the policy of the school district that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any of the school district's programs or activities. The district is required by Title IX (20 U.S.C. § 1681) and 34 C.F.R. part 106 to not discriminate in such a manner.

1. Title IX Coordinator

1.1. **Designation.** The district will designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under this policy, who will be referred to as the "**Title IX Coordinator.**" The district will notify applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district, of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator. Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment). This report may be made by any means, including but not limited to, in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours).

2. **Definitions.** As used in this policy, the following terms are defined as follows:

2.1. **Actual knowledge** means notice of sexual harassment or allegations of sexual harassment to any district employee. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only district employee with actual knowledge is the respondent (as that term is defined below). "Notice" as used in this paragraph includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator as described in subsection 1.1 above.

2.2. **Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

2.3. **Formal complaint** means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the district investigate the allegation of sexual harassment. The only district official who is authorized to initiate the Grievance Process for Formal Complaints of Sexual Harassment against a respondent is the Title IX Coordinator (by signing a formal complaint). At the time of filing a formal complaint with the district, a complainant must be participating in or attempting to participate in the district's education program or activity. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator under subsection 1.1 above, and by any additional method designated by the district. As used in this paragraph, the phrase "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the district) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party under this policy or under 34 C.F.R. part 106, and will comply with the requirements of this policy and 34 C.F.R. part 106, including subsections 5.1.3–5.1.4 and 34 C.F.R. § 106.45(b)(1)(iii).

2.4. **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

2.5. **Consent** for purposes of this policy means the willingness in fact for conduct to occur. An individual may, as a result of age, incapacity, disability, lack of information, or other circumstances be incapable of providing consent to some or all sexual conduct or activity. Neither verbal nor physical resistance is required to establish that an individual did not consent. District officials will consider the totality of the circumstances in determining whether there was consent for any specific conduct. Consent may be revoked or withdrawn at any time.

2.6. **Sexual harassment** means conduct on the basis of sex that satisfies one or more of the following:

- 2.6.1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;
- 2.6.2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity;
- 2.6.3. **Sexual assault**, as defined in 20 U.S.C. § 1092(f)(6)(A)(v), which means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation:
 - 2.6.3.1. **Sex Offenses, Forcible**—Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.
 - 2.6.3.1.1. **Rape**—(Except Statutory Rape) The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
 - 2.6.3.1.2. **Sodomy**—Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity
 - 2.6.3.1.3. **Sexual Assault With An Object**—To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity
 - 2.6.3.1.4. **Fondling**—The touching of the private body parts of another person for the purpose of

sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

2.6.3.2. **Sex Offenses, Non-forcible**—(Except Prostitution Offenses) Unlawful, non-forcible sexual intercourse.

2.6.3.2.1. **Incest**—Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law

2.6.3.2.2. **Statutory Rape**—Non-Forcible sexual intercourse with a person who is under the statutory age of consent

2.6.4. **Dating violence**, as defined in 34 U.S.C. § 12291(a)(10), which means violence committed by a person—

2.6.4.1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and

2.6.4.2. where the existence of such a relationship shall be determined based on a consideration of the following factors:

2.6.4.2.1. The length of the relationship.

2.6.4.2.2. The type of relationship.

2.6.4.2.3. The frequency of interaction between the persons involved in the relationship.

2.6.5. **Domestic violence**, as defined in 34 U.S.C. § 12291(a)(8), which includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person

against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

2.6.6. **Stalking**, as defined in 34 U.S.C. § 12291(a)(30), which means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

2.6.6.1. fear for his or her safety or the safety of others; or

2.6.6.2. suffer substantial emotional distress.

2.7. **Supportive measures** means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the district's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The district will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

3. Discrimination Not Involving Sexual Harassment.

3.1. **General Prohibition.** Except as provided elsewhere in Title IX, 34 C.F.R. part 106, or this policy, no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by the district.

3.2. Specific Prohibitions. Except as provided elsewhere in Title IX, 34 C.F.R. part 106, or this policy, in providing any aid, benefit, or service to a student, the district will not on the basis of sex:

- 3.2.1. Treat one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefit, or service;
- 3.2.2. Provide different aid, benefits, or services or provide aid, benefits, or services in a different manner;
- 3.2.3. Deny any person any such aid, benefit, or service;
- 3.2.4. Subject any person to separate or different rules of behavior, sanctions, or other treatment;
- 3.2.5. Apply any rule concerning the domicile or residence of a student or applicant;
- 3.2.6. Aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit or service to students or employees;
- 3.2.7. Otherwise limit any person in the enjoyment of any right, privilege, advantage, or opportunity.

