

- A SCHOOL DISTRICT
- AA* GENERAL OPERATIONS PHILOSOPHIES
 - AAA - PHILOSOPHY
 - AAB - DISTRICT GOALS & OBJECTIVES
 - AAC - NONDISCRIMINATION AND ANTI-HARASSMENT POLICY
 - AAC-BR1 - DISCRIMINATION AND HARASSMENT GRIEVANCE PROCEDURE**
 - AAC-BR2 - TITLE IX SEXUAL HARASSMENT GRIEVANCE PROCEDURE**
 - AAC-E - FILING A STATE OR FEDERAL DISCRIMINATION & HARASSMENT COMPLAINT**
 - AAC-E2 - DISCRIMINATION/HARASSMENT COMPLAINT CONFIDENTIALITY ASSESSMENT**
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 - AACA - SECTION 504 OF THE REHABILITATION ACT OF 1973 POLICY
 - AACA-AR - SECTION 504 EVALUATION STANDARDS AND PROCEDURES
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- AB* GENERAL OPERATIONS & ORGANIZATION
 - ABAB - SCHOOL YEAR AND CALENDAR
 - ABAB-AR - CO CURRICULAR/EXTRACURRICULAR SCHEDULING REGULATION**
 - ABAC - VIRTUAL LEARNING BECAUSE OF WEATHER OR OTHER CONDITIONS
 - ABBA - NORTH DAKOTA'S COMPREHENSIVE MODEL SCHOOL POLICY
 - FOR TOBACCO USE
 - ABBA-BR - TOBACCO-FREE POLICY VIOLATIONS**
 - ABBB - COMMUNITY USE OF DISTRICT PROPERTY
 - ABBB-AR - USE OF SCHOOL FACILITIES ADMINISTRATIVE GUIDELINES**

ABBB-E1 - FACILITY RENTAL FEES

ABBC - NONCURRICULAR USE OF DISTRICT EQUIPMENT

ABBC-AR - NON CURRICULAR USE OF DISTRICT EQUIPMENT - STUDENT USE

ABBE - DISPLAYS OF RELIGIOUS OBJECTS OR DOCUMENTS

ABCA - COPYRIGHTED MATERIAL & INTELLECTUAL PROPERTY

ABCD - RECORDS RETENTION

ABCD-E1 - RECORDS RETENTION SCHEDULE

ABCE - PROHIBITION ON AIDING SEXUAL ABUSE

ABDA-BR1 - WEBSITE ACCESSIBILITY

ABDA-BR2 - WEBSITE ACCESSIBILITY CONCERNS, COMPLAINTS AND GRIEVANCES

ABDA-E1 - WEBSITE ACCESSIBILITY COMPLAINT AND GRIEVANCE FORM

ABEA - WELLNESS POLICY

ABEA-AR1 - BUILDING-LEVEL WELLNESS POLICY COORDINATORS

ABEA-AR2 - PHYSICAL ACTIVITY AND RECESS REGULATIONS

ABEA-AR3 - SMARTS SNACKS IN SCHOOLS REGULATION

ABEB - CHILD NUTRITION PROGRAMS

ABEB-BR1 - CHILD NUTRITION PROGRAM CIVIL RIGHTS COMPLAINT PROCEDURE

ABEB-BR2 - FREE & REDUCED PRICED MEAL ELIGIBILITY APPEALS

ABEB-E1 - CHILD NUTRITION PROGRAMS CIVIL RIGHTS COMPLAINT FORM

ABEB-E2 - CHILD NUTRITION PROGRAMS CIVIL RIGHTS COMPLAINTS LOG

ABEC - SCHOOL MEAL CHARGE POLICY

ABEC-AR - ADULT MEALS

ABEB-E - OUTSTANDING BALANCE LETTER

AC*DISTRICT SAFETY & PREVENTION POLICIES

ACA*EMERGENCY MEASURES

ACAA - EMERGENCY CLOSINGS

ACAB - EMERGENCY & DISASTER PLANS & DRILLS

ACB* MEDICAL & HEALTH SAFEGUARDS

ACBA - AUTOMATED EXTERNAL DEFIBRILLATORS(AED)

ACBB - SIGNIFICANT CONTAGIOUS DISEASES

ACBB-AR1 - RESPONDING TO POTENTIAL HEALTH THREATS

ACBB-AR2 - PHYSICAL ACTIVITY AND RECESS REGULATIONS

ABEA-AR3 - SMARTS SNACKS IN SCHOOLS REGULATION

ACBC - USE OF ANIMALS IN DISTRICT SCHOOLS & IN CURRICULAR PROGRAMS

ACBC-AR - USE OF ANIMALS IN CURRICULAR PROGRAMS REGULATIONS

ACBC-E - APPROVAL FORM FOR USE OF ANIMALS IN THE CLASSROOM

ACBD - ADMINISTERING MEDICINES TO STUDENTS

ACBD-E1 - SCHOOL MEDICATION PROVIDER OPT-OUT OR OPT-IN AND VERIFICATION OF ELIGIBILITY FORM

ACBD-E2 - AUTHORIZATION/PARENTAL CONSENT FOR SCHOOL TO PROVIDE OVER THE COUNTER MEDICATION

ACBD-E3 - AUTHORIZATION/PARENTAL CONSENT FOR SCHOOL TO PROVIDE PRESCRIPTION MEDICATION

ACBD-E4 - MEDICATION CHECK-IN FORM

ACBD-E5 - EMERGENCY MEDICATION CHECK-IN FORM

ACBD-E6 - RECORDS OF OVER THE COUNTER MEDICATION

ACBD-E8 - MEDICATION INCIDENT REPORT

ACBD-E9 - MEDICATION PICKUP NOTICE

ACBD-E10 - MEDICATION DISPOSAL/DESTRUCTION LOG

ACBD-E11 - HEALTH CARE PROVIDER AUTHORIZATION

ACBF - MEDICAL MARIJUANA

ACC* SCHOOL ACCESS

ACCA - SEXUAL OFFENDERS ON SCHOOL PROPERTY

ACD* TECHNOLOGY SAFEGUARDS

ACDA - Technology Acceptable Use Policy for Staff and Students

ACDA-E1 - Device Usage Agreement Jamestown Public Schools

ACE - VIOLENT & THREATENING BEHAVIOR

ACE-E1 - THREAT ASSESSMENT

ACE-E2 - THREAT ASSESSMENT PROTOCOL

ACEA - BULLYING POLICY

ACEA-E2 - BULLYING REPORTING GUIDELINES

**ACEA-E3 - BULLYING COMPLAINT REPORT Jamestown Public
School District #1**

ACEB - HAZING

ACEC - VANDALISM

ACF - WHISTLEBLOWER PROTECTIONS POLICY:

Protections: Employees

Protections: False Claims Act (FCA)

Protections: Students & Community Members

Grievance Procedure

Policy Violation Consequences

Prohibition of False Claims

Notice of Policy

B* SCHOOL BOARD

BA - SCHOOL BOARD ETHICS

BA BR1 - SCHOOL BOARD ETHICS REGULATION

Violations and Sanctions

BA BR2 - BOARD MEMBER INTERNET AND SOCIAL MEDIA USE

Use of District Technology

BAB – BOARD CONFLICT OF INTEREST

BB* ELECTIONS & APPOINTMENTS

BBA - SCHOOL BOARD MEMBERSHIP

BBB* APPOINTMENTS

BBBA - OFFICERS OF THE BOARD

BBBB - SCHOOL BOARD COMMITTEES

BBC-BR - PROCEDURE FOR SELECTING APPOINTEE

BC - MEETINGS OF THE BOARD

BC-E - SAMPLE MEETING NOTICE

BCAA - BOARD MEETING AGENDA AND PRE-MEETING
PREPARATION

BCAB - PROCEDURES FOR BOARD MEETINGS

**BCAB-BR – PROCEDURE FOR SEATING NEW MEMBER AT THE
ANNUAL MEETING**

BCAC – MINUTES

BCAD - EXECUTIVE SESSION

BCB* PUBLIC INVOLVEMENT

BCBA - PUBLIC PARTICIPATION AT BOARD MEETINGS

BCBA-AR - RULES OF DECORUM AT BOARD MEETINGS

BCBB - NEWS COVERAGE OF BOARD MEETINGS

BD*BOARD AUTHORITY

BDA - PROCEDURE FOR ADOPTING BOARD POLICY

BDAA - CONTRACTS SUPERSEDE POLICY AND REGULATIONS

BDAB - SAVINGS CLAUSE

BDB* EXTERNAL ASSISTANCE WITH BOARD MATTERS

BDBA - CONSULTANTS TO THE BOARD

BDBB – RETAINING AN ATTORNEY

BDBC - CITIZENS' ADVISORY COMMITTEES

BDC - INSURANCE FOR BOARD MEMBERS

BDD - COMPENSATION AND EXPENSES FOR BOARD MEMBERS

BDE - MEMBERSHIP IN ASSOCIATIONS

BE - BOARD MEMBER DEVELOPMENT

BEA - CANDIDATE ORIENTATION

BEB - NEW MEMBER ORIENTATION

BEC - SCHOOL BOARD EVALUATION

BF* RELATIONS WITH SCHOOL OFFICIALS & PERSONNEL

BFA - BOARD-SUPERINTENDENT RELATIONS

BFB - BOARD-STAFF RELATIONS

BFD - BOARD MEMBER VISITS TO SCHOOLS

BGA - BOARD COMMUNICATION WITH THE PUBLIC

C ADMINISTRATION

CA* SELECTION, ASSESSMENT & SEPARATION OF ADMINISTRATIVE STAFF

CAAB - SUPERINTENDENT EVALUATION PROCEDURE

CAAB-E - Superintendent Evaluation

CBAA - ADMINISTRATIVE REGULATIONS

CBAB - ADMINISTRATION IN POLICY ABSENCE

D PERSONNEL

DB* HIRING PRACTICES

DBA* RECRUITMENT & SELECTION

DBAA - RECRUITMENT, HIRING, & BACKGROUND CHECKS FOR NEW CLASSIFIED PERSONNEL

**DBAA-AR - CRIMINAL HISTORY RECORD CHECK SCREENING
PROCEDURE**

**DBAA-E1 - U.S. OFFICE OF PERSONNEL MANAGEMENT
ADJUDICATION SYSTEM**

DBAB - EMERGENCY HIRING OF SUPPORT STAFF PERSONNEL

DBAC - RECRUITING & HIRING TEACHERS

**DBAC-E1 - COMPETITIVE PERSONNEL SYSTEM EXAMPLE FOR
TEACHERS**

**DBAC-E2 - CRIMINAL HISTORY RECORD SCREENING
PROCEDURES & ADJUDICATION FOR TEACHERS**

DBB* TESTING

DBBA - DRUG & ALCOHOL TESTING PROGRAM FOR EMPLOYEES

DBC* EMPLOYMENT REQUIREMENTS

DBFB - RIGHTS OF THE ADMINISTRATION TO REMOVE
MATERIALS FROM PERSONNEL FILES

DC COMPENSATION

DCA - PAYROLL - IRS CODE SECTION 409A

DCAB - FRINGE BENEFITS

DCAB-AR - FRINGE BENEFIT REGULATIONS

DCAC - SALARY ADJUSTMENTS FOR CERTIFIED EMPLOYEES

DCAC-E - SALARY REDUCTION AUTHORIZATION

DCAD - EXPENSE REIMBURSEMENT

DCAF - COMPENSATION FOR SUPPORT STAFF

DCB - OVERTIME AND COMPENSATORY TIME POLICY

DDA - SICK LEAVE POLICY

DDA-AR - SICK LEAVE REQUESTS

DDAA - FAMILY AND MEDICAL LEAVE ACT

DDAA-BR - FAMILY AND MEDICAL LEAVE ACT REGULATIONS

DDAA-E1 - FAMILY AND MEDICAL LEAVE ACT LAW

DDAA-E2 - FMLA POSTER and FORMS

DDAD - CHILD CARE LEAVE

DDAE - PARENTAL LEAVES

DDAE-AR - PARENTAL LEAVE REGULATIONS

DDAF - Sick Leave Bank

DDB* PAID LEAVES

DDBA- VACATION LEAVE

**DDBA-BR - VACATION ACCURALS FOR ANCILLARY
EMPLOYEES**

DDBB - HOLIDAY TIME

DDBC - BEREAVEMENT LEAVE

DDBD - MILITARY LEAVE

DDC - UNPAID LEAVE

DDCA – LEGISLATIVE/POLITICAL LEAVE

DDD - PROFESSIONAL LEAVE

DDDB - LEAVE OF ABSENCE

DDDB-AR - LEAVE OF ABSENCE REGULATIONS

DDDE - STAFF LEAVE POLICIES

DDE* OTHER LEAVES

DDEA - JURY & WITNESS DUTY

DE - STAFF CODE OF CONDUCT

DEA* ON-DUTY CONDUCT

DEAA - DRUG AND ALCOHOL FREE WORKPLACE

**DEAA-AR - PROCEDURE IF DRUG AND/OR ALCOHOL USE IS
REASONABLY SUSPECTED**

DEAA-E1 - RECORD OF OBSERVABLE BEHAVIOR

**DEAA-E2 - STEPS TO PERFORMING A REASONABLE
SUSPICION TEST**

DEAA-E3 - DRUG AND/OR ALCOHOL TESTING CONSENT FORM

DEAC - STAFF DRESS CODE

DEAG - WEAPONS PROHIBITION ON SCHOOL PROPERTY—
EMPLOYEES

DEB* ON & OFF DUTY CONDUCT

DEBA - CONFIDENTIALITY

DEBD - STAFF-STUDENT RELATIONS (NON-FRATERNIZATION
POLICY)

DEBF - EMPLOYEE SPEECH

DEBJ - UNAUTHORIZED PURCHASES

DFA - SUPERVISION & EVALUATION

DFAA - TEACHER EVALUATION

DFAA-AR - TEACHER EVALUATION PROCEDURE

DFAB - TEACHER SUPERVISION

DFC - REASSIGNMENT AND TRANSFERS

DG - EMPLOYEE SUPPORT PROGRAMS & PROCEDURES

DGA – GRIEVANCE

DGB - EMPLOYEE ASSISTANCE PLAN

DGG* PROFESSIONAL DEVELOPMENT

DGGA - PROFESSIONAL DEVELOPMENT PLAN

DH* INSTRUCTIONAL STAFF DUTIES & REQUIREMENTS

DHA – LICENSURE

DHAB - TITLE I QUALIFICATIONS NOTIFICATION REQUIREMENT

DI -PERSONNEL RECORDS

Location

Former Employees

Record Review

DI-BR - PERSONNEL RECORDS REVIEW PROCEDURE

DI-E1 - PERSONNEL FILE RECORDS CHECKLIST

DI-E2 - NOTICE OF CONFIDENTIAL RECORD ON FILE

DIB - REVIEW OF CONTESTED MATERIAL IN PERSONNEL FILES

DJ* PERSONNEL POSITIONS

DJA - SUBSTITUTE TEACHERS

**DJA-AR - PROCEDURE FOR SELECTING SUBSTITUTE
TEACHERS**

DJB - PART-TIME TEACHERS

DJC - POLICY FOR REQUESTING TEACHER AIDES

DK* SEPARATION

DKA - REDUCTION-IN-FORCE POLICY

DKB* SEPERATION

DKBA - SEPARATION OF AT-WILL EMPLOYEES

DKBB - CONTRACTED STAFF RESIGNATIONS & REQUEST FOR
RELEASE FROM CONTRACT

DKEA - EXIT INTERVIEW

DKEA-E - EXIT INTERVIEW QUESTIONNAIRE

F STUDENT

FA* ADMISSION

FAAA - OPEN ENROLLMENT

**FAAA-E - OPEN ENROLLMENT AND TUITION AGREEMENT
COMPARISON GUIDE**

FAAB - EARLY ENTRANCE REQUIREMENTS

FAAF - CLASS SIZE

FAAE - PART-TIME STUDENTS

FAB - SCHOOL ASSIGNMENT & CHOICE

**FAB-E - STUDENT RIGHTS UNDER THE EQUAL
OPPORTUNITIES ACT 20 U.S.C. 1703**

FAB-E2 - REQUEST FOR WAIVER TO THE DISTRICT ATTENDANCE
POLICY

FACA - PLACEMENT AND ADJUSTMENT OF TRANSFER
STUDENTS

FACB - RELEASE OF STUDENT RECORDS

FB* GENERAL STUDENT POLICIES

FBA - STUDENT FEES

FCA* MEDICAL & HEALTH SAFEGUARDS

FCAA - ACCOMMODATING STUDENTS WITH ALLERGIES &
SPECIAL DIETARY NEEDS

**FCAA-AR - GENERAL GUIDELINES FOR REDUCING RISK OF
EXPOSURE TO ALLERGENS**

FCAC - HEAD LICE

**FCAC-E1 – Jamestown Public School District HEAD LICE
TREATMENT VERIFICATION FORM**

**FCAC-E2 - STEPS TO FOLLOW FOR TREATMENT AND
CONTROL OF HEAD LICE**

FCAC-E3 – HEAD LICE MANAGEMENT

FCAD - STUDENT ACCIDENTS

FCAF - CONCUSSION MANAGEMENT

FCAF-AR - CONCUSSION MANAGEMENT PROGRAM

**FCAF-E1 - CONCUSSION MANAGEMENT REMOVAL FROM PLAY
AUTHORITIES**

FCAF-E2 - RETURN TO PLAY ACKNOWLEDGEMENT FORM

FCB* SUPERVISION

FCBA - EXCUSING STUDENTS FROM THE BUILDING

FCBB - STUDENT TRANSPORTATION SAFETY & SUPERVISION

FCC - RESTRAINT OR SECLUSION POLICY

FCC-E - RESTRAINT OR SECLUSION REPORTING FORM

FD* SPECIAL CATERGORIES OF STUDENTS

FDA - EDUCATION OF HOME SCHOOLED STUDENTS

FDA-AR - Students Educated in Home Schools

FDB - EDUCATION OF THE HOMELESS STUDENT

**FDB-BR - EDUCATION OF THE HOMELESS DISPUTE
RESOLUTION PROCEDURE**

FDB-E1 - CAREGIVER AUTHORIZATION FORM

**FDB-E2 - JAMESTOWN PUBLIC SCHOOL DISTRICT-LEVEL
DISPUTE RESOLUTION FORM**

FDC - EDUCATION OF MIGRANT STUDENTS

FDD - EDUCATION OF PREGNANT AND PARENTING STUDENTS

FDE - EDUCATION OF SPECIAL EDUCATION STUDENTS/STUDENTS
WITH DISABILITIES

FDF - FOREIGN EXCHANGE STUDENTS

FDG – DROPOUTS

FDG-E – JHS School Withdrawal/Transfer Form

FDH - STUDENTS IN FOSTER CARE

**FDH-BR1 - FOSTER CARE STUDENT TRANSPORTATION
PROCEDURE**

**FDH-BR2 - FOSTER CARE STUDENT TRANSPORTATION
DISPUTE RESOLUTION PROCEDURE**

**FDH-E1 - FOSTER CARE STUDENT best interest determination
FORM**

FDH-E2 - FOSTER CARE STUDENT Transportation Plan

FEA - ADULT EDUCATION

FEB - GUIDANCE PROGRAM

FEE - STUDENT ORGANIZATIONS

FEE-E - CLUB APPLICATION

FF - STUDENT CONDUCT AND DISCIPLINE

**FF-AR - STUDENT CONDUCT STANDARDS & DISCIPLINARY
PROCEDURES**

FF-E - EXAMPLES OF STUDENT CONDUCT VIOLATIONS

FFA - STUDENT ALCOHOL AND OTHER DRUG USE/ABUSE

**FFA-AR - ALCOHOL & OTHER DRUG INTERVENTION
PROCEDURE**

FFB - ATTENDANCE & ABSENCES

FFB - ATTENDANCE & ABSENCES

FFC - BUS CONDUCT

FFC-AR - BUS CONDUCT REGULATIONS

FFD - POSSESSING WEAPONS

FFE - EXTRACURRICULAR PARTICIPATION REQUIREMENTS

**FFE-AR1 - MEALS FOR STUDENTS PARTICIPATING IN
EXTRACURRICULAR ACTIVITIES**

FFE-AR2 - ATHLETICS PHYSICALS

FFE-AR3 - PARTICIPATION FEES

FFE-AR4 - SCHOOL ACTIVITIES CODE OF CONDUCT POLICY

FFF - FIELD & OTHER SCHOOL-SPONSORED TRIPS

FFF-AR1 - SCHOOL-SPONSORED TRIP RULES

FFF-AR2 - TRAVEL STUDY PROGRAMS

FFG - STUDENT ASSEMBLIES

FFI - STUDENT USE OF PERSONAL TECHNOLOGY

FFK - SUSPENSION AND EXPULSION

FFK-BR - SUSPENSION AND EXPULSION REGULATIONS

**FFK-AR1 - SUGGESTED PROCEDURE FOR CONDUCTING AN
EXPULSION HEARING**

**FFK-AR2 - SUSPENSION AND EXPULSION OF SPECIAL
EDUCATION STUDENTS**

FG - STUDENT RIGHTS AND RESPONSIBILITIES

FGA - STUDENT EDUCATION RECORDS AND PRIVACY

**FDA-BR1 - STUDENT EDUCATION RECORDS ACCESS &
AMENDMENT PROCEDURE**

FGA-E1 - NOTICE OF DIRECTORY INFORMATION

**FGA-E2 - MODEL NOTIFICATION OF RIGHTS UNDER FERPA
FOR SCHOOLS**

FGA-E3 - FERPA RELEASE FORM FOR PARENTS

FGA-E4 - NOTICE OF EXECUTIVE SESSION TAPE ON FILE

FGA-E5 - STUDENT INFORMATION SHARING REQUEST FORM

**FGA-E6 - MODEL FORM FOR DISCLOSURE TO PARENTS OF
DEPENDENT STUDENTS**

**FGA -E7 - SCHOOL OFFICIALS' GUIDE TO FERPA AND DATA
PRIVACY POLICY**

FGA- E8 - PARTIES APPROVED TO RECEIVE STUDENT DATA

FDH - STUDENTS IN FOSTER CARE

**FDH-BR1 - FOSTER CARE STUDENT TRANSPORTATION
PROCEDURE**

**FDH-BR2 - FOSTER CARE STUDENT TRANSPORTATION
DISPUTE RESOLUTION PROCEDURE**

**FDH-E1 - FOSTER CARE STUDENT BEST INTEREST
DETERMINATION FORM**

FDH-E2 - FOSTER CARE STUDENT TRANSPORTATION PLAN

FEA - ADULT EDUCATION

FEB - GUIDANCE PROGRAM

FEE - STUDENT ORGANIZATIONS

FEE-E - CLUB APPLICATION

FF - STUDENT CONDUCT & DISCIPLINE

FFA - STUDENT ALCOHOL & OTHER DRUG USE/ABUSE

**FFA-AR - ALCOHOL & OTHER DRUG INTERVENTION
PROCEDURE**

FFB - ATTENDANCE & ABSENCES

FFC - BUS CONDUCT

FFC-AR - BUS CONDUCT REGULATIONS

FFD - POSSESSING WEAPONS

FFE - EXTRACURRICULAR PARTICIPATION REQUIREMENTS

**FFE-AR1 - MEALS FOR STUDENTS PARTICIPATING IN
EXTRACURRICULAR ACTIVITIES**

FFE-AR2 - ATHLETICS PHYSICALS

FFE-AR3 - PARTICIPATION FEES

FFE-AR4 - SCHOOL ACTIVITIES CODE OF CONDUCT POLICY

FFF - FIELD & OTHER SCHOOL-SPONSORED TRIPS

FFF-AR - SCHOOL-SPONSORED TRIP RULES

FFF-AR2 - TRAVEL STUDY PROGRAMS

FFG - STUDENT ASSEMBLIES

FFI - STUDENT USE OF PERSONAL TECHNOLOGY

FFK-BR - SUSPENSION AND EXPULSION REGULATIONS

**FFK-AR1 - SUGGESTED PROCEDURE FOR CONDUCTING AN
EXPULSION HEARING**

FG - STUDENT RIGHTS AND RESPONSIBILITIES

FGA - STUDENT EDUCATION RECORDS AND PRIVACY

FGA-BR1 - STUDENT EDUCATION RECORDS ACCESS & AMENDMENT PROCEDURE

FGA-BR2 - CRITERIA FOR APPROVING AND DENYING DIRECTORY INFORMATION AND PII RELEASE REQUESTS

FGA-E1 - NOTICE OF DIRECTORY INFORMATION

FGA-E2 - MODEL NOTIFICATION OF RIGHTS UNDER FERPA FOR SCHOOLS

FGA-E3 - FERPA RELEASE FORM FOR PARENTS

FGA-E4 - NOTICE OF EXECUTIVE SESSION TAPE ON FILE

FGA-E5 - STUDENT INFORMATION SHARING REQUEST FORM

FGA-E6 - MODEL FORM FOR DISCLOSURE TO PARENTS OF DEPENDENT STUDENTS

FGA-E7 - SCHOOL OFFICIALS' GUIDE TO FERPA AND DATA PRIVACY POLICY

FGA-E8 - PARTIES APPROVED TO RECEIVE STUDENT DATA

FGB* RELIGION

FGBB - STUDENT PRAYER DURING NON-INSTRUCTIONAL TIME

FGC* SEARCHES & INTERROGATIONS

FGCA - SEARCHES OF LOCKERS

FGCB - SEARCHES OF STUDENTS & STUDENTS' PERSONAL PROPERTY

FGCC - STUDENT INTERVIEWS, INTERROGATIONS, AND CUSTODY BY SCHOOL RESOURCE OFFICERS AND OUTSIDE AUTHORITIES

FGD* MISCELLANEOUS RIGHTS & RESPONSIBILITIES

FGDB - STUDENT HANDBOOKS

FGDB-E - DEPARTMENT OF PUBLIC INSTRUCTION STUDENT HANDBOOK REGULATIONS

FGDD - STUDENT PUBLICATIONS & FREEDOM OF EXPRESSION POLICY

G INSTRUCTION

GA* CURRICULUM INCLUSIONS

GAAA - CURRICULUM DESIGN & EVALUATION

GAAB - CURRICULUM ADOPTION

GAAC - REVIEW & COMPLAINTS OF INSTRUCTIONAL & RESOURCE MATERIAL

**GAAC-BR - PROCEDURE FOR REVIEWING COMPLAINTS
ABOUT INSTRUCTIONAL/RESOURCE MATERIAL**

**GAAC-E1 - JAMESTOWN PUBLIC SCHOOLS REQUEST FOR
RECONSIDERATION OF
INSTRUCTIONAL RESOURCES**

GAAC-E2 - LIBRARY BILL OF RIGHTS

GAAD - SELECTION AND ADOPTION OF INSTRUCTIONAL
MATERIALS

GAAE - CRITICAL RACE THEORY

**GAAE-E1 - JAMESTOWN PUBLIC SCHOOL DISTRICT REQUEST
TO VIEW INSTRUCTIONAL/RESOURCE MATERIAL**

GAB* REQUIRED CURRICULAR PROGRAMS

GABAA – SERVICES FOR ENGLISH LEARNERS

**GABAA-AR - ENGLISH LEARNERS (EL) COMMUNICATION
PROCEDURE**

GABBA - CHILD FIND REFERRAL PROGRAM FOR STUDENTS WITH
DISABILITIES

GABC - SEX EDUCATION

GABC-E - SEX EDUCATION LAW

GABDA - STUDENT ACHIEVEMENT

GABDB - FEDERAL TITLE PROGRAMS DISPUTE RESOLUTION
PROCEDURE

GAC* OTHER CURRICULAR PROGRAMS

GACB - PATRIOTIC EXERCISES

GACC - POST-SECONDARY DUAL CREDIT

GACD - SUMMER SCHOOL

GACDA - SUMMER SCHOOL ATTENDANCE BY GRADUATED
SENIORS

GACE - GED CREDIT FOR HIGH SCHOOL GRADUATION AND
CURRICULUM REQUIREMENTS

GACE-E - Jamestown Public School GED for Credit Criteria

GACG - EDUCATIONAL OPPORTUNITIES THROUGH SPONSORING
ENTITIES

**GACG-E - JAMESTOWN PUBLIC SCHOOL DISTRICT
SPONSORING ENTITY PROPOSAL APPLICATION**

GBA - ACADEMIC FREEDOM

GBAA - TEACHING ABOUT RELIGION

GC* STUDENT EVALUATION

GCA* Placement

GCAA - GRADE PROMOTION, RETENTION, & ACCELERATION

**GCAA-AR - GRADE PROMOTION, RETENTION &
ACCELERATION PROCEDURE**

GCAB - RANKING OF STUDENT

GCBA - GRADING

GCC - PROTECTION OF PUPIL RIGHTS AMENDMENT

**GCC-AR - CRITERIA FOR CONSIDERING THIRD PARTY
STUDENT SURVEYS AND RESEARCH**

**GCC-E1 - MODEL NOTIFICATION OF RIGHTS UNDER THE
PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)**

GD* GRADUATION

GDA* GRADUATION REQUIREMENTS

GDAE - EARLY GRADUATION

**GDAE-E1 - APPLICATION FOR EARLY GRADUATION
JAMESTOWN PUBLIC SCHOOLS**

**GDAE-E2 - APPLICATION FOR EARLY GRADUATION
ALTERNATIVE EDUCATION PROGRAM, JAMESTOWN PUBLIC
SCHOOLS**

GDB - GRADUATION EXERCISES

H FISCAL MANAGEMENT

HA* BUDGET

HAA - BUDGET PLANNING, PREPARATION, & ADOPTION

HB* FUNDING

HBAA - FEDERAL FISCAL COMPLIANCE

HBAA-AR1 – TITLE I FISCAL & INVENTORY REQUIREMENTS

HBAA-AR2--DISTRICT PERSONNEL TIME AND EFFORT

Time and Effort Records

HBAA-E – DISTRICT PERSONNEL TIME AND EFFORT FORM

Name of District:

Supervisor Name:

Supervisor Title:

Time Period:

HBCA - EMPLOYEE BLANKET BOND

HBCC - FUNDRAISING

**HBCC-E - JAMESTOWN PUBLIC SCHOOLS Fund Raising
Request Form**

HBCC-E2 - FUNDRAISING ACTIVITIES

HC* EXPENDITURE OF SCHOOL FUNDS

HCA - PURCHASE OF SUPPLIES AND EQUIPMENT

HCAA - PURCHASING

**HCAA-BR - CRITERIA FOR EVALUATING INFORMAL BIDS OR
PROPOSALS**

HCAA - AR - INFORMAL BIDS OR PROPOSALS PROCESS

HCAA-E - PURCHASING LAWS FOR SCHOOLS

HCAB - BIDDING REQUIREMENTS & PROCEDURES

HCAE - DISBURSEMENT OF MONIES

HCAE-AR - DISBURSEMENT OF MONIES REGULATIONS

HCAG - PURCHASING CARDS

**HCAG-AR - JAMESTOWN PUBLIC SCHOOL DISTRICT
CARDHOLDER MANUAL**

**HCAG-E - JAMESTOWN PUBLIC SCHOOL DISTRICT
CARDHOLDER EMPLOYEE AGREEMENT**

HDD - GIFTS & BEQUESTS

HDD-AR - DONATED PLAYGROUND EQUIPMENT

**HDD-E - JAMESTOWN PUBLIC SCHOOL DISTRICT IRS RECEIPT
FOR CHARITABLE CONTRIBUTIONS**

HE* ACCOUNTING & REPORTING

HEA* FUNDS & ASSET MANAGEMENT

HEAA - LINE ITEM TRANSFER AUTHORITY

HEAB - REVOLVING ACCOUNTS

HEAC - MANAGEMENT OF STUDENT ACTIVITIES FUNDS

HEB* INTERNAL CONTROLS

HEBA - SYSTEM OF ACCOUNTS

HEBB - CASH IN SCHOOL BUILDINGS

HEBC - FRAUD PREVENTION & INVESTIGATION

HEBD - AUDITS

I GENERAL OPERATIONAL PROGRAMS

IA SCHOOL PROPERTY

IAC - LEASE OF SCHOOL PROPERTY

IAD - SALE OF DISTRICT REAL PROPERTY

Purpose

Definitions

Property Valuation

Board Approval

Competitive Bidding

Private Sale

Terms and Conditions of Sale

Compliance with Applicable Laws

Recordkeeping

ICCB - DISPOSAL OF SCHOOL EQUIPMENT AND SUPPLIES

IDC - DATA PROTECTION & SECURITY BREACHES

IDC-AR - SECURITY BREACHES PROCEDURE

IE – TRANSPORTATION SERVICES

IEAB - PERSONNEL USE OF DISTRICT VEHICLES

IEAC - BUS SCHEDULING AND ROUTING

IEAC-AR - TRANSPORTATION REGULATIONS

IEAF - EXTRACURRICULAR TRANSPORTATION

J FACILITY DEVELOPMENT

JC - NAMING-RENAMING SCHOOL FACILITIES

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K PUBLIC RELATIONS

KA* SCHOOL-COMMUNITY RELATIONS

KAA* Community Involvement

KAAA - VISITORS IN THE SCHOOLS

KAAC - GOLDEN AGE PASS

KAAD - DISTRIBUTION & POSTING OF NON-CURRICULAR
MATERIAL IN SCHOOL

KAB - PARENT AND FAMILY ENGAGEMENT POLICY

**KAB-E - JAMESTOWN PUBLIC SCHOOL DISTRICT SCHOOL-
PARENT COMPACT**

KAC* COMPLAINTS

KACA - PATRON COMPLAINTS

KACB - COMPLAINTS ABOUT PERSONNEL

KACB-E1 - PERSONNEL COMPLAINT FORM

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KACB-E3 - RESPONDING TO PERSONNEL COMPLAINTS

KADA - WEAPONS PROHIBITION ON SCHOOL PROPERTY—
PUBLIC

KB* COMMUNICATIONS POLICIES & PROGRAMS

KBA - RELATIONS WITH THE NEWS MEDIA

KBA-BR1 - RELATIONS WITH THE NEWS MEDIA REGULATIONS

KBA-BR2 - SPORTS AND SPECIAL EVENTS MEDIA COVERAGE

L Organizational Relations

LBB - RELATIONS WITH DEPARTMENT OF HUMAN SERVICES

LBB-E REPORT OF SUSPECTED CHILD ABUSE OR NEGLECT

AA* GENERAL OPERATIONS PHILOSOPHIES

Descriptor Code: AAA

AAA - PHILOSOPHY

In establishing the Mission Statement and Policies of the Jamestown School District, it is the intent of the School Board that these rules shall be guidelines for the administration of the educational program for the school system.

AAB - DISTRICT GOALS & OBJECTIVES

The District shall comply with approval requirements in state law and shall strive to provide schools that meet the criteria for accreditation from the Department of Public Instruction and that show adequate yearly progress as defined in federal law.

In addition to meeting these approval and accreditation requirements/standards, the Board has established the following goals and objectives:

Mission and Vision Statements for Jamestown School District #1

Mission:

Engaging students with challenging and innovative experiences to prepare them for future success.

Vision:

Jamestown Public Schools supports a safe, educationally rigorous, and collaborative environment. Our vision is to prepare students for tomorrow's challenges by practicing skills such as collaboration, communication, creativity, and critical thinking. We believe all students should have personalized, authentic experiences that integrate with the community for meaningful learning. As an essential contributor to the growth of our student's intellectual, social, and personal well-being, we will positively impact our community and society.

Our Values:

The Jamestown Public Schools values strong relationships between and among students, staff, parents, and the community. By engaging students with a rigorous and relevant curriculum, we will deliver a high quality of instruction by leveraging innovative experiences through the support of our community. "Learning for All" will be the central value that guides our efforts to meet the Mission and Vision of our school district.

AAC - NONDISCRIMINATION AND ANTI-HARASSMENT POLICY

General Prohibitions

The Jamestown Public School District is committed to maintaining a learning and working environment free from discrimination and harassment in all employment and educational programs, activities, and facilities. The District prohibits discrimination and harassment based on a student's, parent's, guardian's, or employee's race, color, religion, sex, gender identity, national origin, ancestry, disability, age, or other status protected by law. The District also provides equal access to the Boy Scouts and other designated youth groups, as required by federal law.

It is a violation of this policy for any district student, parent, guardian, employee, or third party to discriminate against or harass another district student or employee, based on any status protected by law, if the conduct occurred within the context of an education program or activity, or if the conduct had a continuing effect in the educational setting of a program or activity occurring on or off school district property. The District will not tolerate discrimination or harassment of a district student or employee by a third party. The District also prohibits aiding, abetting, inciting, compelling, or coercing discrimination or harassment; discriminating against or harassing any individual affiliated with another who is protected by this policy and/or law; knowingly making a false discrimination and/or harassment report; and retaliation against individuals who report and/or participate in a discrimination and/or harassment investigation, including instances when a complaint is not substantiated.

The District shall promptly investigate any discrimination, harassment, or retaliation complaint and act on findings as appropriate, or as required by law. Outcomes may include disciplinary measures such as termination of employment or student expulsion in accordance with board policy, law, and, when applicable, the negotiated agreement. Students and employees are expected to fully cooperate in the investigation process. The District will take steps to prevent recurrence of discrimination, harassment, or retaliation and remedy discriminatory effects on the complainant and others, if appropriate.

Definitions

- *Complainant* is the individual filing the complaint. If the complainant is not the victim of the alleged discrimination and/or harassment, the victim must be afforded the same rights as the complainant under this policy and regulations AAC-BR1 or AAC-BR2.
- *Disability* is defined in accordance with NDCC 14-02.4-02 (5).
- *Discrimination* means failure to treat an individual equally due to a protected status.
- *Protected status* is defined in applicable state (NDCC 14-02.4-02 (6)) and federal laws.
- *Employee* is defined in accordance with NDCC 14-02.4-02 (7).
- Harassment is a specific type of discrimination based on a protected status. It occurs under the following conditions:

- a. For employees: When enduring the offensive conduct becomes a condition of continued employment, or the conduct is severe, persistent, and/or pervasive enough to create a work environment that a reasonable individual would consider intimidating, hostile, or abusive.
 - b. For students: When the conduct is sufficiently severe, persistent, and/or pervasive so as to limit the student's ability to participate in or benefit from the education program or to create a hostile or abusive education environment.
- *North Dakota Human Rights Act (NDCC ch. 14-02.4)* provides protection from discrimination in the workplace on the basis of race, color, religion, sex, national origin, age, the presence of any mental or physical disability, status with regarding to marriage or public assistance, or participation in lawful activity off the employer's premises during nonworking hours which is not in direct conflict with the essential business-related interests of the employer.
 - *Section 504 (Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794)* is a federal law designed to protect the rights of individuals with disabilities in programs and activities that receive federal financial assistance from the U.S. Department of Education.
 - *Sexual harassment* is a form of harassment based on sex. It is defined under Title IX as unwelcome sexual advances, requests for sexual favors, and/or other verbal, written, or physical conduct or communication of a sexual nature, that:
 - a. Constitutes *quid pro quo* harassment, meaning submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of the basis for employment decisions or educational decisions or benefits for students (e.g., receiving a grade);
 - b. Is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
 - c. Constitutes sexual assault, dating violence, domestic violence, or stalking as those offenses are defined in the Clery Act, 20 U.S.C. § 1092(f) and the Violence Against Women Act, 34 U.S.C. § 12291(a).
 - *Sexual harassment* examples include, but are not limited to, the following:
 - a. Sexual or "dirty" jokes;
 - b. Sexual advances;
 - c. Pressure for sexual favors;
 - d. Unwelcome touching, such as patting, pinching, or constant brushing against another's body;
 - e. Displaying or distributing of sexually explicit drawings, pictures, and written materials;
 - f. Graffiti of a sexual nature;
 - g. Sexual gestures;
 - h. Touching oneself sexually or talking about one's sexual activity in front of others;

- i. Spreading rumors about or rating other's sexual activity or performance;
 - j. Remarks about an individual's sexual orientation; and
 - k. Sexual violence, including rape, sexual battery, sexual abuse, and sexual coercion.
- *Title II of the Americans with Disabilities Act* extends the prohibition on discrimination established by Section 504 to all services, programs, and activities of State and local government entities.
 - *Title VI* is a federal law that provides protection from discrimination based on race, color, or national origin in employment and employment practices in programs or activities receiving federal financial assistance.
 - *Title VII* is a federal law that provides protection from discrimination on the basis of race, color, religion, sex or national origin. Title VII applies to all public school districts with 15 or more employees.
 - *Title IX* is a federal law that provides protection from discrimination, based on sex, in education programs or activities that receive federal financial assistance.

Other or different definitions may be set forth in board regulations AAC-BR1 or AAC-BR2.

Complaint Filing Procedure

The Board shall create an informal and formal discrimination and harassment complaint filing procedure in board regulations coded AAC-BR1. For Title IX sexual harassment complaints, grievance procedures shall be followed in accordance with federal regulations and board regulation AAC-BR2.

The procedure provides for an impartial investigation free of conflicts of interest and bias. Nothing in this policy or in the discrimination and harassment grievance procedure prevents an individual from pursuing redress available through state and/or federal law.

Confidentiality

An individual wishing to file an anonymous discrimination and/or harassment complaint must be advised that confidentiality may limit the district's ability to fully respond to the complaint and that retaliation is prohibited. The appropriate grievance coordinator (Title IX, 504/Title II, or Nondiscrimination) shall perform a confidentiality analysis to determine when a request for confidentiality cannot be honored due to safety reasons or the district's obligation to maintain a nondiscriminatory educational environment. The complainant must be notified in writing of the confidentiality analysis outcome. A discrimination or harassment investigation report is subject to the open records law after 60 days or when the investigation is complete (whichever comes first), with limited exceptions such as when the record is protected by FERPA.

Complaint Recipients

If any district employee receives a discrimination or harassment complaint, the employee shall promptly forward it to the appropriate grievance coordinator. All district employees must receive training on their reporting duties.

Grievance Coordinators

Districts must designate at least one employee to be their Title IX Coordinator and authorize such individual(s) to coordinate the district's efforts to comply with its responsibilities under the applicable regulations.