3.3. Complaint Procedure. All complaints regarding any alleged discrimination on the basis of sex, including without limitation violations of this policy, 34 C.F.R. part 106, Title IX, Title VII, or other state or federal law—when the alleged discrimination does not arise from or relate to an allegation of sexual harassment as defined in subsection 2.6 above—shall be addressed pursuant to the district’s general complaint procedure, Board Policy 2006.

4. Response to Sexual Harassment

4.1. Reporting Sexual Harassment. Any person who witnesses an act of unlawful sexual harassment is encouraged to report it to the District’s Title IX Coordinator. No person will be retaliated against based on any report of suspected sexual harassment or retaliation. Any District employee who receives a report of sexual harassment or has actual knowledge of sexual harassment must convey that information to

the Title IX Coordinator as soon as reasonably practicable, but in no case later than the end of the following school day.

4.2. General Response to Sexual Harassment. When the district has actual knowledge of sexual harassment in its education program or activity against a person in the United States, the district will respond promptly in a manner that is not deliberately indifferent. The district will be deemed to be deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances. For the purposes of this policy “education program or activity” includes locations, events, or circumstances over which the district exercised substantial control over both the respondent and the context in which the sexual harassment occurs. The district’s response will treat complainants and respondents equitably by offering supportive measures as defined in subsection 2.7 above to a complainant, and by following the grievance process described in section 5 below before the imposition of any disciplinary sanctions or other actions that are not supportive measures, against a respondent. The Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures, consider the complainant’s wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

4.3. Emergency Removal. Nothing in this policy precludes the district from removing a respondent from the district’s education program or activity on an emergency basis, provided that the district undertakes an individualized safety and risk analysis, and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. In the event that the district so removes a respondent on an emergency basis, then the district will provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

4.4. Administrative Leave. Nothing in this policy precludes the district from placing a non-student employee respondent on administrative leave during the pendency of a grievance process that complies with section 5 below. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

4.5. **General Response Not Conditioned on Formal Complaint.** With or without a formal complaint, the district will comply with the obligations and procedures described in this section 4.

5. **Grievance Process for Formal Complaints of Sexual Harassment.**

5.1. **General Requirements.**

- 5.1.1. **Equitable Treatment.** The district will treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following the grievance process described in this section 5 before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies will be designed to restore or preserve equal access to the district's education program or activity. Remedies may include the same individualized services described in subsection 2.7 as "supportive measures"; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.
- 5.1.2. **Objective Evaluation.** This grievance process requires an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.
- 5.1.3. **Absence of Conflicts of Interest or Bias.** The district will require that any individual designated by a recipient as a Title IX Coordinator, investigator, decision-maker, or any person designated by a recipient to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.
- 5.1.4. **Training.** The district will ensure that all individuals or entities described in this Training section 5.1.4 receive training as provided below. Any materials used to train these individuals will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment.

- 5.1.4.1. **All District Employees and Board Members.** All district employees and board members will be trained on how to identify and report sexual harassment.
- 5.1.4.2. **Title IX Coordinators, Investigators, Decision-Makers, or Informal Resolution Facilitators.** The district will ensure that Title IX Coordinators, investigators, decision-makers, or any person designated by the district to facilitate an informal resolution process receive training on:
 - 5.1.4.2.1. The definition of sexual harassment in subsection 2.6;
 - 5.1.4.2.2. The scope of the district's education program or activity;
 - 5.1.4.2.3. How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable; and
 - 5.1.4.2.4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.
- 5.1.4.3. **Decision-Makers.** The district will ensure that decision-makers receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as set forth in subsection 5.6.
- 5.1.4.4. **Investigators.** The district will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in subsection 5.5.8.
- 5.1.5. **Presumption.** It is presumed that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

- 5.1.6. **Reasonably Prompt Time Frames.** This grievance process shall include reasonably prompt time frames for conclusion of the grievance process, including reasonably prompt time frames for filing and resolving appeals and informal resolution processes if the district offers informal resolution processes. The process shall also allow for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
- 5.1.7. **Range of Possible Sanctions and Remedies.** Following a determination of responsibility, the district may impose disciplinary sanctions and remedies in conformance with this and the district's student discipline policy, and other state and federal laws. Depending upon the circumstances, these policies provide for disciplinary sanctions and remedies up to and including expulsion.
- 5.1.8. **Range of Supportive Measures.** The range of supportive measures available to complainants and respondents include those listed in subsection 2.7.
- 5.1.9. **Respect for Privileged Information.** The district will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