The Title IX Coordinator's responsibilities include overseeing the district's response to Title IX reports and complaints and identifying and addressing any patterns or systemic problems revealed by such reports and complaints. The Title IX Coordinator must have knowledge of the requirements of Title IX, of the district's policies and procedures on sex discrimination, and of all complaints raising Title IX issues throughout the District. To accomplish this, the Title IX Coordinator must be informed of any report or complaint raising Title IX issues, even if the report or complaint was initially filed with another individual or office or if the investigation will be conducted by another individual or office.

The Board designates Kristi Grounds as the Title IX Coordinator. They may be contacted at 207 2 Ave SE, Jamestown, ND 58401, 701-252-1950 or Kristi.Grounds@k12.nd.us. Districts must notify students, parents or legal guardians, employees and unions of the name and specified contact information for the designated Title IX Coordinator(s). The notification must also state that inquiries about the application of Title IX and its regulations may be directed to the district's Title IX Coordinator or the Assistant Secretary of Education, or both. Districts must prominently display the Title IX Coordinator(s) contact information on their website, if any, and in each handbook it makes available to students, parents or legal guardians, employees and unions.

The 504/Title II Coordinator's responsibilities include overseeing the district's response to disability discrimination reports and complaints. The 504/Title II Coordinator must have knowledge of the requirements of Section 504 and Title II, of the district's policies and procedures on disability discrimination, and of all complaints raising Section 504/Title II issues throughout the District. To accomplish this, the 504/Title II Coordinator must be informed of any report or complaint raising Section 504/Title II issues, even if the report or complaint was initially filed with another individual or office or if the investigation will be conducted by another individual or office. The Board designates Heidi Budeau as the 504/Title II Coordinator. They may be contacted at 207 2 AVE SE, Jamestown, ND 58401, 701-252-3376 or Heidi.Budeau@k12.nd.us.

The Nondiscrimination Coordinator's core responsibilities include overseeing the district's response to discrimination and harassment reports and complaints that do not include sex or disability under applicable federal laws, but instead the other protected statuses or sex or disability based discrimination under state law. The Board designates Robert Lech, as the Nondiscrimination Coordinator. They may be contacted at 207 2 Ave SE, Jamestown, ND 58401, 701-252-1950 or Robert.Lech@k12.nd.us.

Policy Dissemination

The Superintendent shall display this policy and complementary grievance procedures in a prominent place in each district building and publish it in student and employee handbooks.

Training

The Board authorizes the Superintendent to develop discrimination and harassment awareness training for students and employees. Employee training requirements are delineated in board exhibit AAC-E3, Discrimination and/or Harassment Training Requirements for Employees.

The Title IX, 504/Title II, and Nondiscrimination Coordinators, and any other school official responsible for the investigation of discrimination complaints, shall receive training. This training must include:

1. The definition of discrimination, harassment, and retaliation;
2. The handling of complaints under the Discrimination and Harassment Grievance Procedure (AAC-BR1); and
3. The applicability of confidentiality requirements.

In addition, the Title IX Coordinator(s), investigators, decision-makers, and those facilitating an informal resolution process, if applicable, under Title IX shall receive training in a number of areas specified in board regulation AAC-BR2.

Complementing Policies

- AAC-BR1, Discrimination and Harassment Grievance Procedure
- AAC-BR2, Title IX Sexual Harassment Grievance Procedure
- AAC-E1, Filing a State or Federal Discrimination and/or Harassment Complaint
- AAC-E2, Discrimination and/or Harassment Complaint Confidentiality Assessment
- AAC-E3, Discrimination and/or Harassment Training Requirements for Employees
- AAC-E4, Reasonable Accommodation Request Physician Form
- AAC-E5, Notice of Title IX Sexual Harassment Complaint
- ABBB, Non-Curricular Use of District Property
- DE, Staff Code of Conduct
- FGDB, Student Handbooks

End of Jamestown Public School District Policy AAC

Adopted:9-8-2020 Amended 1-16-2023

reviewed 7-17-2023

[AAC-BR1 - DISCRIMINATION AND HARASSMENT GRIEVANCE PROCEDURE](#)

The following procedure is designed to resolve discrimination, harassment and retaliation complaints by and against students, parents, and third parties, as described in board policy, in a prompt and equitable manner. Board policy requires all students and staff to fully cooperate when asked to participate in a discrimination, harassment, or retaliation investigation. The procedure contained in this regulation supersedes the district's policies regarding complaints about personnel and bullying. For Title IX sexual harassment complaints, the procedure set forth in board regulation AAC-BR2, Title IX Sexual Harassment Grievance Procedure, will control and supersede this procedure.

Retaliation Prohibited

The District prohibits retaliation for an individual's participation in and/or initiation of a discrimination and/or harassment complaint investigation, including instances when a complaint is not substantiated. The consequences for violating this prohibition are delineated in Board policy AAC, Nondiscrimination and Anti-Harassment Board Policy.

Complaint Filing Format and Deadlines

A complaint may be filed verbally or in writing and should be filed as soon as possible after the discrimination, harassment, or retaliation allegedly occurred. Delays in filing a complaint may cause difficulties in the investigation.

With Whom Complaints May be Filed

A complaint may be filed with any district employee. District employees are required to report any discrimination or harassment to the appropriate grievance coordinator (Title IX, 504/Title II, or Nondiscrimination) when they knew (e.g., received a complaint, directly observed it) or should have known it was occurring (e.g., overheard students talking about an incident, saw discriminatory or harassing graffiti or vandalism on school property). Failure by a district employee to report under this regulation may result in disciplinary action.

Initiating Complaint Resolution Procedure

After receiving a discrimination and/or harassment complaint or gaining knowledge of potentially discriminatory and/or harassing conduct, the appropriate grievance coordinator shall contact the complainant, determine if an informal or formal investigation is appropriate, and determine if the complainant requests confidentiality. Requests for confidentiality must be handled in accordance with policy AAC.

Prohibition on Meeting with the Accused

At no time during the informal or formal resolution process shall the complainant be required to meet with the accused. If the appropriate grievance coordinator assigned to conduct or oversee the investigation is the accused, the Superintendent, or Board

President (if the Superintendent is the accused) shall designate a different individual (which may be a third party) to carry out the accused's responsibilities associated with the investigation.

Third-Party Assistance

A school official responsible for conducting or overseeing discrimination and/or harassment investigations is authorized to receive assistance from the district's legal counsel throughout the process.

Investigation Timeframes

The informal resolution procedure must be completed within 30 days of a district employee reporting the complaint or incident to the appropriate grievance coordinator, unless the investigator documents reasons for delays and communicates these reasons to the complainant and accused.

The formal resolution procedure must be completed within 60 days of a district employee reporting the complaint or incident to the appropriate grievance coordinator or a complainant or accused terminating the informal complaint procedure, unless the investigator documents reasons for delays and communicates these reasons with the complainant and accused. Acceptable reasons for delays include extended school breaks when witnesses are not available, and complex cases involving multiple witnesses.

Interim Measures

Pending the final outcome of an informal or formal resolution, the District shall institute interim measures to protect the complainant and inform him/her of support services available. Interim measures may include a district-enforced no contact order, schedule changes, academic modifications for the complainant, and/or school counseling for the complainant. These interim measures should have minimal impact on the complainant. If the accused is a student, interim measures should also take into consideration the accused student's educational rights.

Informal Resolution Procedure

This procedure may only be used when mutually agreed to by the complainant, the accused, and the appropriate grievance coordinator. This procedure may not be used when the alleged discrimination and/or harassment may have constituted sexual violence or any other crime. The formal resolution procedure must be used whenever the informal procedure is not permitted.

During the informal resolution process, the investigator shall gather information necessary to understand and resolve the complaint. Based on this fact-gathering process, the investigator shall propose an informal resolution, which may include requiring the accused

to undergo training on discrimination and/or harassment, requiring all students and staff to undergo such training, instituting protection mechanisms for the complainant, and/or holding a formal meeting with the accused to review the nondiscrimination and anti-harassment policy and discuss the implications of violating it. Both the complainant and the accused must agree to the informal resolution before it can be instituted.

The appropriate grievance coordinator shall monitor the implementation and effectiveness of the informal resolution procedure and initiate the formal resolution procedure if discrimination and/or harassment persists.

Both the complainant and the accused have the right to terminate the informal resolution procedure at any time to pursue a remedy under the formal resolution procedure.

Formal Resolution Procedure

This procedure must be used whenever the informal resolution procedure is not used.

Whenever alleged discrimination or harassment may have constituted a crime, the Superintendent should contact law enforcement and enter into a memorandum of understanding concerning sharing of evidence and coordination of the investigation. However, the District shall proceed with its investigation and this resolution procedure, regardless of the criminal investigation or outcome.

The fact-gathering portion of the investigation must be carried out or overseen by the appropriate grievance coordinator and must consist of interviews with the complainant, the accused, and any others who may have witnessed or otherwise have knowledge of the circumstances giving rise to the alleged complaint and may involve gathering and review of information relevant to the complaint. Both the complainant and accused will have equal opportunity to present evidence and name witnesses. Witnesses must be instructed not to discuss this matter with others.

The fact-gathering portion of the investigation must be completed as soon as practical.

Investigation Report

After the fact-gathering process is complete, under the formal resolution procedure, the appropriate grievance coordinator shall complete a written report containing a determination of whether allegations were substantiated, whether the nondiscrimination and anti-harassment policy was violated, and recommendations for corrective action, if any. The appropriate grievance coordinator shall assess if discrimination and/or harassment “more likely than not” occurred based on the following criteria:

- Whether evidence suggests a pattern of conduct supportive of disproving the allegations of discrimination and/or harassment;

- Whether behavior meets the definition of discrimination, harassment, and/or sexual harassment as defined in board policy;
- Ages of the parties involved;
- Relationship between the parties involved;
- Severity of the conduct;
- How often the conduct occurred, if applicable, and;
- How the District resolved similar complaints, if any, in the past.

The investigation report must indicate if any measures are to be instituted to protect the complainant. Such measures may include extending any interim protection measures taken during the investigation. The report must also inform the complainant of support services available, which at a minimum must include offering school counseling services if the complainant is a student.

The investigation report must contain a monitoring plan to evaluate the effectiveness of the resolution and help prevent recurrence.

Disciplinary Action

Any disciplinary action must be carried out in accordance with board policy, law, and, when applicable, the negotiated agreement.

The appropriate grievance coordinator along with the building principal shall determine if a recommendation for expulsion for an accused student should be made.

The appropriate grievance coordinator along with the Superintendent shall determine if a recommendation for discharge for an accused employee should be made.

If this recommendation is made and a hearing is required, the hearing must be held in accordance with district policy and law.

Both the complainant and accused shall have an equal right to attend the hearing, have a representative and parent (if student) present, present evidence, and question witnesses.

The complainant may choose to appoint a representative to participate in the hearing in his/her stead.

Notice of Outcome

Both the complainant and the accused must be provided written notice of the outcome of the complaint.

Nothing shall prevent the parties from seeking judicial redress through a court of competent jurisdiction or through any applicable state or federal complaint procedures.

Records Retention

Investigation materials must be retained by the appropriate grievance coordinator (504/Title II, or Nondiscrimination) for at least six years. All Title IX sexual harassment records and training materials shall be maintained in accordance with federal regulations and board regulation AAC-BR2.

End of Jamestown Public School District Board Reg. AAC-BR1Approved:8-17-2020

AAC-BR2 - TITLE IX SEXUAL HARASSMENT GRIEVANCE PROCEDURE

The following procedure is designed to resolve sexual harassment grievances by and against staff, students, parents, and third parties, as described in board policy, in a prompt and equitable manner. In accordance with Title IX of the Education Amendments Act of 1972, the District prohibits discrimination on the basis of sex, including sexual harassment, in any district education program or activity. The District shall respond when sexual harassment occurs in the district's education program or activity against a person in the United States. The procedure contained in this regulation supersedes the district's policies regarding complaints about personnel and bullying.

Definitions

- *Actual knowledge* means notice of sexual harassment is given to the Title IX Coordinator, an official with authority to institute corrective measures, or any elementary or secondary school employee. When the District has actual knowledge of alleged sexual harassment in a district education program or activity, Title IX requires the District to respond in a manner that is not clearly unreasonable in light of the known circumstances.

- *Complainant* is an individual who is alleged to be the victim of conduct that could constitute sex harassment.
- *Document filed by a complainant* is a document or electronic submission (such as by e-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.
- *Education program or activity* includes locations, events, or circumstances over which the District exercises control over both the respondent and the context over which the sexual harassment occurred. This includes locations or events that occur on or off school property, and may include computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of, the District.
- *Exculpatory evidence* means evidence tending to exonerate a respondent or helps establish their innocence of the conduct alleged.
- *Formal Complaint* is a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school investigate the allegation of sexual harassment.
- *Inculpatory evidence* means evidence that shows, or tends to show, a person's involvement in an act, or evidence that can establish guilt of the conduct alleged.
- *Respondent* is an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
- *School property* is defined in NDCC 15.1-19-10(6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.
- *Sexual harassment* is a form of harassment based on sex. It is defined as unwelcome sexual advances, requests for sexual favors, and/or other verbal, written, or physical conduct or communication of a sexual nature, that:
 - a. Constitutes quid pro quo harassment, meaning submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of the basis for employment decisions or educational decisions or benefits for students (e.g., receiving a grade);
 - b. Is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity; or
 - c. Constitutes sexual assault, dating violence, domestic violence, or stalking as those offenses are defined in the Clery Act, 20 U.S.C. § 1092(f) and the Violence Against Women Act, 34 U.S.C. § 12291(a).
- *Sexual harassment examples* may include, but are not limited to, the following:
 - a. Sexual or "dirty" jokes;
 - b. Sexual advances;
 - c. Pressure for sexual favors;

- d. Unwelcome touching, such as patting, pinching, or constant brushing against another's body;
 - e. Displaying or distributing of sexually explicit drawings, pictures, and written materials;
 - f. Graffiti of a sexual nature;
 - g. Sexual gestures;
 - h. Touching oneself sexually or talking about one's sexual activity in front of others;
 - i. Spreading rumors about or rating other's sexual activity or performance;
 - j. Remarks about an individual's sexual orientation; and
 - k. Sexual violence, including rape, sexual battery, sexual abuse, and sexual coercion.
- *Supportive Measures* are individualized services reasonably available that are non-punitive or non-disciplinary in nature, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment. Examples of possible supportive measures include, but are not necessarily limited to, counseling, extensions of deadlines or course-related adjustments, modifications of work or class schedules, a safety plan, school escort services, mutual contact restrictions, changes in work locations, leaves of absence, increased security and monitoring of certain areas on school property, and other similar measures.

Retaliation Prohibited

The District prohibits any person from intimidating, threatening, coercing, or discriminating against any individual, including complainants, respondents, and witnesses, for the purpose of interfering with any right or privilege secured by Title IX including but not limited to making a report or formal complaint of sexual harassment or participating (or refusing to participate) in a sexual harassment complaint investigation. This includes instances when a complaint is not substantiated. The consequences for violating this prohibition are delineated in board policy AAC, Nondiscrimination and Anti-Harassment Policy. Complaints of retaliation shall be processed under board regulation AAC-BR1, Discrimination and Harassment Grievance Procedure.

Reports of Sexual Harassment

Any person may report sexual harassment, whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sexual harassment. A report may be filed in person, by mail, by telephone, by email, or by any additional method provided by the District using the contact information for the Title IX Coordinator as set forth in policy AAC. A report may be made at any time, including during non-business hours, by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator. A report should be filed as soon as possible after the alleged harassment or retaliation allegedly occurred. Delays in filing a report may cause difficulties in the investigation. Anonymous reports are permitted; however, the district's ability to offer supportive measures to a complainant, or to consider whether to initiate a

grievance process against the respondent, will be affected by whether the report of sexual harassment disclosed the identity of the complainant or respondent.

With Whom Reports of Sexual Harassment May be Filed

A report of sexual harassment may be filed with the Title IX Coordinator or with any district employee. District employees are required to report any discrimination or harassment to the Title IX Coordinator when they knew (e.g., received a report, directly observed it) or should have known it was occurring (e.g., overheard students talking about an incident, witnessed discriminatory or harassing conduct on school property or at a school activity). Failure by a district employee to report under this regulation may result in disciplinary action.

Third-Party Assistance

The Title IX Coordinator or other school official responsible for conducting or overseeing sexual harassment investigations is authorized to receive assistance from the district's legal counsel throughout the process.

Responding to Reports of Sexual Harassment

After receiving a sexual harassment report or having actual knowledge of potentially harassing conduct, the Title IX Coordinator shall 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. If supportive measures are not provided to or as requested by a complainant, the Title IX Coordinator shall document why supportive measures were not provided and why the lack of supportive measures is not clearly unreasonable in light of the known circumstances. The Title IX Coordinator shall also promptly contact the respondent, who must also be offered supportive measures.

Supportive measures must be designed to preserve the complainant and respondent's access to the district's education programs or activities without unreasonably burdening the other party. Supportive measures must be coordinated by the Title IX Coordinator and kept confidential to the extent reasonably possible. Supportive measures should be equitably offered to both the complainant and the respondent and should be reasonably available before or after the filing of a formal complaint or where no formal complaint has been filed.

Disciplinary sanctions or other actions that are not supportive measures shall not be taken against the respondent unless a formal complaint is filed and an investigation is conducted in accordance with the process set forth herein.

Emergency Removal of the Respondent

In the event a situation arises from the allegations of sexual harassment and the respondent poses an immediate threat to the physical health or safety of any student or other individual, the Title IX Coordinator may remove the respondent from the district's education program or activity, or place the respondent on administrative leave on an emergency basis, with or without a grievance process pending. The decision whether to

remove the respondent on an emergency basis may be made at any time during the grievance process, but must only be made after an individualized, fact-based safety and risk analysis. An emergency removal decision may not be based on general assumptions about sex, or research that purports to profile characteristics of sex offense perpetrators, or statistical data about the frequency or infrequency of false or unfounded sexual misconduct allegations. Emergency removal decisions must comply with applicable state law regarding suspensions, and applicable state and federal law and board policies regarding removal of students with disabilities.

The Title IX Coordinator shall promptly provide notice of the emergency removal decision to the respondent explaining the reasons for the removal decision. The respondent shall have the opportunity to challenge the removal decision of the Title IX Coordinator to the Superintendent or other designated decision-maker, whose decision regarding removal shall be final.

Administrative Leave for the Respondent Employee

In the event the respondent is an employee (teacher, administrator, or ancillary staff), the Superintendent is authorized to place the respondent on administrative leave when employee is under District and /or law enforcement investigation, during the pendency of the grievance procedure, and the Superintendent identifies a need to temporarily remove the employee from their duties and/or job placement to protect district property, school operations, students and/or other employees. If the respondent is the Superintendent or Business Manager, the Board President is authorized to place the Superintendent or Business Manager on administrative leave.

The duration of administrative leave shall be until the investigation is complete and the Superintendent determines that the employee's potential threat or disruption to district property, school operations, students and/or other employees has passed.

Prior to placing an employee on administrative leave, the Superintendent may consider if a transfer or reassignment of the employee would be an appropriate alternative to administrative leave. A decision to transfer or reassign an employee shall not violate the terms of the employee's contract with the District or negotiated agreement, if applicable.

For certified or contract employees, administrative leave shall be with pay, and the employee shall not be required to take any applicable paid leave benefits as part of the administrative leave. For ancillary staff, administrative leave may be without pay and the employee may be permitted to take paid leave if available under the applicable leave policies.

Filing of Formal Complaint

A formal complaint regarding sexual harassment may be filed by the complainant with the Title IX Coordinator in person, by mail, by email, or by any online submission system provided by the District. A formal complaint may also be initiated and signed by the Title IX Coordinator. A formal complaint may not be filed anonymously by a complainant. At the time of filing a formal complaint, the complainant must be participating in or attempting to participate in an education program or activity of the District. The District must respect the complainant's wishes with respect to whether the Title IX Coordinator initiates a formal

complaint and investigation unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances. The Title IX Coordinator is authorized to exercise discretion to consolidate formal complaints when allegations of sexual harassment arise out of the same facts or circumstances.

Written Notice of Allegations

Upon receipt or signing of a formal sexual harassment complaint, the Title IX Coordinator must provide written notice of the allegations to the complainant and to the respondent. The written notice must:

4. Advise the parties of the district's grievance process;
5. Identify by name the known parties involved in the alleged misconduct, including the complainant and the respondent;
6. Include known details of the misconduct that potentially constitutes sexual harassment alleged against the respondent, including the date(s) and location(s) of the alleged conduct;
7. Advise the parties of the presumption of non-responsibility on the part of the respondent as to the allegations of sexual harassment until a determination of responsibility is made at the conclusion of the grievance process;
8. Advise the parties of the right of each to an adult advisor of their choice, who may be, but is not required to be an attorney, throughout the grievance process;
9. Advise the parties of the prohibition against knowingly making a materially false statement or providing materially false information in connection with the allegations of sexual harassment set forth in the report or formal complaint and of any potential disciplinary actions that may result if false statements or false information are knowingly provided;
10. Advise the parties of the informal resolution procedure, including the circumstances under which such procedure is available, and the right of either party to end the informal process at any time and begin the formal resolution procedure;
11. Advise the parties of the district's obligation to conduct a formal investigation;
12. Advise the parties of their right to advance written notice of the date, time, location, participants, and purpose of all investigative interviews;
13. Advise the parties of their right to review all evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint and their right to submit a written response to the evidence prior to the conclusion of the investigation;
14. Advise the parties of their right to submit, to the designated decision-maker, written, relevant questions that a party wants asked of any party or witness, be provided the answers, and have opportunity for additional, limited follow-up questions;
15. Describe or list the range of remedies and disciplinary actions the District may impose following a determination of responsibility;

16. Inform the parties of the standard of evidence applied by the District to all complaints of sexual harassment under Title IX;
17. Describe the range of supportive measures available to both parties;
18. Explain the appeal procedures; and
19. Advise the parties not to discuss or disseminate the allegations in a manner that constitutes retaliation or unlawful tortious conduct.

Written notice of allegations must be provided with sufficient time for the parties to prepare for an initial interview and so that both parties understand the scope of the investigation and can prepare to meaningfully participate by advancing the party's own interests in the outcome of the matter. The Title IX Coordinator may use age-appropriate measures in choosing how to convey the information required to be included in the written notice. In the event allegations in the formal complaint change or additional potential violations are discovered, the Title IX Coordinator must promptly provide written notice of the changes or additional potential violations to the complainant and the respondent.

Informal and Formal Resolution Timeframes

The District is required to follow the formal resolution procedure when a formal complaint containing allegations of sexual harassment is filed. Before proceeding with the formal resolution process, the District may offer the informal resolution procedure to the complainant and the respondent when deemed appropriate and only when both parties voluntarily agree in writing to attempt the informal resolution procedure. The informal resolution procedure may not be offered to resolve allegations that an employee sexually harassed a student.

The informal resolution procedure must be completed within 30 days of the receipt or signing of a formal complaint by the Title IX Coordinator, unless the Title IX Coordinator documents good cause for a temporary or limited delay and communicates the cause for the delay to the complainant and the respondent.

The formal resolution procedure, including any appeal process, must be completed within 60 business days of the receipt or signing of a formal complaint by the Title IX Coordinator or a complainant or a respondent terminating the informal resolution procedure, unless the Title IX Coordinator documents good cause for a temporary or limited delay and communicates the cause for the delay to the complainant and the respondent.

Good cause for a temporary or limited delay in the completion of the informal resolution procedure or the formal resolution procedure 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.

The District recognizes that conduct that constitutes sexual harassment may also constitute child abuse, sexual abuse, or other crimes resulting in law enforcement investigations. In such situations and when good cause exists, the Title IX resolution procedures may be temporarily delayed in order to coordinate or cooperate with a concurrent law enforcement investigation. The existence of a concurrent law

enforcement investigation does not relieve the District of its obligation to respond to reports or complaints of sexual harassment as provided by Title IX and applicable regulations.

Prohibition on Meeting with the Respondent

At no time during the informal or formal resolution process shall the complainant be required to meet in person, be confronted by, or speak directly with the respondent.

Informal Resolution Procedure

This procedure may only be used when a formal complaint is filed containing allegations of sexual harassment, when the Title IX Coordinator deems it appropriate under the circumstances, and the complainant and respondent voluntarily consent in writing to participate in the informal resolution procedure. This procedure may not be used when the complainant is a student and the respondent is a district employee. Participation in the informal resolution procedure may not be a condition of enrollment or employment, or enjoyment of any other right. The informal resolution procedure may be facilitated at any time prior to reaching a determination regarding responsibility under the formal resolution procedure. The formal resolution procedure must be used whenever the informal procedure is not permitted or deemed appropriate.

Prior to commencing the informal resolution process, the Title IX Coordinator or other designated facilitator shall inform the parties of the informal resolution parameters, the potential consequences of participation in the process (e.g., no formal investigation undertaken, no admission of responsibility), and any confidentiality implications.

Upon commencement of the informal resolution process, the Title IX Coordinator or other designated facilitator shall gather information necessary to understand the allegations set forth in the formal complaint and to facilitate the informal resolution process. Based on this information-gathering process, the Title IX Coordinator or other designated facilitator shall propose to the parties an informal resolution process, which may include, but is not limited to:

1. Participation by the parties in mediation or other alternative dispute resolution procedure facilitated by the Title IX Coordinator, other designated facilitator, or third-party mutually agreed upon by the parties;
2. Holding a meeting (or series of meetings) with the parties and their advisors (provided all parties consent to participation) to discuss a potential resolution;
3. Development by Title IX Coordinator or other designated facilitator of written behavior expectations of the respondent to redirect conduct; or
4. Arranging a documented meeting with the respondent that involves a discussion of the sex discrimination and sexual harassment policies and requirements for compliance.

The informal resolution process may result in agreements made between the parties, facilitated by the Title IX Coordinator or other designated facilitator, that result in the provision or continuation of supportive measures, as well as disciplinary or punitive

measures. These agreements may contain confidentiality requirements. Disciplinary or punitive measures may include, but are not limited to:

1. Requiring the respondent to undergo training on harassment;
2. Requiring the respondent to undergo counseling;
3. Recommend alternative placement or transfer of the respondent to different class(es), building, or campus;
4. Instituting protection mechanisms for the complainant (e.g., no-contact order, security escort, safety plan);
5. Creation of behavioral adjustment plan for the respondent;
6. In-school or out-of-school suspension for a respondent student;
7. Expulsion of a respondent student for a period not to exceed the remainder of the current school year provided the respondent and the respondent's parent(s)/legal guardian(s) consent and waive any applicable due process rights in writing;
8. Written reprimand placed in a respondent employee's personnel file; or
9. Termination of employment for a respondent employee provided the respondent employee consents and waives any applicable due process or continuing contract rights in writing.

The Title IX Coordinator shall monitor the implementation and effectiveness of the informal resolution and initiate the formal resolution procedure if the alleged harassment persists.

Both the complainant and the respondent have the right to terminate or withdraw from the informal resolution procedure and resume the formal resolution procedure at any time prior to agreeing to a resolution.

Formal Resolution Procedure

This procedure must be used whenever the informal resolution procedure is not used or is terminated before resolution. The Title IX Coordinator or other designated investigator shall conduct a fair and impartial investigation of the allegations of sexual harassment set forth in a formal complaint. If the Title IX Coordinator or other designated investigator is the respondent or has a conflict or is biased in such a manner that may prevent a fair and impartial investigation, the Superintendent shall designate another appropriate person to conduct the investigation.

The fact-gathering portion of the investigation must be carried out or overseen by the Title IX Coordinator or other designated investigator and may consist of interviews with the complainant, the respondent, and any others who may have witnessed or otherwise have knowledge of the circumstances giving rise to the allegations in the complaint and may involve gathering and review of other information relevant to the complaint. Questions and evidence about the complainant's sexual behavior or predisposition must be deemed irrelevant, unless offered to prove someone other than the respondent committed the alleged conduct, 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 Title IX Coordinator or other designated investigator will investigate formal complaints in a manner that:

1. Keeps the burden of proof and burden of gathering evidence on the District while protecting every party's right to consent to the use of the party's own medical, psychological, and similar treatment records;
2. Provides the parties equal opportunity to present facts and expert witnesses and other inculpatory and exculpatory evidence before any determination regarding responsibility is made;
3. Does not restrict the parties from discussing the allegations or gathering evidence (e.g., gag orders) except as specifically provided herein or as required by applicable law;
4. Gives the parties equal opportunity to select an advisor of the party's choice (who may be, but does not need to be, an attorney). The investigator may establish restrictions regarding the extent to which the parties and/or their advisor(s) may participate in the grievance proceedings, as long as the restrictions apply equally to both parties;
5. Prohibits the gathering of information protected by a legally recognized privilege (e.g., doctor-patient, attorney-client) without the appropriate party's voluntary, written waiver;
6. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of the investigative interviews or meetings, with sufficient time for the party to prepare to participate; and
7. Provides both parties and their advisors, if any, an equal opportunity to review and respond to the evidence gathered during the investigation when such evidence is directly related to the allegations set forth in the formal complaint. The parties must be provided at least ten business days to review and submit a written response to the evidence gathered, which the investigator will consider prior to the completion of the investigative report.

The Title IX Coordinator or other designated investigator must recognize a presumption of non-responsibility on the part of the respondent until conclusion of the investigation. The investigation must be completed as soon as reasonably practical and in line with the deadlines for completion of the formal resolution procedure as set forth herein.

Investigation Report

After the investigation process is complete, the Title IX Coordinator or other designated investigator shall complete a written report summarizing the relevant evidence and provide a copy of the completed report to the complainant, respondent, and their advisor(s), if any. The Title IX Coordinator or other designated investigator shall provide a copy of the investigation report to the designated decision-maker.

Submission of Questions and Responses to Report

Within five business days¹ of receipt of the investigation report, the parties may submit relevant written questions to the Superintendent or other designated decision-maker for the other parties and/or witnesses to answer before a determination regarding responsibility is reached. At no time will the complainant be required to answer questions or provide evidence regarding the complainant's sexual behavior or predisposition, unless offered to prove someone other than the respondent committed the alleged conduct, 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 to sexual contact.

Upon receipt of written questions from a party, the Superintendent or other designated decision-maker will pass on appropriate and relevant questions to the party or witness for response. Written responses shall be promptly submitted to the Superintendent or other designated decision-maker, who will then provide the written responses to both parties. The parties may submit reasonable and relevant follow-up questions to the Superintendent or other designated decision-maker for answer by the other party or a witness in the same manner as initial written questions.

The Superintendent or other designated decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant.

Within ten business days of receipt of the investigation report, the parties may submit a written response to the report to the Title IX Coordinator or other designated investigator. The deadline to submit a written response to the investigation report may not be delayed by the submission or pendency of written questions.

Standard of Evidence

The District designates the preponderance of the evidence standard for use in all formal complaints of sexual harassment, including formal complaints against students and formal complaints against employees. To meet this standard, the decision-maker must determine that conduct constituting sexual harassment in violation of Title IX more likely than not occurred.

Determination of Responsibility by Decision-Maker²

Following the receipt of responses to any written questions and the responses to the investigation report by the complainant and respondent, the Superintendent or other designated decision-maker shall reach a determination regarding responsibility by applying the preponderance of the evidence standard.

In reaching a determination on responsibility, the Superintendent or other designated decision-maker must objectively evaluate all relevant evidence, including inculpatory and exculpatory evidence. In doing so, the Superintendent or other designated decision-maker may make credibility judgments based on, for example, factors of plausibility and consistency in party and witness statements. Credibility determinations may not be based

¹ *NOTE: Districts may designate a timeframe for parties to submit relevant written questions to the designated investigator; however, this timeframe must be less than ten days.*

² The decision-maker must not be the same person as the Title IX Coordinator or other investigator.

on a person's status as a complainant, respondent, or witness. Corroborating evidence is not required to reach a determination of responsibility on the part of the respondent.

If the Superintendent or other designated decision-maker determines the respondent engaged in sexual harassment in violation of Title IX, the Superintendent or other designated decision-maker must determine whether disciplinary or punitive sanctions against the respondent are warranted, and if so, what those sanctions should be. Disciplinary or punitive measures may include, but are not limited to:

1. Requiring the respondent to undergo training on harassment;
2. Requiring the respondent to undergo counseling;
3. Recommend alternative placement or transfer of the respondent to different class(es), building, or campus;
4. Instituting protection mechanisms for the complainant (e.g., no-contact order, security escort, safety plan);
5. Creation of behavioral adjustment plan for the respondent;
6. In-school or out-of-school suspension for a respondent student;
7. Recommendation for expulsion of a respondent student in accordance with policy FFK;
8. Written reprimand placed in a respondent employee's personnel file; or
9. Termination of employment for a respondent employee in accordance with board policy, law, and when applicable, the negotiated agreement.

In making a decision regarding disciplinary or punitive measures, the Superintendent or other designated decision-maker may consider the following criteria:

1. Ages of the parties involved;
2. Relationship between the parties involved;
3. Severity of the conduct;
4. How often the conduct occurred, if applicable, and
5. How the District resolved similar complaints, if any, in the past.

Upon making a determination of responsibility, the Superintendent or other designated decision-maker must also determine any appropriate remedies to be offered to the complainant to restore or preserve the complainant's equal access to the district's education programs or activities. Such remedies may include supportive measures and need not be non-disciplinary or non-punitive in nature and need not avoid burdening the respondent.

Notice of Determination of Responsibility

The Superintendent or other designated decision-maker shall provide written notice of the determination of responsibility to the complainant and the respondent simultaneously. The notice of determination must identify:

1. The allegations alleged to constitute sexual harassment;
2. The procedural steps taken from the receipt of the formal complaint through the determination of responsibility, including notifications to parties, interviews of parties and witnesses, site visits, and other methods used to gather evidence;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the district's code of conduct to the facts of the conduct allegedly constituting Title IX sexual harassment;
5. A determination regarding responsibility for each allegation and the decision-maker's rationale for the result;
6. Any disciplinary sanctions the District will impose on the respondent and whether the District will provide remedies to the complainant; and
7. Information regarding the appeals process and the district's procedures and permissible bases for the complainant and the respondent to appeal.

The notice of determination must not describe the individualized remedies to be provided to the complainant. The Title IX Coordinator shall communicate such remedies separately to the complainant to discuss what remedies are appropriately designed to preserve or restore the complainant's equal access to the district's education programs or activities. The Title IX Coordinator shall create a monitoring plan to evaluate the effectiveness of the disciplinary sanctions, remedies and/or supportive measures identified in the determination of responsibility to help prevent recurrence.

Appeal Procedure³

The complainant or the respondent may appeal the determination of responsibility, including the severity or proportionality of any disciplinary sanction instituted as a result of the determination of responsibility. The complainant and the respondent may also appeal any dismissal, whether discretionary or mandatory, of a formal complaint or allegation contained in a formal complaint. An appeal must be based on the existence of one or more of the following:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available when the determination of responsibility or dismissal decision was made that could affect the outcome of the matter; or
3. The Title IX Coordinator, investigator, or decision-maker 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.

An appeal must be submitted in writing to the Board within 7 business days after receipt of the notice of determination or dismissal, and must identify the base(s) on which the appeal is being filed. Upon receipt of an appeal, the Board shall promptly provide written notice of the appeal to both parties and inform them of their right to submit written

³ The decision-maker on appeal must not be the Title IX Coordinator, the investigator, or the decision-maker on the determination of responsibility or dismissal decision.

statements supporting or challenging the outcome and the deadline by which such statements must be submitted.

In considering the appeal, the Board must review all relevant evidence submitted to the investigator during the investigation, the responses to any written questions, responses to the investigation report by the complainant and respondent, the decision-makers written determination, and any written statements filed by the complainant or respondent following initiation of appeal to determine if the determination of responsibility or dismissal decision was appropriate. The Board shall provide written notice of the appeal decision and the rationale of that decision to the complainant and the respondent simultaneously.

The determination of responsibility or dismissal decision becomes final after the time period to file an appeal has expired, or if a party does file an appeal, after notice of the appeal decision has been sent to the parties. Until the determination of responsibility is final, the District must refrain from acting on the determination of responsibility while maintaining the status quo through supportive measures designed to ensure equal access to the district's education programs or activities.

The complainant need not file an appeal to challenge the selection of remedies resulting from a determination of responsibility. The Title IX Coordinator is responsible for effective implementation of remedies and the complainant may work with the Title IX Coordinator to select and effectively implement remedies designed to restore or preserve the complainant's equal access to the district's education programs or activities.

Nothing herein shall prevent the parties from seeking available judicial redress through a court of competent jurisdiction or through any applicable state or federal complaint procedures.

Discretionary and Mandatory Dismissals

The District may dismiss a formal complaint or allegations therein when:

1. A complainant requests the dismissal in writing to the Title IX Coordinator;
2. The respondent is no longer enrolled with or employed by the District; or
3. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination regarding responsibility.

The District must dismiss a formal complaint or allegations when:

1. The allegations set forth do not meet the definition of sexual harassment even if proved;
2. The alleged sexual harassment did not occur against a person in the United States; or
3. The alleged sexual harassment did not occur in a district education program or activity.

The Title IX Coordinator must provide written notice of any dismissal decision to the complainant and the respondent simultaneously. The dismissal notice must state the

reasons for dismissal and explain the parties' right to appeal the decision in accordance with the procedure set forth herein.

If the allegations in a formal complaint do not meet the definition of sexual harassment, or did not occur in a district education program or activity against a person in the United States, the District must dismiss such allegations for purposes of Title IX but may still address the allegations in any manner the District deems appropriate under the district's policies relating to code of conduct.

Training Requirements

The Title IX Coordinator, investigator, decision-makers, and persons who facilitate the informal resolution procedure, shall receive training. This training must include:

1. The definition of sexual harassment contained in Title IX and associated regulations;
2. How to identify conduct that may constitute sexual harassment;
3. The scope of the district's education program or activity so that the District may accurately identify situations that require a response under Title IX;
4. How to conduct an investigation and grievance process including appeals and informal resolution processes, as applicable;
5. How to make relevancy determinations, as applicable; and
6. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, or bias.

The District shall publish on the district website all current, up-to-date materials used to train Title IX personnel. If the District does not maintain a website, such materials shall be made available for public inspection upon request.

Records Retention

The District shall maintain all records of each sexual harassment report or complaint, regardless of later dismissal or other resolution of the allegation(s), for no less than seven years from the date of the record's creation. This includes records relating to investigations, disciplinary sanctions, remedies, appeals, and informal resolutions. Such records include, but are not necessarily limited to, formal complaints, notes, notices, statements, reports, and audio or audiovisual recordings or transcripts, as well as training materials used to train Title IX personnel as required by Title IX.

End of Jamestown Public School District Board Reg. AAC-BR2Adopted:9-8-2020 Amended 8-15-22

AAC-E - FILING A STATE OR FEDERAL DISCRIMINATION & HARASSMENT COMPLAINT

Most employment-related discrimination or harassment complaints:

- Statute of limitations is 300 days (NDCC 14-02.4-19)
- Complaints should be filed with:
North Dakota Department of Labor
Human Rights Division
600 East Boulevard Ave, Dept. 406
Bismarck, ND 58505-0340
Phone: (701) 328-2660 or 1-800-582-8032

Employee, student, or other person claiming to be aggrieved by a discriminatory practice with regard to public services or public accommodations:

- Statute of limitations is 180 days (NDCC 14-02.4-19)
- Complaints should be filed with:
North Dakota Department of Labor
Human Rights Division
600 East Boulevard Ave, Dept. 406
Bismarck, ND 58505-0340
Phone: (701) 328-2660 or 1-800-582-8032

Student harassment or discrimination complaints related to programs and activities that receive federal financial assistance:

- Statute of limitations is 180 days for most claims (28 CFR 35.170 and 34 CFR 100.7).
There may be an exception for Section 504 claims.
- Complaints should be filed with:
U.S. Department of Education
Office for Civil Rights
230 South Dearborn St., 37th Floor
Chicago, IL 60604

End of Jamestown Public School District Exhibit AAC-E

AAC-E2 - DISCRIMINATION/HARASSMENT COMPLAINT CONFIDENTIALITY ASSESSMENT

Date of complaint: _____

Summary of complaint: _____

When one or more of the following conditions exists, the District may be unable to honor a complainant’s request for confidentiality. Check all that apply:

- The complaint alleges acts of child abuse/neglect or criminal acts
- There have been other complaints or reports of harassment against the alleged harasser
- The accused has a right to receive information about the accuser and the allegations due to an investigator’s recommendations that a formal proceeding commence (e.g., expulsion or discharge hearing)
- There is an increased risk of the alleged perpetrator committing additional acts of discrimination/harassment or other violence (e.g., the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence, the alleged perpetrator threatened further acts of discrimination/harassment or other violence against the student or others, and/or the discrimination/harassment was committed by multiple perpetrators)
- The alleged act was perpetrated with a weapon
- The age, language barriers, or disabled status of the individual subjected to the discrimination/harassment made him/her more susceptible to alleged incident(s)/act(s), considering factors such as the degree to which s/he was able to recognize that discriminatory/harassing conduct is conduct to which they can or should reasonably object and the degree to which they can articulate an objection
- The school possesses no other means to obtain relevant evidence (e.g., security cameras or personnel, physical evidence)

NOTES: _____

If the District is unable to honor a complainant’s request for confidentiality, the **Title IX Coordinator** shall notify the complainant and provide him/her an opportunity to respond before proceeding with an investigation.

End of Jamestown Public School District Exhibit AAC-E2.....Adopted 5/16/2016

AAC-E3 - DISCRIMINATION AND HARASSMENT TRAINING REQUIREMENTS FOR EMPLOYEES

All District employees shall receive discrimination and harassment training. Employees should receive training in the following areas:

- Receiving and reporting discrimination and/or harassment complaints, including when to report (knew or should have known standard) and whom to report to;
- Information about how to prevent and identify discrimination and harassment, including sexual violence and same-sex sexual violence;
- The behaviors that may lead to or result in sexual violence;
- The attitudes of bystanders that may allow discriminatory and/or harassing conduct to continue;
- The potential for re-victimization by responders and its effect on students;
- The appropriate methods for responding to a student who may have experienced discrimination and/or harassment, including sexual violence. Training should include the use of nonjudgmental language;
- The impact of trauma on victims; and, as applicable, the person(s) to whom such misconduct must be reported;
- The importance of informing complainants of the reporting obligations of responsible employees;
- Complainants' option to request confidentiality;
- Available confidential advocacy, counseling, or other support services; and
- Complainants' right to file a Title IX complaint with the school and to report a crime to local law enforcement.