5.2. **Notice of Allegations.**

- 5.2.1. **Initial Notice.** Upon receipt of a formal complaint, the district will provide the following written notice to the parties who are known:
 - 5.2.1.1. A copy of this policy.
 - 5.2.1.2. Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined in subsection 2.6, including sufficient details known at

the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice will include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice will inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, under subsection 5.5.5, and may inspect and review evidence under subsection 5.5.5. The written notice will inform the parties of any provision in the district's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

- 5.2.2. **Supplemental Notice.** If, in the course of an investigation, the district decides to investigate allegations about the complainant or respondent that are not included in the Initial Notice described above, the district will provide notice of the additional allegations to the parties whose identities are known.

5.3. **Dismissal of Formal Complaint.**

- 5.3.1. The district will investigate the allegations in a formal complaint.
- 5.3.2. **Mandatory Dismissals.** The district **must** dismiss a format complaint if the conduct alleged in the formal complaint:
 - 5.3.2.1. Would not constitute sexual harassment as defined in subsection 2.6 even if proved;
 - 5.3.2.2. Did not occur in the district's education program or activity; or
 - 5.3.2.3. Did not occur against a person in the United States.

5.3.3. **Discretionary Dismissals.** The district **may** dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing:

5.3.3.1. The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;

5.3.3.2. The respondent is no longer enrolled in or employed by the district; or

5.3.3.3. Specific circumstances prevent the district from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

5.3.4. Upon a dismissal required or permitted pursuant to subsections 5.3.2 or 5.3.3 above, the district will promptly send written notice of the dismissal and an explanation of that action simultaneously to the parties.

5.3.5. Dismissal of a formal complaint under this policy does not preclude the district from taking action under another provision of the district's code of conduct or pursuant to another district policy.

5.4. **Consolidation of Formal Complaints.** The district may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references in this policy to the singular "party," "complainant," or "respondent" include the plural, as applicable.

5.5. **Investigation of Formal Complaint.** When investigating a formal complaint and throughout the grievance process, the district will:

5.5.1. Designate and authorize one or more persons (which need not be district employees) as investigator(s) to conduct the district's investigation of a formal complaint;

5.5.2. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding

responsibility rest on the district and not on the parties provided that the district cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the district obtains that party's voluntary, written consent to do so for a grievance process under this section (if a party is not an "eligible student," as defined in 34 CFR 99.3, then the district will obtain the voluntary, written consent of a "parent," as defined in 34 CFR 99.3);

- 5.5.3. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- 5.5.4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- 5.5.5. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
- 5.5.6. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
- 5.5.7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the district

does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the district will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least 10 calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report; and

- 5.5.8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 calendar days prior to the time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

5.6. Exchange of Written Questions. After the district has sent the investigative report to the parties pursuant to subsection 5.5.8, but before reaching a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) will explain to the party proposing the questions any decision to exclude a question as not relevant.

5.7. Determination Regarding Responsibility

- 5.7.1. **Decision-Maker(s).** The decision-maker(s) cannot be the same person as the Title IX Coordinator or the investigator(s).
- 5.7.2. **Written Determination.** The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker(s) will apply the

preponderance of the evidence standard. The written determination will include:

- 5.7.2.1. Identification of the allegations potentially constituting sexual harassment as defined in subsection 2.6;
- 5.7.2.2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- 5.7.2.3. Findings of fact supporting the determination;
- 5.7.2.4. Conclusions regarding the application of the district's code of conduct to the facts;
- 5.7.2.5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided by the district to the complainant; and
- 5.7.2.6. The district's procedures and permissible bases for the complainant and respondent to appeal.

5.7.3. The district will provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the district provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

5.7.4. The Title IX Coordinator is responsible for effective implementation of any remedies.

5.8. **Appeals.** The district will offer both parties the opportunity to appeal from a determination regarding responsibility, and from the

district's dismissal of a formal complaint or any allegations therein, on the grounds identified below.