In addition, the Title IX Coordinator, investigator, decision-makers, and persons who facilitate the informal resolution procedure for alleged sexual harassment prohibited by Title IX, shall receive training. This training must include:

1. The definition of sexual harassment contained in Title IX and associated regulations;
2. How to identify conduct that may constitute sexual harassment;
3. The scope of the District's education program or activity so that the District may accurately identify situations that require a response under Title IX;
4. How to conduct an investigation and grievance process including appeals and informal resolution processes, as applicable;
5. How to make relevancy determinations, as applicable; and
6. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, or bias.

AAC-E4 - REASONABLE ACCOMMODATION REQUEST PHYSICIAN FORM

Dear Physician:

A request for a reasonable accommodation has been made by our employee,_____. To determine whether or not this request should be granted and how best to respond to this request, the Jamestown Public School District is requesting that you complete the following form.

ADA Qualifying Disability

An employee has a disability if s/he has an impairment that substantially limits one or more major life activities or a record of such impairment.

- 1. Does the employee have a physical or mental impairment? (Includes any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genito-urinary; hemic and lymphatic; skin; and endocrine; or any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.)

Yes No

If yes, specify the impairment:

- 2. Does the impairment substantially limit one or more major life activities or bodily functions?

Yes No

Check all that apply:

Table with 3 columns and 2 rows of checkboxes for activities like Caring for oneself, Performing manual tasks, Hearing, Seeing, Eating, and Sleeping.

4 Do not check if this can be corrected through eye glasses or contact lenses

<input type="checkbox"/> Walking	<input type="checkbox"/> Standing	<input type="checkbox"/> Lifting
<input type="checkbox"/> Bending	<input type="checkbox"/> Speaking	<input type="checkbox"/> Breathing
<input type="checkbox"/> Learning	<input type="checkbox"/> Reading	<input type="checkbox"/> Concentrating
<input type="checkbox"/> Communicating	<input type="checkbox"/> Working	<input type="checkbox"/> Operation of a major bodily function ⁵
<input type="checkbox"/> Thinking	Other: _____	

Describe how the major life activity or operation of major bodily function is affected (do not take into account mitigating measures such as medication):

Determination of Reasonable Accommodation (*Answer only if the employee has a disability meeting the definition above*)

1. Please review the attached job description. Is the employee able to perform the essential job functions of this position with or without reasonable accommodation?

- Yes No

If yes, please continue to next question. If no, please list which job functions s/he is unable to perform and how long the employee will be unable to perform these job duties.

Functions unable to perform:

_____ # of weeks _____ # of months _____ permanently

2. What adjustments to the work environment or position responsibilities would enable the employee to perform the essential functions of that position?

3. The employee’s typical schedule is _____ (list days and hours). What, if any, adjustments need to be made to the employee’s work schedule to enable the employee to perform the essential job functions?

4. How would your suggestions improve the employee’s job performance?

⁵ Includes, but is not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions

5. How long will the employee need the reasonable accommodation? If unable to provide a date, when will he or she be medically reevaluated?

Any additional comments or suggestions:

Physician Name (Please Print)

Signature of physician completing form

Date

End of Jamestown Public School District Exhibit AAC-E4.....Adopted 5/16/2016

AAC-E5 - NOTICE OF TITLE IX SEXUAL HARASSMENT COMPLAINT

This is a notice that a formal complaint containing allegations of sexual harassment has been filed with the Jamestown Public School District. This notice is being provided to the complainant and the respondent in accordance with section 106.45(b)(2)(i)(B) of the Title IX sexual harassment regulations. The purpose of this written notice is to help ensure that the nature and scope of the investigation, and the District’s procedures, are clearly understood by all parties at the commencement of the investigation.

Complainant Name:

Last First Middle Initial

Respondent Name:

Last First Middle Initial

Date(s) of alleged incident(s): _____

Location of alleged incident(s): _____

Details of the conduct that potentially constitutes sexual harassment: _____

The following are a list of supportive measures available to the complainant and respondent prior to, during, or after the filing of a formal complaint alleging sexual harassment:

The following are a list of disciplinary actions the District may impose against the respondent following a determination of responsibility:

1. _____

The following are a list of remedies the District may provide to the complainant following a determination of responsibility:

1. _____

2. _____

3. _____

Please be advised of the following:

1. The District must recognize a presumption of non-responsibility on the part of the respondent as to the allegations of sexual harassment until a determination of responsibility is made at the conclusion of the grievance process set forth in the AAC-BR2 regulation, a copy of which is attached;
2. The complainant and the respondent each have the right to the assistance of an adult advisor of their choice, including an attorney, throughout the grievance process;
3. The complainant, respondent, and their advisor are prohibited from knowingly making a materially false statement or providing materially false information in connection with the allegations of sexual harassment set forth in the formal complaint. Any party who violates this prohibition will be subject to discipline in accordance with the District's Code of Conduct policies;
4. The District may offer the parties an informal resolution procedure to resolve the allegations set forth in the formal complaint. This procedure may only be used when a formal complaint is filed

containing allegations of sexual harassment, when the Title IX Coordinator deems it appropriate under the circumstances, and the complainant and respondent voluntarily consent to participate in writing. This procedure may not be used when the complainant is a student and the respondent is a District employee. Participation in the informal resolution procedure may not be a condition of enrollment or employment, or enjoyment of any other right. Both the complainant and the respondent have the right to terminate or withdraw from the informal resolution procedure and resume the formal resolution procedure at any time prior to agreeing to a resolution;

5. The District is required to conduct a fair and impartial investigation of the allegations of sexual harassment set forth in any formal complaint;
6. The parties have the right to advance written notice of the date, time, location, participants, and purpose of all investigative interviews;
7. The parties have the right to review all evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint. The parties also have the right to submit a written response to the evidence prior to the conclusion of the investigation;
8. Prior to a determination of responsibility, the parties have a right to submit written, relevant questions that a party wants asked of any party or witness, be provided the answers, and have opportunity for additional, limited follow-up questions. Additional information regarding limitations on questions and relevancy determinations is contained within the AAC-BR2 regulation, a copy of which is attached;
9. The District will apply the preponderance of the evidence standard for use in all formal complaints of sexual harassment, including formal complaints against students and formal complaints against employees. Additional information regarding this standard is contained within the AAC-BR2 regulation, a copy of which is attached;
10. The complainant or the respondent may appeal the determination of responsibility, including any disciplinary sanction instituted as a result of the determination of responsibility. The complainant and the respondent may also appeal any dismissal, whether discretionary or mandatory, of a formal complaint or allegation contained in a formal complaint. The bases of appeal and the appeal procedure are described in detail in the AAC-BR2 regulation, a copy of which is attached; and
11. The parties shall not discuss or disseminate the allegations set forth in the formal complaint, or information gathered in the course of an investigation, in a manner that constitutes retaliation or unlawful tortious conduct.

In the event allegations in the formal complaint change or additional potential violations are discovered, the Title IX Coordinator will promptly provide written notice of the changes or additional potential violations to the complainant and the respondent.

Title IX Coordinator

_____ Date

By my signature below, I acknowledge that I have received this written notice.

Signature

Date

End of Jamestown Public School District Exhibit AAC-E5... Reviewed 8-17-2020

AACA - SECTION 504 OF THE REHABILITATION ACT OF 1973 POLICY

The Jamestown Public School District prohibits the discrimination against any student with a disability as defined in Section 504 of the Rehabilitation Act of 1973 ("Section 504") and in the policy AAC, Nondiscrimination and Anti-Harassment Policy. The Board designates Heidi BuDeau as the 504 Coordinator to ensure compliance with applicable laws and policy. The 504 Coordinator may be contacted at: 207 2 AV SE, Jamestown, ND 58401, 701252-3376, or Heidi.BuDeau@k12.nd.us.

The Superintendent or designee must provide annual notice to students with disabilities and their parents or guardians of the district's responsibilities under Section 504. Various methods may be used to provide notice, including but not limited to, websites, handbooks, email, or postings.

Free Appropriate Public Education

The District shall identify, locate, evaluate, and provide a "free appropriate public education" (FAPE) to each qualified student with a disability who is in the district's jurisdiction, regardless of the nature or severity of the disability. Qualified students are entitled to receive regular or special education and related aids and services that:

7. Are designed to meet individual educational needs of students with disabilities as adequately as the needs of students without disabilities; and
8. Are based upon adherence to procedures that satisfy the requirements pertaining to educational setting, evaluation and placement, and procedural safeguards.

Education and related aids and services shall be at no cost to students with disabilities or their parents or guardians, except those fees that are equally imposed on students without disabilities.

Educational Setting

The District shall educate students with disabilities with non-disabled students to the maximum extent appropriate to the needs of the student with a disability. The District shall place a student with a disability in the regular educational environment unless it is demonstrated by the District that educating the student with a disability in the regular education environment with the use of supplementary aids and services cannot be achieved satisfactorily. Whenever the District places a student in a setting other than the regular educational environment, it shall take into account the proximity of the alternate setting to the student's home.

The District may place a student with a disability in, or refer such student to, a program not operated by the school district. Nevertheless, the District remains responsible for ensuring that the education offered is appropriate education, as defined in law. The District shall ensure that adequate aid, benefits, or services, e.g., transportation, the cost of room and board, and non-medical care, are provided at no greater cost than would be incurred by the student or their parents

or guardian if the student were placed in the aid, benefits, or services operated by the District.

The District may place a student with a disability in a private or out-of-state school, for which the District is required to pay. However, the District is not required to pay for a student's education in a private or out-of-state school if the District makes FAPE available and the student's parents choose to place the child in a private or out-of-state school.

Comparable Facilities

The District shall ensure that facilities identified for students with disabilities and the services and activities provided therein are comparable to the other facilities, services, and activities of the District.

Evaluation and Placement

The District shall conduct an initial evaluation in a timely manner prior to placement of any student who needs or is believed to need special education or related services because of disability. The student evaluation, and if necessary medical assessment, must be at no cost to the student's parents or guardians. The District shall make decisions regarding the needs and placement of a student with a disability on an individual basis, rather than on presumptions or stereotypes regarding persons with disabilities or classes of such persons, or based on concerns about the costs of providing the related aids or services.

The Superintendent or designee shall establish standards and procedures to evaluate students who may have a disability and need special education or related services in administrative regulation coded AACR-AR. Placement decisions shall be made in compliance with educational setting requirements.

The District shall periodically reevaluate students who have been provided special education or related services, and prior to a significant change in placement.

Procedural Safeguards

The District shall develop and implement a system of procedural safeguards for parents or guardians to appeal district actions regarding the identification, evaluation, and educational placement of students with disabilities. Procedural safeguards shall include notice; an opportunity for records review by parents or guardians; an impartial due process hearing, with opportunity for participation by the student's parents or guardians and representation by counsel; and a review procedure.

The Superintendent or designee shall inform and make available to parents or guardians of students with disabilities applicable procedural safeguards and required notifications.

Disputes between parents or guardians and the district regarding the identification, evaluation, or placement of any student with a disability, or regarding the question of financial responsibility for services, shall be resolved in accordance with the processes specified in the herein. The 504 Coordinator must be informed of any

Section 504 complaint, even if the complaint was initially filed with another individual or office, or if the investigation will be conducted by another individual or office.

The District may encourage mediation, at their expense, before relying on more formal procedures, such as the local grievance procedure, impartial due process hearing, or complaints to the Office for Civil Rights (OCR). Mediation shall not interfere with any procedural safeguards, including a request for an impartial due process hearing, or filing a complaint with OCR.

Requests for an impartial due process hearing must be filed with the Superintendent of Public Instruction at 600 East Boulevard Avenue, Department 201, Bismarck, ND 58505-0340.

All other complaints concerning Section 504 may be filed using the district's nondiscrimination and anti-harassment grievance procedure (AAC-BR1) or through state or federal law.

Nonacademic Services

The District shall provide nonacademic and extracurricular services and activities, including, but not limited to, meals, recess periods, extracurricular athletics, interscholastic sports, and/or other nonacademic activities, in a manner that provides students with disabilities an equal opportunity for participation. The District may require a level of skill or ability of a student in order to participate in selective or competitive program or activity, so long as the selection or competition criteria are not discriminatory.

Self-Evaluation

The Superintendent or designee shall periodically conduct a self-evaluation of their school facilities, programs, activities, and policies to ensure compliance with Section 504, and develop a transition plan that outlines how the school will eliminate any form of disability discrimination and the timeframe for completion.

The District must retain the self-evaluation, and make it available for public inspection upon request for at least three years following its completion.

Complementing Policy:

- AAC, Nondiscrimination and Anti-Harassment Policy
- AAC-BR1, Discrimination and Harassment Grievance Procedure
- AACA-AR, Section 504 Evaluation Standards and Procedures
- AACA-E, Section 504 Notice of Parent/Guardian and Student Rights
- FDE, Education of Special Education/Disabled Students

End of Jamestown Public School District Policy AACA

Adopted:5/2/2022

AACA-AR - SECTION 504 EVALUATION STANDARDS AND PROCEDURES

The following standards and procedures have been established for a Section 504 initial evaluation and periodic reevaluation of a student:

1. The parents or guardians are notified and must provide written consent before the evaluation is conducted;
2. The evaluation team will consist of individuals that are knowledgeable about the student and their disability, the meaning of the evaluation data, and the placement options;
3. Each evaluation is individualized to the specific needs of the student;
4. Evaluations will measure specific areas of education need. These could include speech processing, inability to concentrate, and behavioral concerns;
5. Evaluations will consist of more than IQ tests;
6. Tests and other evaluation materials are validated for the specific purpose for which they are used;
7. Tests will be appropriately administered by trained personnel;
8. Tests and other evaluation materials will include those tailored to assess specific areas of educational need;
9. Tests are selected and administered to the student in a manner that best ensures that the test results accurately reflect the student's aptitude or achievements or other factor being measured, rather than reflect the student's disability, except where those are the factors being measured;
10. The Section 504 Team draws on information from a variety of sources when interpreting evaluation data and making placement or accommodation decisions, including aptitude and achievement tests, attendance, records, grade reports, teacher recommendations, parent information, the student's physical condition, medical diagnosis or the results of a medical assessment obtained by the district, social or cultural background, and adaptive behavior;
11. The information obtained from all sources is documented and all significant factors related to the student's learning process must be considered;
12. Reevaluations are conducted periodically and/or before making any significant change in placement. A reevaluation procedure consistent with the Individuals with Disabilities Education Act is one means of meeting this requirement; and
13. The District retains all relevant educational records and documents, in accordance with applicable state and federal laws and district policies, relating to decisions regarding the student's evaluation and placement.

The District may refuse a parent's request to conduct a student evaluation, but the district has an obligation to inform the parents of the reasons for the refusal and their right to file a grievance, contact the Office for Civil Rights, or request a due process hearing.

End of Jamestown Public School District Administrative Regulation AACA AR.....Adopted 5/2/2022

AACAE - SECTION 504 NOTICE OF PARENT/GUARDIAN AND STUDENT RIGHTS

This is a notice of your rights under Section 504 of the Rehabilitation Act of 1973 ("Section 504"). These rights are designed to keep you fully informed regarding district decisions about your child and to inform you of your rights if you disagree with any of these decisions.

If your child is identified for Section 504 services, you have the right to the following actions:

1. To have the district notify you of your rights (this document);
2. To have your child take part in, and receive benefits from, public education programs without discrimination based upon a disability;
3. To receive written notice with respect to identification, evaluation and placement of your student;
4. To have your child receive a free and appropriate public education (FAPE). This includes the right to be educated with other students without disabilities to the maximum extent appropriate. It also includes the right to reasonable accommodations, modifications, and supports necessary for the student to benefit from FAPE.
5. To have your child educated in comparable facilities and to receive comparable services to those provided for students without disabilities;
6. To have evaluation, program, and placement decisions made based upon a variety of information sources, and by individuals familiar with the student, the meaning of the evaluation data, and the placement options;
7. If eligible, to have your child receive accommodations under Section 504.
8. To have your child re-evaluated periodically, to the extent necessary, including before any significant changes are made to your child's educational program or placement;
9. To have your child receive an equal opportunity to participate in appropriate nonacademic and extra-curricular activities offered by the school;
10. To examine all relevant educational records relating to decisions regarding your child's identification, evaluation, education program, and placement;
11. To obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access;
12. To receive a response from the school to reasonable requests for explanations and interpretations of your child's records;
13. To request amendment of your child's educational records if there is reasonable cause to believe they are inaccurate, misleading, or otherwise in violation of privacy rights. If the school district refuses a request for

amendment, it shall notify you within a reasonable time, and advise you of the right to an impartial due process hearing;

14. To request mediation or file a complaint through the local grievance-complaint procedure (AAC-BR1). The availability and use of this grievance procedure does not prevent an individual from filing a request for an impartial due process hearing or a complaint of discrimination with the Office for Civil Rights at any time before or during the grievance procedures; and
15. To request an impartial due process hearing related to decisions regarding your child's identification, evaluation, educational program or placement. You and your child may take part in the hearing and may choose to have an attorney represent you at your cost. Requests for an impartial due process hearing must be filed with the Superintendent of Public Instruction at 600 East Boulevard Avenue, Department 201, Bismarck, ND 58505-0340.

Questions or concerns regarding a student's performance or their Section 504 Plan shall be referred to the student's 504 Team.

The Heidi BuDeau is responsible for assuring District compliance with Section 504. This individual can be reached at 207 2 Ave SE, Jamestown, ND 58401 or 701-252-3376.

End of Jamestown Public School District Exhibit AACA-E

AB* GENERAL OPERATIONS & ORGANIZATION

Descriptor Code: ABAB

ABAB - SCHOOL YEAR AND CALENDAR

A school calendar for the ensuing school year shall be prepared by the Superintendent and presented to the Board each year by a date designated by the Board. The Board may receive input from teachers, students, and the community before final adoption of the calendar. Any changes in the calendar after adoption shall be subject to board approval.

The school calendar shall:

9. List the opening and closing dates of the school year. A school year shall consist of the minimum number of hours required by state law. The Board will also schedule additional hours of classroom instruction that exceed the state minimum and require contract days sufficient to staff these additional days.
10. List professional development days for teachers and administrators. The Board shall schedule professional development days in accordance with law
11. Set forth days of attendance for students, holiday and vacation periods, parent-teacher conference days, and other schedules of importance to the staff and public.
12. List days that may be used for the rescheduling of instructional time lost as a result of severe weather or other emergency conditions in accordance with 15.1-27-23.

Event Schedules

The building principal and activities director may develop separate practice and event schedules.

Complementing Policies

- ABAB-AR, Extracurricular Scheduling Regulation
- GACD, Summer School

End of Jamestown Public School District Policy ABAB

Amended 12/20/2021

ABAB-AR - CO CURRICULAR/EXTRACURRICULAR SCHEDULING REGULATION

The Activities Director keeps a master calendar and facilities schedule. The principal and activities director need to be consulted well in advance in order to schedule an activity or event.

The building principals and Activities Director shall when possible, keep co-curricular/extracurricular activities from taking place after 6:00 pm on Wednesdays.

Events scheduled by State Association as well as extracurricular events on Wednesday preceding the state education association fall conference will be exempt from this policy.

Reviewed 12-16-2019

ABAC - VIRTUAL LEARNING BECAUSE OF WEATHER OR OTHER CONDITIONS

Definitions

- *Virtual instruction* means teaching and learning that takes place remotely and can be synchronous or asynchronous.
- *Weather or other conditions* means inclement weather, other unforeseen circumstances that render the school building unusable or inaccessible, or other conditions that temporarily warrant remote instruction for one or more students.
- *Cancel hours of instruction* means that a school district has decided not to provide in-person instruction for one or more students for all or part of a previously scheduled school day. This may include one or more students not being able to attend school due to extenuating circumstances because of weather or other conditions.

Virtual Learning Requirements

The District may temporarily offer virtual instruction when weather or other conditions require the Superintendent or designee to cancel hours of instruction. The District must ensure that affected students make up all lost hours of instructional time if the absence will result in the school failing to meet the minimum number of hours required by state law.

Prior to the District offering virtual instruction, the Board in collaboration with the Superintendent shall:

1. Identify the mode of virtual instruction to be provided to students, method of content delivery, and process for monitoring learning when the decision is made to cancel hours of instruction because of weather or other conditions;
2. Establish procedures for transitioning students into and out of the virtual instruction period;
3. Establish procedures for ongoing communication with students, parents or legal guardians during the virtual instruction period;
4. Establish processes for how districts will track participation and attendance of all students during virtual instruction; and
5. Communicate roles and responsibilities for staff working remotely and providing student services during virtual instruction.

Reporting

At the conclusion of each school year, the District shall report to the Department of Public Instruction the days in which virtual instruction was provided in accordance with this policy.

Descriptor Code: ABBA

ABBA - NORTH DAKOTA'S COMPREHENSIVE MODEL SCHOOL POLICY

FOR TOBACCO USE

Definitions

For purposes of this policy:

- *Electronic smoking device* means any product containing or delivering nicotine, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. Electronic smoking device includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, e-hookahs, mods, tank systems, Juul, Suorin, or under any other product name or descriptor. Electronic smoking device also includes any component part of a product, whether or not marketed or sold separately, including, but not limited to, e-liquids, e-juice, cartridges, or pods..
- *Imitation tobacco product* means any edible non-tobacco product designed to resemble a tobacco product, or any non-edible non-tobacco product designed to resemble a tobacco product and intended to be used by children as a toy. Imitation tobacco product includes, but is not limited to, candy or chocolate cigarettes, bubble gum cigars, shredded bubble gum resembling chewing tobacco, pouches containing flavored substances packaged similar to snus, and shredded beef jerky in containers resembling snuff tins.
- *Lighter* means a mechanical or electrical device typically used for lighting tobacco products.
- *Possession of tobacco products* means:
 - I. Actual physical possession of the tobacco product while on school property;
 - m. Use or consumption of the tobacco product while on school property;
 - n. Tobacco product located in the student's locker, car, handbag, backpack, or other belongings while on school property; or
 - o. Appearance by a student on school property after having consumed or ingested the tobacco product that is noticeable by breath odor.
- *Smoking* means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco, nicotine, or plant product intended for inhalation, including hookah and marijuana, whether natural or synthetic. "Smoking" also includes the use of an electronic smoking device. This excludes any FDA-approved nicotine replacement therapy.
- *School property* is defined in NDCC 15.1-19-10 (6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities,

and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.

- *Tobacco product* means any product containing, made, or derived from tobacco, or that contains nicotine, whether synthetic or natural, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to: a cigarette; electronic smoking device; cigar; little cigar; cheroot; stogie; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; cavendish; plug and twist tobacco; fine-cut and other chewing tobacco; shorts; snuff; snuff flour; snus; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco product also includes any electronic smoking device.
- *Tobacco use* means smoking and the heating, inhaling, chewing, absorbing, dissolving or ingesting of any tobacco product.
- *Visitor* means any person subject to this policy that is not a district student or staff member. This includes school volunteers, independent contractors, individuals performing services on behalf of the District, and individuals attending school-sponsored events or activities.

Rationale for Regulating Possession & Use

The health hazards of tobacco use have been well established. This policy is established to:

1. Reduce the high incidence of tobacco use in North Dakota.
2. Protect the health and safety of all students, employees, and the general public.
3. Set a non-tobacco-use example by adults.
4. Assist in complying with smoking restrictions in state and federal law (NDCC 23-12-10 and 20 U.S.C. 7973).

Tobacco use is the leading cause of preventable death and disability in North Dakota. To support and model a healthy lifestyle for our students and ensure a safe learning and working environment, the Jamestown Public School Board establishes the following tobacco-free policy.

Prohibitions

Students are prohibited from possessing, using, consuming, displaying, promoting, or selling tobacco products, electronic smoking devices, imitation tobacco products, or lighters at any time on school property or at any school sponsored event or activity. In addition, students who participate in extracurricular activities are prohibited from possessing or using tobacco products at any time, on and off school property, as directed by district policy (FFE) and the North Dakota High School Activities Association bylaws.

District staff and visitors are prohibited from using, consuming, displaying, activating, promoting, or selling tobacco products, electronic smoking devices, imitation tobacco products, or lighters at any time on school property or at any school sponsored event or activity. This policy includes all events on school property that are not sponsored by, or associated with, the school.

The District shall not promote or allow promotion of tobacco products, electronic smoking devices, imitation tobacco products, or lighters on school property, at any school sponsored event or activity, or in any school publications. This includes promotion of these products via gear, technology accessories, bags, clothing, any personal articles, signs, structures, vehicles, flyers or any other materials.

The District shall not accept any gifts (such as curriculum, book covers, speakers, etc.) or funds from the tobacco industry or from any tobacco products shop.

Exceptions

It shall not be a violation of this policy for an individual to possess or provide tobacco, electronic smoking devices, imitation tobacco products, or lighters to any other individual as part of a genuine indigenous practice or a lawfully recognized religious, spiritual, or cultural ceremony or practice off of school property. It shall not be a violation of this policy to use a tobacco product as part of an educational experience related to indigenous tobacco practices when such use and education experience has been approved by administration.

It shall not be a violation of this policy for tobacco products, electronic smoking devices, imitation tobacco products, or lighters to be included in an instructional or work-related activity on school property if the activity is conducted by a staff member or an approved visitor, the activity does not include smoking, chewing, or otherwise ingesting the tobacco product, and has been approved by administration.

It shall not be a violation of this policy for non-students 18 years and older to use or possess a product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

Communicating to Students, Staff, & Public

The District shall comply with all smoking prohibition posting requirements in law. Appropriate signage shall be posted throughout the district at building entrances and other highly visible locations on school property, such as, but not limited to, school buildings, district vehicles, vehicular entrances to school grounds, school playgrounds, and all indoor and outdoor athletic facilities. Signage shall indicate that the Jamestown Public School District is tobacco free. This policy will be printed in employee and student handbooks. Parents and/or guardians shall be notified of this policy, and the local media may be asked to communicate this tobacco-free policy communitywide.

Responsibility for Violations

All individuals on the district's premises share in the responsibility for adhering to and enforcing this policy. The Superintendent shall develop regulations for the enforcement and implementation of this policy (ABBA-AR).

Prevention Education

The District may consult with the county health department and other applicable health organizations to provide students with age-appropriate tobacco prevention information that follows the guidance from the Centers for Disease Control and Prevention.

Tobacco Cessation Services

Individuals requesting assistance with tobacco cessation services will be referred to NDQuits, the North Dakota Department of Health multi-media tobacco cessation program. This is a free cessation service provided to citizens of North Dakota.

Evaluation

The Board shall review this policy at regular intervals, at least once a year, to determine whether policies and practices are properly implemented and effective.

Complementing Policies:

- ABBA-BR, Tobacco-Free Policy Violations
- DE, Staff Code of Conduct
- DEAA, Drug & Alcohol Free Workplace
- FF, Student Conduct & Discipline
- FFE, Extracurricular Participation Requirements
- HDD, Gifts & Bequests
- KAAA, Visitors in Schools
- KAAD, Distribution of Non-Curricular Material in Schools

End of Jamestown Public School District Policy ABBA

Adopted:11/16/2020

Reviewed 7-19-2023

ABBA-BR - TOBACCO-FREE POLICY VIOLATIONS

Students, staff or visitors who violate the district's tobacco-free policy shall be informed that their actions are in violation of district policy and asked to comply. Prohibited substances will be confiscated and illegal substances will be turned over to law enforcement authorities. The building principal or designee shall promptly investigate any violations and act on findings as appropriate. The District shall enforce the requirements placed on extracurricular participants by North Dakota law and the North Dakota High School Activities Association (NDHSAA).

Disciplinary consequences imposed by the building principal or designee may include, but are not limited to, the following:

1. Students
 - a. The first violation shall result in confiscation of tobacco products, electronic smoking devices, imitation tobacco products, or lighters; notification of parents and/or guardians; and at least one of the following:
 - i. A student meeting and individual student assessment with a designated staff to discuss tobacco use and the district policy.
 - ii. Provision of information to student about available cessation programs and resources.
 - iii. Student participation in a tobacco education program.
 - iv. Suspension
 - b. The second violation shall result in confiscation of tobacco products, electronic smoking devices, imitation tobacco products, or lighters; notification of parents and/or guardians; the provision of information to the student about available cessation programs; and at least one of the following:
 - i. A student meeting and individual student assessment with a designated staff with parents and/or guardians to discuss commercial tobacco use and school policy.
 - ii. Student participation in a tobacco education program.
 - iii. Suspension
 - c. The third and any subsequent violation shall result in confiscation of tobacco products, electronic smoking devices, imitation tobacco products, or lighters; notification of parents and/or guardians; the provision of information to the student about available cessation programs; student participation in a tobacco education program; and at least one of the following:
 - i. A student meeting and individual student assessment with a designated staff with parents and/or guardians to discuss commercial tobacco use and school policy.
 - ii. Educational community service.
 - iii. Suspension, expulsion and/or alternative placement.

The District shall avoid the overuse of exclusionary discipline for violations of tobacco use/possession policies and shall strive to reserve the use of out of-school suspensions, expulsions, and/or alternative placements for the more egregious disciplinary infractions that threaten school safety, such as bringing a firearm to school, and when mandated by federal or state law.⁶ The District is encouraged to practice holistic enforcement options for student violations such as education, counseling, and rehabilitation.⁷

2. Staff

A staff member who violates this policy may be subject to disciplinary action, up to and including suspension and/or termination. The District may notify law enforcement agencies regarding a staff member's violation of this policy.

3. Visitors

- a. Visitors observed violating this policy shall be asked to comply with the district's tobacco-free policy.
- b. If a visitor fails to comply with the request, this policy violation may be referred to the building principal or designee. The building principal or designee shall decide on further action that may include a directive that the visitor leave school property and forfeit any fee charged for admission to a school-sponsored event.
- c. Repeated violations may result in the building principal recommending to the Superintendent that the individual be prohibited from entering school property. If enacted, such prohibitions shall not violate law and may be limited to a specific period of time as determined by the Superintendent. The Superintendent may grant exceptions to such prohibitions for reasons such as, but not limited to, granting a parent violator the ability to pick up and drop off their child from school or for a visitor to attend an open public meeting or vote at a designated polling place.

End of Jamestown Public School District Board Reg. ABBA-BR

Approved: 12/21/2020

⁶ U.S. Dep't. of Educ., Guiding Principles: A Resource for Improving Sch. Climate & Discipline (2014)

⁷ Public Health Law Center, Student Commercial Tobacco Use in Schools (2019)

ABBB - COMMUNITY USE OF DISTRICT PROPERTY

This policy defines the following:

- *School property* is defined in NDCC 15.1-19-10(6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.
- *Community groups means recognized civic, social, fraternal, and religious organizations.*
- *Youth patriotic society* is defined in NDCC 15.1-06-14(1) as a youth group that promotes patriotism, civic education, and civic involvement, listed under title 36, United States Code, subtitle II, part B, as of January 1, 2021.

School property shall be used solely for district operational, curricular, and extracurricular programs

Purpose

The Board recognizes that although the primary purpose of school property is to provide students with an appropriate learning environment, school property may be made available during non-instructional time to outside youth or community groups without discrimination and in accordance with the Equal Access Act of 1984, the Boy Scouts of America Equal Access Act or any other youth group listed in Title 36 of the United States Code as a patriotic society, and this policy, provided the use does not interfere with the educational programs of the District. This policy establishes conditions, restrictions and procedures for the use of school property for community purposes.

Authority

The Board delegates to the Superintendent or designee the authority to approve or deny the use of school property to outside youth or community groups for activities that provide an economic, educational, or cultural benefit primarily to the residents of the District.

The Superintendent or designee shall ensure that this policy is posted on the District's website.

The Superintendent or designee shall implement administrative regulations for requesting and granting permission for use of school property and shall distribute the necessary information to individuals affected by them.

An agreement for use of school property may be denied because of noncompliance with established policy and procedures by the Superintendent or designee.

School Property Use Guidelines

An outside youth or community group requesting permission to use school property must submit the prescribed agreement form to the Superintendent or designee, at least ten (10) days in advance of the proposed date of use. The Superintendent or designee may waive the ten-day requirement if extenuating circumstances exist.

The agreement must specify the portion of the school property requested for use; proposed activities; number of individuals participating; and the date, time, and duration of the proposed event.

No agreement to use school property shall be approved if the proposed activity would result in any of the following:

1. Conflict with any school-sponsored activity or school calendar
2. Access to school property is closed due to renovations, maintenance, cleaning, or board action;
3. Access to school property containing equipment or furnishings which would be detrimental to the operation of a district program if damaged or operated by an unqualified operator;
4. The proposed use would prevent or encumber district personnel from preparing school facilities for their primary purpose, because of the nature or duration of the activity; and
5. Private and personal use of school property.

The District shall check with its insurance carrier to ensure coverage and, if available, obtain written confirmation of this coverage prior to granting a property use request OR the outside youth or community group members using said property shall provide proof of insurance with the District named as an additional insured.

Limitations

When individuals and community groups receive written permission to use school property under this policy, such use shall be conditioned upon strict compliance with the following:

1. Individuals shall refrain from any conduct or activities not specifically identified in the approved written agreement form;
2. All activities must be held during non-instructional time or receive special permission from school personnel;
3. All activities must terminate and all outside youth and community group members must exit the school premises as stated in the approved written agreement form or receive special permission from the Superintendent or designee;
4. When advertising or promoting activities held on school property, outside youth and community groups shall clearly communicate that the activities are not being sponsored by the District; and

5. School equipment used in conjunction with requested facilities shall be identified when the agreement is submitted. Such use shall be approved by the Superintendent or designee and conditioned upon the users of school equipment acceptance of liability for any damage to or loss of equipment that occurs while in their use. Where rules so specify, no equipment may be used except by a qualified operator, provided by the school.

Prohibited Activities

The following activities are strictly prohibited on school property when outside youth and community groups are granted written permission to use said school property:

1. Conduct that would alter, damage or be injurious to any district property;
2. Conduct that would constitute a violation of state and federal laws and district policy;
3. Possession of weapons;
4. Use of tobacco or electronic smoking devices as defined in law or district policy;
5. Possession or use of marijuana products as prohibited by state or federal law;
6. Possession, use, distribution or dispensing of drugs or alcohol prohibited by state or federal law; and
7. Gambling, games of chance, lotteries, raffles or other activities requiring a state gaming license or permit, unless such activity has been expressly authorized by the Board or administration.

Violations

The District reserves the right to remove from district premises any outside youth or community group who fails to comply with the terms and conditions of this policy and established procedures.

In the event an outside youth or community group violates this policy or the terms under which permission was granted to use school property, that outside youth or community group forfeits the right to submit future written agreements to use school property, unless otherwise decided by the Board.

Fee Schedule

The Superintendent shall establish, and submit to the Board for approval, a schedule of rental and service charges to offset district costs.

Use of school facilities for activities directly related to the educational program and district operations shall be without cost to users. Users may be responsible for extra custodial fees.

Jamestown Public School District No. 1 Jamestown, North Dakota

ABBB-AR - USE OF SCHOOL FACILITIES ADMINISTRATIVE GUIDELINES

1. The use of school facilities will be under the general supervision of the Superintendent of Schools
2. All agreements for building/facility use will be submitted to and approved by the Central Office. If the space is available, the Central Office will forward a copy of the request and approval to the building principal. The building principal will be responsible for the coordination of the scheduling of the spaces within their buildings. After approval by the building principal, a copy of the completed rental agreement for use of school facilities will be returned to the Central Office.
3. Any organization using school property shall, in writing indemnify and save harmless the School Board, the individual members thereof and any officials or employees, of and from any loss, damage, liability, or expense that may arise during, or be caused in any way, by such use or occupancy of school property. In the event property loss is incurred, the outside organization shall be billed for the damages. Such agreement shall be signed by an officer of the organization.
4. When there is questionable use in terms of these guidelines, the principal will confer with the Superintendent before making a decision regarding the use of the facility. The Superintendent shall review such requests and notify the principal of the decision.
5. The use of a school facility by any organization is contingent upon the organization taking proper steps to protect school property, to ensure complete safety, and to reimburse the School Board for expenses. If the facility is being misused by any organization, it is the duty of the principal to point out the problem to the organization so that misuses will be stopped. If problems continue to occur the principal shall report this to the Superintendent who will review the complaint and determine whether the organization should be prohibited from any further use of the schools.
6. When an organization requests the use of school facilities, they may be required to submit additional information on the purpose and objectives of the organization and on the purpose of the requested use of facilities. The organization shall also file the names, addresses, and phone numbers of their officers or leadership personnel.
7. Use of school facilities by community or other authorized groups shall not constitute an endorsement by the Jamestown Public School District of any organization or group.
8. On school days Jamestown Public School Facilities are not available until 5:30 pm.

A. Categories of Groups Authorized to Use School Facilities

The superintendent of schools shall determine a fee schedule applicable for the use of school facilities. The fee schedule shall be evaluated on an annual basis. There shall be no rental costs when facilities are used for open gyms for school-age children, when supervised by an employee of the school district, and at the discretion of the school district. For rental rate purposes, remaining organizations seeking the use of a school facility have been divided into three (3) categories:

1. Category 1

- a. School Board sponsored meetings and activities including school sponsored activities.
- b. Branch or local meetings of approved local, state, national, and international professional education associations.
- c. Adult activities sponsored by Jamestown Park and Recreation will not be required to pay rental costs to district facilities except for events for which entry fees or admission is charged (see Category 2.f) The Jamestown Park and Recreation shall provide, at their expense, adequate supervisory personnel for any after hour use of school buildings.
- d. School PTO/PTA groups and related parent groups
- e. 4-H Clubs, Boys Scouts, Girls Scouts and Special Olympics
- f. Classes for credit supported by or requested by officials of the Jamestown Public School District.
- g. Election polling places.

Category 1 organizations generally will have free use of facilities except for activities that are associated with fund raising, require custodial or other school district personnel. Custodial fees will not be charged if the program takes place during operational hours and there is no increase in the normal workload. In the case of fund raising or when custodial or other school district personnel are required to be on duty outside of normal hours, the organization will be charged. (See Facility Rental Fees)

2. Category 2

- a. Jamestown Public School District recognized booster clubs.
- b. Private (not school sponsored or park board) youth recreational teams will be required to pay \$20.00 per scheduled practice. These practice times may be scheduled with the Central Office and will be coordinated with the principal of the school at which they wish to practice. Practices are restricted to a maximum length of

1.5 hours. No shows for scheduled practice will still be charged the \$20.00 practice fee.

3. **Category 3**

- a. All community non-profit organizations (IRS numbers).
- b. Organizations which sponsor activities which in the judgment of the Superintendent of Schools will play a significant role in community development and/or are of educational benefit to the community.
- c. Other governmental units for the purpose of conducting business meetings.
- d. Political parties for the purpose of holding precinct or district caucuses.
- e. Recreational activities of church related organizations.
- f. Activities/events sponsored by Jamestown Park and Recreation and or other recreational organizations for which entry fees or admission is charged.
- g. Church organizations for regular services or meetings. The preferred length of time is three (3) months. The maximum length of time will not exceed six (6) months. Extensions may be granted in cases where a permanent residence is not available but forthcoming. Application for such extension should be made to the Superintendent.

Category 3 organizations will be charged a rental rate, which will recover utility, maintenance, energy, and other appropriate costs for the use of school facilities. Custodial fees will not be charged if the program takes place during operational hours and there is no increase in the normal workload. When meetings are held outside of the normal operating hours of the school, charges will be made or custodial and other personnel required for the meeting. In the case of fund raising by Category 2 organizations, the standard rental fee will be above the normal service.

4. **Category 4**

- a. Outside organizations which sponsor recreational and entertainment programs such as films, drams, shows, etc; where a admission is charged or where the main purpose is fund raising.
- b. Political parties for purposes other than authorized caucuses.
- c. Any for-profit organizations that do not qualify for Categories 1, 2 or 3.

Category 4 organizations will be charged the rental fees and other user fees according to the schedule. Custodial fees will not be charged if the

program takes place during operational hours and there is no increase in the normal workload.

Policy ABBB-AR Amended 2-4-2022

ABBB-E1 - FACILITY RENTAL FEES

	<i>Category 2</i>	<i>Category 3</i>	<i>Category 4</i>
1. Elementary Gymnasium	\$20.00 *	\$50.00	\$150.00
2. Middle School Gymnasium	\$20.00 *	\$50.00	\$150.00
3. High School Gymnasium (per floor)	\$20.00 *	\$50.00	\$150.00
4. Wrestling Room (Middle School/High School)	\$20.00 *	\$50.00	\$150.00
5. Swimming Pool (High School)	\$20.00 *	\$100.00	\$300.00
6. Thompson (Middle School)	N/A	\$40.00	\$120.00
7. High School Theatre	N/A	\$80.00	\$160.00
8. Commons (High School)	N/A	\$40.00	\$80.00
9. Libraries	N/A	\$30.00	\$60.00
10. Classrooms	N/A	\$15.00 per room	\$15.00 per room

The above rates are on a per hour basis except where noted per room.

*Category 2 is per practice session with each session a maximum length of 1.5 hours.

The maximum facility rental fee per day is \$600.00. Other fees as listed below may apply.

Custodial fees will not be charged if the rental takes place during operational hours and there is no increase in the normal workload.

When kitchen is used for food preparation, at least one food service employee must assist those involved and the cost will be added to the rental.

Other Fees

1. Custodial/Personnel Fee	\$40.00 per hour
2. Kitchen/Personnel Fee	\$40.00 per hour
3. PA System	\$15.00 per rental
4. Overhead Projector/Screen	\$15.00 per rental
5. Projector	\$20.00 per rental
6. Scoreboard	\$15.00 per court
7. TV/VCR	\$10.00 per rental
8. Piano **	\$20.00 per rental

HOLD HARMLESS POLICY By execution of this application, the applicant hereby releases the Jamestown Public School District from any and all liability for the condition of the premises and ingress there from, and hereby agrees, upon acceptance of this application, to assume all responsibility and liability for injury to the person and property of any person who shall come upon the premises in connection with the function for which this application is made, and further agrees to defend any legal action brought against the Jamestown Public School District as a result of any injury to the property of any person or any person who comes upon the premises in connection with such functions, and to pay any judgment obtained against Jamestown Public School District as a result of any such legal action. Legal Ref: NDCC 15.1-06-14



ABBB-E2 - RENTAL AGREEMENT FOR SCHOOL PROPERTY



Date: _____

Facilities Requested: _____ School: _____

(i.e-gymnasium, pool, classroom, etc.)