5.8.1. **Time for Appeal.** Appeals may only be initiated by submitting a written Notice of Appeal to the Office of the Superintendent of Schools within ten (10) calendar days of the date of the respective written determination of responsibility or dismissal from which the appeal is taken. The Notice of Appeal must include (a) the name of the party or parties making the appeal, (b) the determination, dismissal, or portion thereof being appealed, and (c) a concise statement of the specific grounds (from subsection 5.8.2 below) upon which the appeal is based. A party's failure to timely submit a Notice of Appeal will be deemed a waiver of the party's right to appeal under this policy, 34 C.F.R. part, 106, and Title IX.

5.8.2. **Grounds for Appeal.** Appeals from a determination regarding responsibility, and from the district's dismissal of a formal complaint or any allegations therein, are limited to the following grounds:

5.8.2.1. Procedural irregularity that affected the outcome of the matter;

5.8.2.2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

5.8.2.3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

5.8.3. As to all appeals, the district will:

5.8.3.1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;

5.8.3.2. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that

reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;

- 5.8.3.3. Ensure that the decision-maker(s) for the appeal complies with the standards set forth in subsections 5.1.3–5.1.4.
- 5.8.3.4. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- 5.8.3.5. Issue a written decision describing the result of the appeal and the rationale for the result; and
- 5.8.3.6. Provide the written decision simultaneously to both parties.

5.9. Informal Resolution. The district will not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this section. Similarly, the district will not require the parties to participate in an informal resolution process under this section and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the district may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the district:

- 5.9.1. Provides to the parties a written notice disclosing:
 - 5.9.1.1. The allegations;
 - 5.9.1.2. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations;
 - 5.9.1.3. That at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and

- 5.9.1.4. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- 5.9.2. Obtains the parties' voluntary, written consent to the informal resolution process; and
- 5.9.3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

5.10. Recordkeeping.

- 5.10.1. The district will maintain for a period of seven years records of:
 - 5.10.1.1. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the district's education program or activity;
 - 5.10.1.2. Any appeal and the result therefrom;
 - 5.10.1.3. Any informal resolution and the result therefrom; and
 - 5.10.1.4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The district will make these training materials publicly available on its website, or if the district does not maintain a website then the district will make these materials available upon request for inspection by members of the public.
- 5.10.2. For each response required under section 4, the district will create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the district will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures

designed to restore or preserve equal access to the district's education program or activity. If the district does not provide a complainant with supportive measures, then the district will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the district in the future from providing additional explanations or detailing additional measures taken.

6. Superintendent Authorized to Contract. The board authorizes the Superintendent to contract for, designate, and appoint individuals to serve in the roles of the district's investigator(s), decision-maker(s), informal resolution facilitator(s), or appellate decision-maker(s) as contemplated by this policy.

7. Access to Classes and Schools.

7.1. General Standard. Except as provided in this section or otherwise in 34 C.F.R. part 106, the district will not provide or otherwise carry out any of its education programs or activities separately on the basis of sex, or require or refuse participation therein by any of its students on the basis of sex.

7.1.1. Contact sports in physical education classes. This section does not prohibit separation of students by sex within physical education classes or activities during participation in wrestling, boxing, rugby, ice hockey, football, basketball, and other sports the purpose or major activity of which involves bodily contact.

7.1.2. Ability grouping in physical education classes. This section does not prohibit grouping of students in physical education classes and activities by ability as assessed by objective standards of individual performance developed and applied without regard to sex.

7.1.3. Human sexuality classes. Classes or portions of classes that deal primarily with human sexuality may be conducted in separate sessions for boys and girls.

7.1.4. Choruses. The district may make requirements based on vocal range or quality that may result in a chorus or choruses of one or predominantly one sex.

7.2. **Classes and Extracurricular Activities.** The district may provide nonvocational single-sex classes or extracurricular activities as permitted by 34 C.F.R. part 106.

8. **Athletics.** It is the policy of the district that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person or otherwise be discriminated against in any interscholastic, club, or intramural athletics offered by the district, and that the district will not provide any such athletics separately on such basis.

8.1. **Separate Teams.** Notwithstanding the foregoing paragraph, the district may operate or sponsor separate teams for members of each sex where selection for such teams is based upon competitive skill or the activity involved is a contact sport.

8.2. **Equal opportunity.** The district will provide equal athletic opportunity for members of both sexes. Unequal aggregate expenditures for members of each sex or unequal expenditures for male and female teams will not constitute noncompliance with this section.