Purpose: _____

____ Name of Organization: _____

Address: _____

City/State/Zip: _____

Number of People

Expected: _____

Date Requested: _____ Hours of Use: _____

Admissions Charged: Yes No Category

Equipment Needed: _____

Other Information: _____

Bill to: _____

Address: _____

City/State/Zip: _____

RENTAL FEE TO BE PAID:\$

*Fifty percent of the Rental Fee must be paid when application is completed.

For the sole consideration of the above named facility, and in the absence of liability coverage for said facility, the undersigned on behalf of the group using said facility, does hereby fully and forever release and discharge the Jamestown Public School District, its agents and employees, and their heirs, personal representatives, successors, and assigned from all claims, demands, damages, actions, rights of action, of whatever kind or nature which hereafter arise out of , in consequence of, on account of, or in any way derived from the use of the afore described premises.

I/we further agree to reimburse Jamestown Public School District for the cost of repairing any damage incurred to the premises while utilized by the undersigned, or to replacement of same value to the loss of equipment from said premises resulting from the use of the undersigned.

Signature of Lessee:

Printed Name of Lessee: _____

.....
FOR CENTRAL OFFICE USE ONLY
Billing Date:

Amount Paid \$
Date Paid:

ABBC - NONCURRICULAR USE OF DISTRICT EQUIPMENT

No equipment or materials should be loaned outside of the school premises unless written permission has been granted from the school district administrator, and a signed statement stating who has the equipment is on file in the administrator's office.

Policy amended 4/16/18

ABBC-AR - NON CURRICULAR USE OF DISTRICT EQUIPMENT - STUDENT USE

Building principals/directors shall develop and implement a plan for supervision of student use of school facilities, equipment, and materials. A copy of the plan shall be filed with the Central Office.

ABBE - DISPLAYS OF RELIGIOUS OBJECTS OR DOCUMENTS

The District may display a religious object or document of cultural, legal, or historical significance which has influenced the legal and governmental systems of the United States and this state together with other objects or documents of cultural, legal, or historical significance, which have influenced the legal and governmental systems of the United States and this state.

Display Criteria

Requests to display a religious object, or document within a school shall be filed with the building principal and approval must be obtained prior to displaying the object, or document. Any such display shall meet the following criteria:

1. The educational purpose of the display is clearly articulated in the request, and the request outlines the manner in which this purpose will be relayed to students;
2. The cultural, legal, or historical significance of the religious document or object is clearly articulated in the request, and the request outlines the manner in which this significance will be relayed to students;
3. The influence that the religious document or object has had on the legal and governmental systems of the country or culture being studied is clearly articulated in the request, and the request outlines the manner in which the document/object's influence will be relayed to students;
4. The religious object or document is part of a larger display and is to be displayed in the same manner and appearance as other objects or documents in the display;
5. Nothing in the display shall call attention to the religious object or document apart from other objects or documents in the display;
6. The display is to be used as an illustration for purposes of the curriculum and is to be displayed in a classroom or library;
7. The display requires no active participation in any religious activity; and
8. The display, when practical, includes diverse religious, cultural, and ethnic symbols.

This policy does not govern nor will it infringe upon the rights of students and staff to wear religious symbols so long as doing so does not substantially disrupt the educational environment nor interfere with the rights of others.

This policy does not apply to secular displays of seasonal objects.

Complementing Policies:

- DEAC, Staff Dress Code
- FFH, Student Dress Code

ABCA - COPYRIGHTED MATERIAL & INTELLECTUAL PROPERTY

Copyright Prohibitions

The District shall abide by the provisions of copyright law, including Fair Use Standards. The District prohibits illegal duplication in any form. Copyright materials, whether they are print or non-print; published online; or in the form of software, music, a digital medium, or a performance shall not be duplicated or performed unless such use is permitted under law or unless appropriate written permission from the copyright holder has been received and, if applicable, royalties paid.

Compliance

Each school office should maintain copies of federal Fair Use guidelines and federal Fair Use Standards for off-air taping of copyrighted audio and audiovisual works. Legal counsel shall review any proposed usage beyond the guidelines.

The Superintendent will issue memorandums regarding this policy and federal Fair Use Guidelines to employees as needed, post notices of copyright law and this policy in appropriate locations, ensure that filtering software is in place on district networks to prevent illegal downloading and file sharing, and notify students of this policy through the use of student handbooks.

Fair Use Principals

Under the fair use doctrine, copyrighted materials may be reproduced without authorization for the purposes of criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research following these general guidelines:

PURPOSE AND CHARACTER OF THE USE. The use must be for such purposes of teaching or scholarship and must be nonprofit, not commercial.

NATURE OF THE COPYRIGHTED WORK. Staff may make single copies of: a chapter of a book for such use as instruction, preparation for teaching or research; an article from a periodical or newspaper; a short story, essay or poem and a chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.

AMOUNT AND SUBSTANTIALITY OF THE PORTION USED. Copying the whole of a work cannot be considered fair use: copying a small portion may be considered fair use if appropriate guidelines are followed. The amount and substantiality of the portion used must be reasonable.

EFFECT OF THE USE UPON THE POTENTIAL MARKET FOR OR VALUE OF THE COPYRIGHTED WORK. If resulting economic loss to the copyright holder can be shown, making even a single copy of certain materials may be an infringement; and making multiple copies presents the danger of greater penalties, thus, the potential market value of the work should not be affected.

Intellectual Property

Any copyrightable work produced by a district employee within the scope of his/her duties is considered “work made for hire.” The District owns all copyrightable rights to these items. Employees have no right to use such work outside the scope of their district duties without the board’s permission. “Work made for hire” must remain with the District upon separation.

The Board authorizes the Superintendent to sell “work made for hire” products to other school systems, organizations, or commercial firms.

Violations

Administration shall investigate all complaints of alleged copyright violations.

Students and employees who willfully disregard the district’s copyright position are in violation of board policy and shall be subject to disciplinary consequences in accordance with applicable policies and law. In addition, employees who willfully disregard this policy do so at their own risk and assume all liability. The District may also deem employees who willfully violate copyright laws to be acting outside the scope of employment.

Complementing Policy:

- ACDA, Technology Acceptable Use Policy For Staff And Students

End of Jamestown Public School District Policy ABCA

Adopted: 11/16/2020

ABCD - RECORDS RETENTION

Definitions

For the purposes of implementing this policy and complying with NDCC 15.1-07-25.2:

- *Final action* is the month, day, and year of the last action completed by the District to fulfill obligations to an individual or entity under the applicable program, policy, regulation, or law.
- *After separation* is the month, day, and year that an employee separated from employment with the District.
- *Board minutes* are defined as minutes taken at any school board meeting where a quorum of the school board was present.
- *Closed record* is defined in NDCC 44-04-17.1 (2).
- *Exempt record* is defined in NDCC 44-04-17.1 (5).
- *Payroll record* is defined as documents containing the following:
 - a. Time and day of week when employee's workweek begins
 - b. Hours worked each day
 - c. Total hours worked each workweek
 - d. Basis on which employee's wages are paid (e.g., "\$9 per hour," "\$440 a week," "piecework")
 - e. Regular hourly pay rate
 - f. Total daily or weekly straight-time earnings
 - g. Total overtime earnings for the workweek
 - h. All additions to or deductions from the employee's wages
 - i. Total wages paid each pay period
 - j. Date of payment and the pay period covered by the payment
- *Record* is defined in NDCC 44-04-17.1(16).

Development of a District Records Retention Schedule

The Business Manager or designee shall develop a records retention schedule that complies with all applicable record retention deadlines in state and federal law. The schedule should contain retention deadlines, record destruction methods, and list a record administrator for each record.

Role of Record Administrator

Record administrators listed on the records retention schedule shall be responsible for properly retaining all records under their jurisdiction, implementing records holds when necessary, and ensuring that records are properly destroyed in accordance with destruction methods listed on the retention schedule.

Records Hold

A records hold should be placed on documents (including electronic documents such as email) when there is a need to retain a document for purposes such as, but not limited to, complying with an open records request or to prepare for foreseeable litigation (litigation hold).

Below are indicators that a records hold is required:

1. A formal complaint, subpoena, or notification of a lawsuit is received
2. Litigation is threatened
3. A regulatory or governmental body (e.g., OCR, Department of Justice, Department of Labor) begins an investigation
4. An attorney requests facts or documents related to an incident or dispute.
5. An injury occurs
6. An open records request is made
7. An employee or student/parent requests access to their records

The Business Manager shall determine the duration of records hold. S/he shall consult the district's attorney for retention recommendations on items retained under a litigation hold.

End of Jamestown Public School District Policy ABCD.....Adopted:1-20-2020

ABCD-E1 - RECORDS RETENTION SCHEDULE

Type of Report	Description	Retention Period
Accounts Payable	Check Stubs; Check Register; Cancelled Checks; Duplicate Deposit Slips; Financial Software Reports Posting Checks; Invoices and Billings; Journal Entries	6 Years After CFY (Note: Monthly Reports Containing Information That Will be Printed on a Year-End Report May be Destroyed 5 Years After CFY)
Accounts Payable	Property	Keep Records Until the Period of Limitations Expires for the Year in Which You Dispose of the Property
Accounts Receivable	Billing Records; Journal Entries; Receipt Books; Records of Delinquent Accounts/Collections; Records of Local, State, Federal, and Grant Funds Received; Revenue Report	5 Years After CFY
Audit Reports	External Independent & State Auditor Reports; Internal Audit Reports Documentation of Auditing or Review Procedures Applied, Evidence Obtained, and Conclusions Reached	5 Years After CFY
Bank Records	ACH Notices; Annual Interest Statements (1099-INT); Bank Account Agreements/Signature Card Copies; Bank Loan Agreements; Bank Reconciliations; Bank Statements for All funds; Certificates of Deposit; Deposit Books; Pledged Collateral/Letters of Credit - Current & Expired; Savings Books	5 Years After CFY
Benefit Records (Excluding Leaves)	403b Annuity Billings/Payment Confirmation	5 Years After Separation
Benefit Records (Excluding Leaves)	Certificates of Insurance	6 Years After Final Action
Benefit Records (Excluding Leaves)	Benefit Bills (e.g., BCBS, AFLAC, Etc.)	6 Years After Plan Year
Benefit Records (Excluding Leaves)	COBRA Forms	6 Years After Final Action
Benefit Records (Excluding Leaves)	COBRA Payments	7 Years After Final Action
Benefit Records (Excluding Leaves)	Flex Benefit, 125/Cafeteria Plan Application Form	5 Years After Separation
Benefit Records (Excluding Leaves)	Flex Benefit, 125/Cafeteria Plan Billings	6 Years After Plan's Termination
Benefit Records (Excluding Leaves)	Insurance Applications (Medical, Vision, AFLAC, Dental, Etc.)	5 Years After Separation
Benefit Records (Excluding Leaves)	Insurance Monthly Statements	6 Years from Date Paid
Benefit Records (Excluding Leaves)	Leave Balance Reports (Also see Leave Records Section)	3 Years From Date of Creation
Benefit Records (Excluding Leaves)	PERS Defined Benefit Retirement Membership Application (SFN 2561)	1 Year After Separation
Benefit Records (Excluding Leaves)	PERS Designation of Beneficiary or Group Retirement Plan (SFN 25060)	1 Year After Separation

Benefit Records (Excluding Leaves)	PERS Monthly Report of Contributions	1 Year After Separation
Benefit Records (Excluding Leaves)	TFFR Member Action Form (SFN 5098)	1 Year After Separation
Benefit Records (Excluding Leaves)	TFFR Member Certification (SFN 11732)	1 Year After CFY
Benefit Records (Excluding Leaves)	TFFR Monthly Report of Contributions	5 Years After Creation
Benefit Records (Excluding Leaves)	TFFR Notice of Termination (SFN 17144)	5 Years After Separation
Benefit Records (Excluding Leaves)	Waiver of Insurance	5 Years After Separation
Budget Records	Approved Annual Budget; Budget Hearing Notice; Budget Requests from Departments/Schools; Certificate of Levy; Tentative Proposed Budget; Working Papers, Taxable Valuation Forms from the County	10 Years for Date of Board Approval
Construction Bond Records	Affidavit of Signatures; BND Commitment Letter; Bond Counsel Opinion; Bond Insurance documents; Bond Resolution/Results of Sale; Official Statement; Certificate of Debt Capacity; Certificate of Registrar; Closing Certificate; County Auditor's Certificate Rating Letter; Debt service Schedule; Distribution List; DTC Blanket Issuer Letter of Representations; Initial Resolution for the Issuance of Bonds; Resolution for Debt Limit Increase; IRS Form 8038-g; Notice of Election and Affidavit of Publication	6 Years After Date of Creation
Construction Bond Records	Notice of Sale and Affidavit of Publication; Paying agent Agreement; Resolution Calling Special Election; Resolution Canvassing Returns; Resolution Providing for the Sale of Bonds; Specimen Bonds r-1 & r-19; Tax Certificate; Underwriter's Certificate and Receipt	6 Years After Date of Creation
Election Records	Board Election Ballots, Including Absentee - 1 Copy of Official Ballot	PERMANENTLY
Election Records	Board Election Ballots, Including Absentee - Ballots Completed by Voters	Retain 22 Months
Election Records	Board Election Notices	45 Days After Election
Election Records	Certificate of Election	Retain for 10 Years After CFY
Election Records	Election Official Oaths	45 Days After Election
Election Records	Oath of Office	Retain for Entire Term of Office + 6 Years
Election Records	Petitions: Recall and Election	10 Years from Date Approved
Election Records	Poll Books	10 Years from Date of Election
Election Records	Statement of Interest (SFN 10172)	10 Years After CFY
Employment Contracts & Rehiring Forms	Employee Work Agreement	6 Years After Separation
Employment Contracts & Rehiring Forms	Employment Contracts	6 Years After Separation
Employment Contracts & Rehiring Forms	Negotiated Agreements (Including Salary Schedules)	6 Years After Separation of Last Employee Covered by the Agreement (e.g. Last Teacher Hired in 1980 Retires in 2015 - Retain 1980 Negotiated Agreement Until 2021)
Employment History	Dates of Employment, Pay Changes, Dates of Actions Taken Such as Transfers, Promotions, Disciplinary Measures, Etc.	50 Years After Separation
Employment History	Discrimination & Harassment Grievance Investigation Materials	Until Separation + 6 Years
Employment History	Complaints About Personal Investigation Report	Until Separation + 6 Years

End of Fiscal Year Fixed Asset Inventory	Annual Individual Staff Inventories Listing all Items; Fixed Asset Reports; Invoices of Assets Used in Updating Annual Report Listing Item, Cost and Serial Number	At Least 3 Years After CFY and Un the Period of Limitations Expires the Year in Which You Dispose of Property
Federal Grant Records	Accounts Payable Records Specific to Federal Grants; Action Taken on Federal & State Grants Awarded to the District; Annual Monitoring Documents; Annual Parent Meeting Minutes; Annual Review Meeting Minutes; Approved Budget; Assurance of Time; Audit Report; Bid Documents; Consolidated Application; Contracts; Correspondence; filing Guidelines; Inventory; Letter of Intent; Mid-Year/Final Financial Reports; Professional Development Program Approvals; Progress Report; Project Approval Letters; Records of Money Spent as Approved by the Appropriate Grantor; Reimbursement Requests; Request for Funds	5 Years After Submission of Final Expenditure Report, Including Annual Carryover Funds, OR the Last Annual Monitoring Litigation Activity - Whichever is Later.
Financial Reports	Account Inquiry Report; Balance Sheet Report; Bank Reconciliation Report; Cash Receipt Listing; Check Registers; Entry File Report; Expenditure Summary Report; Fund Balance Recap; Manual Journal Entry Listing; Outstanding Check Listing; Revenue Summary Report; Trial Balance Report	5 Years After CFY
Financial Reports	Business Manager's Financial Reports	10 Years After CFY
Hiring	Applications and Resumes (Hires and Non-Hires)	6 Years After Last Action
Hiring	Cover Letters	6 Years After Hiring Decision
Hiring	Criminal History Records	6 Years After Hiring Decision (if Not Hired)
Hiring	Criminal History Records	6 Years After Separation if Hired
Hiring	Credit Checks	2 Years After Selection Process
Hiring	Driver's License Copy	1 Year After Date of Termination
Hiring	Employment Contracts	6 Years After Separation
Hiring	Job Advertisement/Announcement	6 Years After Hiring Decision
Hiring	Job Application	6 Years After Hiring Decision
Hiring	Job Description	6 Years After Separation
Hiring	Job Service New Hire Report	1 Year After Submission
Hiring	I-9	4 Years After CFY or 3 Years After Separation (Whichever is Longer)
Hiring	Interview Notes	6 Years After Hiring Decision
Hiring	Interview Questions	6 Years After Hiring Decision
Hiring	Offer of Employment	6 Years After Separation
Hiring	Orientation Checklist	6 Years After Separation
Hiring	Reference Check Information/Notes (e.g. Verification of Employment)	6 Years After Decision to Hire
Hiring	Reference Letters/Checks	6 Years After Decision to Hire
Hiring	Rejection of Employment Letter	6 Years After Issuing
Hiring	Resumes	6 Years After Decision to Hire
Hiring	Social Security Card Copy	1 Year After Separation
Hiring	Social Security Verification	6 Years After Separation
Home Schooled Student Records	Statement of Intent	CFY + 4 Years
Insurance & Surety Bonds	Automobile Liability Records; General Liability Records; Property Insurance Records; Copy of Claims; Claims Correspondence; Claims Payments	6 Years After Last Action
Insurance & Surety Bonds	Employee Bonds	While Active and at Least 5 Years Expired
Leave Records	Conference/Seminar Registration Information	CFY + 4 Years
Leave Records	FMLA Forms	5 Years After Separation

Leave Records	Leave Balance Reports	3 Years From Date of Creation
Leave Records	Leave Request Forms - Including Sick Bank, but Other Than FMLA	5 Years After Separation
Leave Records	Travel Authorization Request/Approval Form	CFY + 4 Years
Leave Records	Travel Reimbursements Log/Reports	CFY + 4 Years
Licenses & Academic Records	Academic Records/Transcripts	Until Update - Destroy Upon Separation
Licenses & Academic Records	Teacher License (Copy)	Until Updated and 1 Year After Separation
Medical, Drug Testing, & WSI Records	Drug Testing	7 Years After Separation
Medical, Drug Testing, & WSI Records	Certificate of Fitness for Duty (Bus Drivers)	Until New Certificate is Received; Upon Separation Retain Final Certificate for 6 Years
Medical, Drug Testing, & WSI Records	Medical Release to Return to Work	6 Years After Separation
Medical, Drug Testing, & WSI Records	Medical Records	6 Years After Separation
Medical, Drug Testing, & WSI Records	Physical Exam Records	Until Updated or 6 Years After Separation
Medical, Drug Testing, & WSI Records	WSI Annual Report	CFY + 2 Years
Medical, Drug Testing, & WSI Records	WSI Claims	4 Years After Final Action
Meeting Records	Board Minutes	PERMANENTLY
Meeting Records	Committee Meeting Minutes	Retain for 10 Years. After CFY
Meeting Records	Executive Session Tapes if NOT related to Negotiations, Nonrenewal, Discharge, or Expulsion	6 Months
Meeting Records	Executive Session Tapes if related to Negotiations, Nonrenewal, Discharge, or Expulsion	6 Years
Meeting Records	Meeting Agendas	Retain for 10 Years After CFY
Meeting Records	Meeting Packets	Retain for 10 Years After CFY
Operational Documents & Agreements	Accreditation Reports	6 Years After CFY
Operational Documents & Agreements	Annexation, Reorganization, and Dissolution Committee Material	PERMANENTLY
Operational Documents & Agreements	Annexation, Reorganization, and Dissolution Plans/Agreements	PERMANENTLY
Operational Documents & Agreements	Asbestos Reports	PERMANENTLY
Operational Documents & Agreements	Board Members and Board Officers List	PERMANENTLY
Operational Documents & Agreements	Budgets (Proposed & Approved), Budget Hearing Notice, Budget Requests from Departments/Schools, Certificate of Levy, Working Papers	10 Years for Date of Board Approval
Operational Documents & Agreements	Census Reports	PERMANENTLY
Operational Documents & Agreements	Certificates of Compliance	CFY + 4 Years
Operational Documents & Agreements	Contracts with Vendors, Leases, Bids	6 Years After Termination
Operational Documents & Agreements	Co-op Agreements	Life of Agreement + 6 Years
Operational Documents & Agreements	Curriculum Guides	Until Superseded or 5 Years, Whichever is Greater