9. **Certain Different Treatment on the Basis of Sex Permitted.** Nothing herein shall be construed to prohibit the district from treating persons differently on the basis of sex as permitted by Title IX or 34 C.F.R. part 106. For example, and without limiting the foregoing, the district may provide separate toilet, locker room, and shower facilities on the basis of sex, but such facilities provided for students of one sex shall be comparable to such facilities provided for students of the other sex.

10. **Retaliation Prohibited.** Neither the district nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, 34 C.F.R. part 106, or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. The district will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. § 1232g, or FERPA regulations, 34 C.F.R. part 99, or as required by law, or to carry out the purposes of 34 C.F.R. part 106, including the conduct of any investigation,

hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation may be filed according to shall be addressed pursuant to Board Policy 2006 (Complaint Procedure).

10.1. Specific Circumstances.

10.1.1. The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by this section.

10.1.2. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this part does not constitute retaliation prohibited under this section, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

11. **Notification of Policy.** The district will notify applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district of the existence of this policy. The requirement to not discriminate, as stated in Title IX and 34 C.F.R. part 106, in the district's education program(s) or activities extends to admission and employment, and inquiries about the application of Title IX and 34 C.F.R. part 106 to the district may be referred to the district's Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

12. **Publication of Policy.** The district will prominently display on its website, if any, and in each handbook that it makes available to applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district, the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator(s).

13. **Application Outside the United States.** The requirements of this policy apply only to sex discrimination occurring against a person in the United States.

14. **Scope of Policy.** Nothing herein shall be construed to be more demanding or more constraining upon the district than the requirements of Title IX (20 U.S.C. § 1681) and 34 C.F.R. part 106. To the extent that the district is in compliance with Title IX and 34 C.F.R. part 106, then all of the

district's obligations under this policy shall be deemed to be fulfilled and discharged.

Title I SCHOOL-PARENT COMPACT

The Dakota Valley Elementary School and the parents of the students participating in activities, services, and programs funded by Title I, Part A of the Elementary and Secondary Education Act (ESEA) (participating children), agree that this compact outlines how the parents, the entire school staff, and the students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership that will help children achieve the State's high standards.

School Responsibilities. Dakota Valley Elementary School will:

- Provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the participating children to meet the State's student academic achievement standards.
- Hold parent-teacher conferences (at least annually in elementary schools) during which this compact will be discussed as it relates to the individual child's achievement.
- Provide parents with frequent reports on their children's progress.
- Provide parents reasonable access to staff.
- Provide parents opportunities to volunteer and participate in their child's class, and to observe classroom activities.

Parent Responsibilities. We, as parents, will support our children's learning in the following ways:

- Monitoring attendance.

- Making sure that homework is completed.
- Monitoring amount of television their children watch.
- Volunteering in my child’s classroom.
- Participating, as appropriate, in decisions relating to my children’s education.
- Promoting positive use of my child’s extracurricular time.
- Staying informed about my child’s education and communicating with the school by promptly reading all notices from the school or the school district either received by my child or by mail and responding, as appropriate.
- Serving, to the extent possible, on policy advisory groups, such as being the Title I, Part A parent representative on the school’s School Improvement Team, the Title I Policy Advisory Committee, the District-wide Policy Advisory Council, the State’s Committee of Practitioners, the School Support Team or other school advisory or policy groups.

RECEIPT OF HANDBOOK

Parents (or guardians) and students are required to sign and return the receipt form below before_____.

PARENT/STUDENT AGREEMENT

I have received and read the Student Handbook that describes the Dakota Valley School District’s discipline policies, regulations, rules, and expectations to be followed by students, including the Drug Free School Policy. My child and I have discussed these policies and understand that we must comply with them.

RECOGNITION OF POTENTIAL AMENDMENTS OR SUPPLEMENTS

The rules and information provided in this handbook may be supplemented or amended by the School District’s administration at any time, consistent with applicable law and board policy. By signing below, you agree that you will read any such information and communications, discuss them with your child, and recognize that you must comply with all rules, procedures, and requirements as they apply at that time.

 Student’s Signature Date

 Cell Phone Number (Optional)

Cell Phone Number (Optional)

Parent/Guardian's Signature Date

Parent's Email Address (Optional)

Parent's Email Address (Optional)

Cell Phone Number (Optional)