Operational Documents & Agreements	Foundation Aid Reports	10 Years After CFY
Operational Documents & Agreements	Joint Powers Agreements	PERMANENTLY
Operational Documents & Agreements	MIS01, MIS02, MIS03, PER02	CFY + 4 Years
Operational Documents & Agreements	Open Records Requests	CFY + 4 Years
Operational Documents & Agreements	Policies	6 Years from Date Rescinded
Operational Documents & Agreements	Property Titles, Abstracts, Deeds, Easements	PERMANENTLY
Operational Documents & Agreements	Pupil Membership Reports	PERMANENTLY
Operational Documents & Agreements	Transportation Aid Reports	10 Years After CFY
Operational Documents & Agreements	Transportation Reports for the District	CFY + 4 Years
Operational Documents & Agreements	School Calendars	CFY + 4 Years
Operational Documents & Agreements	School District Status Sheet	CFY + 4 Years
Operational Documents & Agreements	Security Plans/Emergency Response Guides that have Expired	5 Years After Adoption of New Plan
Operational Documents & Agreements	Tax Exempt Certification	Until Superseded
Operational Documents & Agreements	Tuition and Transportation Agreements	CFY + 4 Years
Operational Documents & Agreements	Work Study Program Agreements	CFY + 4 Years
Payroll Records	941 Federal Tax Form/EFTPS	5 Years After Separation of all Employees on Report
Payroll Records	1099's	13 Years After CFY
Payroll Records	Annual Payroll Report (for Annual Financial Report)	PERMANENTLY
Payroll Records	Child Support Enforcement Report	5 Years After Separation
Payroll Records	Deductions Register (By Deduction and by Employee)	5 Years After Separation
Payroll Records	Direct Deposit Information and Authorization Forms	Duration of Employment or Until Authorization Form are Provided
Payroll Records	Employee Lifetime Wages Report	6 Years After Separation
Payroll Records	Garnishments	5 Years After Separation
Payroll Records	Pay Period Entries for Taxable Reimbursement	5 Years After Date Created
Payroll Records	Payout of Remaining Leave Upon Separation	5 Years After Separation
Payroll Records	Payroll Registers	5 Years After All Employees Listed Have Separated Employment
Payroll Records	Payroll Register Totals	5 Years After Created
Payroll Records	Payroll Schedules	5 Years After Separation of Last Employee Covered by the Schedule (e.g., Last Employee Hired in 1980 Retires in 2015 - Retain 1980 Payroll Schedule Until 2020)
Payroll Records	State Income Tax Quarterly Reports	13 Years After CFY
Payroll Records	Tax Deduction Register	13 Years After CFY
Payroll Records	Timecards	6 Years After Separation
Payroll Records	Timecard Reports	5 Years Created
Payroll Records	Travel Reimbursement	CFY + 4 Years

Payroll Records	Union Dues List	5 Years From Date Created
Payroll Records	Verification of Wages to Employees	6 Years After Separation
Payroll Records	Voluntary Salary Deduction/Reduction Agreements	5 Years After Separation
Payroll Records	W-2 Forms	13 Years After CFY
Payroll Records	W-4 Forms	13 Years After CFY
Payroll Records	W-9 Forms	13 Years After CFY
Payroll Records	Wage and Batch Totals Listing Deductions	CFY + 4 Years
Performance Records	Awards/Honors Records	6 Years After Separation
Performance Records	Classroom Observations Notes	2 School Years. If Used for Purpose of Nonrenewal - Retain for 6 Years After Separation
Performance Records	Evaluations (Superintendent and staff)	6 Years After Separation
Performance Records	Handbook Receipt Verification	6 Years After Separation
Performance Records	Improvement Plans	6 Years After Separation
Performance Records	Nonrenewal Notices	6 Years After Separation
Performance Records	Pre-Observation Teacher Forms	2 School Years. If Used for Purpose of Nonrenewal - Retain for 6 Years After Separation
Performance Records	Professional Development Verification	6 Years After Separation
Performance Records	Training Records	6 Years After Separation
Performance Records	Warning/Write Ups	6 Years After Separation
Purchasing & P-Card Records	Requisition Forms; Purchase Orders; Bid Notices; Monthly Detail of Charges; Receipts to Support the Detail of Charges; Vendor Invoices	5 Years After CFY
Purchasing & P-Card Records	Purchasing Contracts	Any Contract Entered into Should be Retained for the Life of the Contract + 6 Years.
Purchasing & P-Card Records	P-Card Holder Employee Agreement	Duration of Employment + 5 Years. If the Agreement is Updated & Signed Annually, the Old Copy May be Discarded
School Nutrition Program	Annual USDA Commodity Purchase; Expenditures; Meal Payment Receipts; Reimbursement Claim Reports; Reimbursement Payment Reports; USDA Food Invoices	5 Years from Date Created for All Records Showing Expenditures/Revenues
School Nutrition Program	Monthly Meal Count Reports (to Confirm Claims); Program Rates; Food Vendor Bids; Free & Reduced Meal Applications	CFY + 3 Years
Separation & Unemployment Records	COBRA Forms	6 Years After Final Action
Separation & Unemployment Records	COBRA Payments	6 Years After Final Action
Separation & Unemployment Records	Early Retirement Agreement	6 Years After Final Payment Made Under Agreement
Separation & Unemployment Records	Employee Contract Information Form	Duration of Recall Rights for RIF'd Teacher; 1 Year After Updated on Separation
Separation & Unemployment Records	Exit Checklist	6 Years After Separation
Separation & Unemployment Records	Exit Interview Form	6 Years After Separation

Separation & Unemployment Records	Letter of Resignation	6 Years After Separation
Separation & Unemployment Records	Nonrenewal Notices	6 Years After Separation
Separation & Unemployment Records	Payout of Remaining Leave Upon Separation	5 Years After Separation
Separation & Unemployment Records	PERS Defined Benefit Retirement Membership Application (SFN 2561)	1 Year After Separation
Separation & Unemployment Records	PERS Designation of Beneficiary or Group Retirement Plan (SFN 25060)	1 Year After Separation
Separation & Unemployment Records	PERS Monthly Report of Contributions	1 Year After Separation
Separation & Unemployment Records	TFFR Member Action Form (SFN 5098)	1 Year After Separation
Separation & Unemployment Records	TFFR Member Certification (SFN 11732)	1 Year After CFY
Separation & Unemployment Records	TFFR Monthly Report of Contributions	5 Years After Creation
Separation & Unemployment Records	TFFR Notice of Termination (SFN 17144)	5 Years After Separation
Separation & Unemployment Records	Unemployment Quarterly Reports	5 Years From Date Created
Special Education Student Records	Student's Name, Address, Phone Number, Grades, Attendance Record, Classes Attended, Grade Level Completed, Year Completed, Career Certifications, and Standardized Test Scores	PERMANENTLY
Special Education Student Records	Personally Identifiable Information in Special Education Records -The District must Inform the Parents when Personally Identifiable Information is Collect, Maintained, or Used Under 34 C.F.R. § 300.624 is no Longer Needed to Provide Educational Services to the Child. The Information Must be Destroyed at the Request of the Parents	Accordance with Law
Student Records	Activity Trip Permission Slips	1 Calendar Year in Student's Educational Record
Student Records	Attendance Records (Except Special Education Students), Disciplinary Records, Extracurricular Records, Parent Consent Forms, Transfer Notices, Certificates of Immunizations, Honors/Awards, Medical Records not Created by the School, and Accident Reports	Until the Child Turns 21 if the Child Only Attended Elementary School in the District Until the Child Turns 27 if the Child Attended Middle/High School in the District
Student Records	Bullying Reports	6 Years After Student Turned 18 or Graduates from High School - Whichever is Later
Student Records	Concussion Documentation, Return to Play Authorization	7 Years After Student's Enrollment 6 Years After a Student Turns 18 - Whichever is Later
Student Records	Discrimination & Harassment Grievance Investigation Materials	At Least 6 Years after Leaving the District
Student Records	Expulsion Hearing and all Introduced Evidence for the Hearing	At least 6 Years after the Expelled Student Reaches 18.
Student Records	FERPA Directory Information Opt-Out Request - Collect Each Year the Child is a Student	After Graduation, the Most Recent Opt-Out Request Must Remain in the Record for its Duration.

Student Records	FERPA Record of Access - The District Must Maintain a Record of Each Request for Access to, and Each Disclosure of Personally Identifiable Information from the Education Records of Each Student, as well as the Names of State and Local Educational Authorities, and Federal Officials and Agencies Listed in §99.31(a)(3).	Maintain this with the Educational Records of the Student for as Long as the Records are Maintained
Student Records	Juvenile Court Records, Law Enforcement Records, Records of School Law Enforcement Unit	Destroy when a Student is 18 or no Longer Attends School
Student Records	Medicaid Records used for Medicaid Reimbursement	CFY + 5 Years
Student Records	Medical Records Created by the School & Counselor's Records	On or After the Student's 21st Birthday or on or After the 10th Anniversary of the Date on Which Student was Treated
Student Records	Permanent Record - Defined as the Student's Name, Address, Phone Number, Grades, Grade Level Completed, Career Certificates, Drop Out Records, and Standardized Test Scores	PERMANENTLY
Student Records	PowerSchool Records	PERMANENTLY
Student Records	Search of Student and Student's Personal Property Report	Place Report in Student's Educational Record and Destroy 6 Years After Student Turns 18
Student Records	Suspension of Student (Either in School or Dismissal from Classes, Buildings, or Grounds)	Place Report in Student's Educational Record and Destroy 6 Years After Student Turns 18
Training Records	New Board Member Training Verification	Term of Office + 6 Years
Training Records	Board Member Service Award Tracking	1 Year After Awarded

ABCE - PROHIBITION ON AIDING SEXUAL ABUSE

Definitions

For the purpose of this policy:

- *Assisting* means to recommend, facilitate, aid, ease, expedite, promote, encourage, advance, stimulate, or accelerate.
- *Sexual misconduct* may include, but is not limited to the following:
 - p. Insults, disparaging remarks/names, and/or sarcasm, used to force compliance with a school employee's, contractor's, or agents' requirements or expectations.
 - q. Any conduct that would amount to sexual harassment, discrimination, or retaliation under Title IX of federal education amendments.
 - r. Any activity that may lead to a sexual relationship such as dating, sending intimate correspondence, and/or engaging in sexualized dialogue.
 - s. Any sexual relationship between a school employee, contractor, or agent and a current student, regardless of their age, or a former student under the age of 18.
 - t. Any conduct by a school employee, contractor, or agent that would constitute a sexual offense, sexual act, or sexual contact involving a minor or a student as defined in state law.
- *School property* is defined in NDCC 15.1-19-10(6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.

Prohibited Action

In compliance with section 8546 of the Elementary and Secondary Act of 1965 (20 U.S. C. § 7926), the District prohibits any employee, contractor, or agent from assisting a school employee, contractor, or agent in obtaining a new job if the individual or the district knows or has probable cause to believe that the school employee, contractor, or agent has engaged in sexual misconduct with a student or minor in violation of the law.

For the purposes of this policy, it shall not be deemed assisting in obtaining a new job to participate in routine procedures regarding the transmission of administrative or personnel files in accordance with law or to confirm dates of employment.

This prohibition does not apply under certain conditions specified by the Every Student Succeeds Act (ESSA) such as:

1. The information has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct, and any other authorities as required by federal, state, or local law; and
 - a. The matter has been officially closed or the school officials have been notified by the prosecutor or police after an investigation that there is insufficient information to establish probable cause;
 - b. The individual has been charged with, and acquitted or otherwise exonerated of the alleged misconduct; or
 - c. The case remains open and there have been no charges filed against, or indictment of, the individual within four years of the date on which the information was reported to a law enforcement agency.

Reporting and Investigation

If an individual has reason to believe that an employee may have violated this policy, they are required to report the alleged violation to a building administrator or the Superintendent as soon as possible. All reported prohibited behavior shall be investigated by the Superintendent.

If the Superintendent or Business Manager is believed to have violated this policy, the alleged violation shall be reported to the Board President who is responsible for conducting the investigation and making a recommendation based on the outcome of the investigation to the Board for determination and final action. The Board may retain an attorney or consultant to assist with the investigation process.

Violation

If disciplinary action is deemed warranted at the completion of the investigation, the District shall take appropriate action up to and including termination of employment in accordance with law and/or reporting such activity to appropriate state licensing and law enforcement officials.

Retaliation and Providing False Information Prohibited

The District prohibits retaliation for an individual's participation in an investigation and/or initiation of a report under this policy, including instances when an allegation is not substantiated. The District also prohibits knowingly filing a false report and/or knowingly making false statements during an investigation. Staff and students who violate these prohibitions are subject to appropriate disciplinary action.

Complementing Policies:

- ACCA, Sexual Offenders on School Property
- BA, School Board Ethics
- DBAA, Recruitment, Hiring, & Background Checks for New Classified Personnel
- DBAC, Recruiting & Hiring Teachers
- DE, Staff Code of Conduct
- DEBD, Staff-Student Relations (Non-Fraternization Policy)

End of Jamestown Public School District Policy ABCE

Adopted:7/20/2020

ABDA - WEBSITE ACCESSIBILITY FOR PEOPLE WITH DISABILITIES⁸

With regard to the district website and any official district web presence that is developed by, maintained by, or offered through third-party vendors and open sources, the Jamestown Public School District is committed to compliance with the provisions of the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and Title II of the Civil Rights Act, so that students with disabilities, parents with disabilities, and members of the public with disabilities are able to independently acquire the same information, engage in the same interactions, and enjoy the same benefits and services within the same timeframe as those without disabilities, with substantially equivalent ease of use; and that they are not excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any district programs, services, and activities delivered online.

All pages on the district’s website will conform to the World Wide Web Consortium (W3C) Web Accessibility Initiative’s (WAI) Web Content Accessibility Guidelines (WCAG) 2.0, Level AA conformance, or updated equivalents of these guidelines. The WCAG documents explain how to make web content more accessible to people with disabilities. Web “content” generally refers to the information in a web page or web application, including natural information such as text, images, and sounds; and, code or markup that defines structure, presentation, etc.

The Superintendent is directed to establish procedures whereby students, parents, and members of the public may present a complaint regarding a violation of the Americans with Disabilities Act (ADA), Section 504 and Title II related to the accessibility of any official district web presence that is developed by, maintained by, or offered through the District or third-party vendors and open sources.

Complementing Policies:

- ABDA-BR1, Website Accessibility Complaints
- ABDA-E1, Website Accessibility Complaint and Grievance Form
- ABDA-E2, Website Accessibility Statement

End of Jamestown Public School District Policy ABDA.....Adopted:5/15/2017 Amended

⁸ Policy ABDA is required by the Americans with Disabilities Act (ADA).

ABDA-BR1 - WEBSITE ACCESSIBILITY

With regard to the District website and any official district web presence that is developed by, maintained by, or offered through third-party vendors and open sources, the District is committed to compliance with the provisions of the Americans with Disabilities Act (ADA), Section 504 and Title II, so that students with disabilities, parents with disabilities, and members of the public with disabilities are able to independently acquire the same information, engage in the same interactions, and enjoy the same benefits and services within the same timeframe as those without disabilities, with substantially equivalent ease of use; and that they are not excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any district programs, services, and activities delivered online.

All existing web content produced by the District and new, updated, and existing web content provided by third-party developers, must conform to Web Content Accessibility Guidelines (WCAG) 2.0, Level AA conformance, or updated equivalents, by no later than September 15, 2018. This regulation applies to all new, updated, and existing web pages, as well as all web content produced or updated by the District or provided by third-party developers.

The district's Technology Director is responsible for periodically reviewing and evaluating new material that is published by district staff and uploaded to the website for accessibility. Only district staff who have received training on website accessibility may upload material to the website. The Technology Director shall assist any staff with publishing or uploading accessible material should assistance be needed.

The Technology Director is responsible for reviewing all areas of the district's website and evaluating its accessibility on a periodic basis, and at least once per quarter. Any department or staff page with non-conforming webpages will be asked to correct the problem in a timely manner.

End of Jamestown Public School District Board Reg. ABDA-BR1 Approved:
5/15/2017 Amended 5/20/2024

ABDA-BR2 - WEBSITE ACCESSIBILITY CONCERNS, COMPLAINTS AND GRIEVANCES

A student, parent or member of the public who wishes to submit a complaint or grievance regarding a violation of the Americans with Disabilities Act (ADA), Section 504 or Title II related to the accessibility of any official District web presence that is developed by, maintained by, or offered through the District, third party vendors and/or open sources may complain directly to a school administrator. The initial complaint or grievance should be made using Exhibit ABDA-E1, however, a verbal complaint or grievance may be made. When a school administrator receives the information, they shall immediately inform the Technology Director.

Whether or not a formal complaint or grievance is made, once the District has been notified of inaccessible content, effective communication shall be provided as soon as possible to the reporting party to provide access to the information. The complainant should not have to wait for the investigation of the complaint to be concluded before receiving the information that he/she was unsuccessful in accessing.

Complaints or grievances should be submitted in writing, via email, or by completing Exhibit ABDA-E1. To file a complaint or grievance regarding the inaccessibility of the District's public website content, the complainant should submit a description of the problem, including:

1. Complainant's Name;
2. Complainant's Address;
3. Date of the complaint;
4. Description of the problem encountered;
5. Web address or location of the problem page;
6. Solution desired; and
7. Contact information in case more details are needed (email and phone number.)

The complaint or grievance must be investigated by the District's Technology Director or another individual designated by the Superintendent. The complainant must be contacted no later than five (5) working days following the date the website accessibility compliance coordinator receives the information. The procedures to be followed are:

1. An investigation of the complaint must be completed within fifteen (15) working days. Extension of the time line may be approved only by the Superintendent.
2. The investigator shall prepare a written report of the findings and conclusions within five (5) working days of the completion of the investigation.
3. The investigator shall contact the complainant upon conclusion of the investigation to discuss the findings and conclusions and actions to be taken as a result of the investigation.
4. A record of each complaint and grievance made pursuant to Board Policy ABDA must be maintained by the District office. The record shall include a copy of the complaint or grievance filed, report of findings from the investigation, and the disposition of the matter.

End of Jamestown Public School District Board Reg. ABDA-BR2.....
Approved:5/20/2024

ABDA-E1 - WEBSITE ACCESSIBILITY COMPLAINT AND GRIEVANCE FORM

Date of Complaint/Grievance: _____

Complainant Name: _____

Address: _____

Email: _____

Phone: _____

Website address (or location) of accessibility problem:

Description of the problem encountered:

Solution desired:

Thank you for bringing this matter to the District’s attention. You may be contacted if more information is needed to process your complaint/grievance. The investigation process is typically completed within fifteen (15) working days from the date it was received.

Signature:

ABDA-E2 - WEBSITE ACCESSIBILITY STATEMENT

If you cannot fully access the information on any web page of this site, please let us know the accessibility issue you are having by contacting Technology Department at 701-252-1950 or at JPS.Webmaster@k12.nd.us. We will try to provide the information to you in an alternate format and/or make the necessary improvements to make the information accessible. If you would like to file a formal grievance under Section 504 of the Rehabilitation Act, you may contact our Section 504 coordinator, Heidi Budeau, Special Education Director at Jamestown Public School, 207 2nd Ave SE, Jamestown ND 58401701-252-3376, or Heidi.Budeau@k12.nd.us.

End of Jamestown Public School District Exhibit ABDA-E2..... Reviewed 5/20/2024

ABEA - WELLNESS POLICY

District Wellness Committee

The Board shall form a district wellness committee to develop the wellness policy and perform additional duties described. The Board encourages parents, students, school food service representatives, teachers of physical education, school health professionals, school board members, school administrators, and the public to participate in the development, implementation, and periodic review and update of the school wellness policy.

The District Wellness Committee shall determine the best methods for these individuals and groups to participate in meetings and shall provide information about the participation processes to others using appropriate, effective, and cost-efficient methods.

The District Wellness Committee shall meet as needed annually to develop a plan for implementing the wellness policy in each school. The implementation plan shall delineate roles, responsibilities, and timelines specific to each school and set goals and objectives in accordance with the requirements of this policy.

The District Wellness Committee shall work with the Superintendent to evaluate each implementation plan. The Superintendent shall designate one individual per school building to ensure building-level compliance with this policy. The name of each designee must be listed in administrative regulations (see ABEA-AR1). Each designee shall collect, summarize, and report evaluation data to the committee.

At least once every three years, the District Wellness Committee shall conduct an assessment of the wellness policy and comply with all reporting requirements mandated by federal law. The District Wellness Committee shall provide the assessment to the Board and disseminate it publicly on the district’s website.

The District Wellness Committee may recommend amendments to the wellness policy for board consideration, based on the results of the assessment; changes in district priorities; changes in community needs; changes in wellness goals; advances in health science, information, and technology; new federal or state guidance; or the issuance of new standards or regulations.

Annually, the District shall disseminate the wellness policy to staff, students, parents, and the public by publication in student handbooks and posting on the district website. The District shall also inform parents regarding improvements that have been made to school meals and compliance with school meal standards, the availability of child nutrition programs and how to apply; as well as the USDA Smart Snacks in Schools nutrition standards (ABEA-AR3).

The District shall retain all wellness policy records mandated by federal law.

Physical Activity

In addition to state standards and mandates related to physical education, the District should strive to make opportunities available for students to be physically active.

The goals of physical activity programs must be to:

1. Develop students' knowledge and skills necessary to perform a variety of physical activities;
2. Assess, maintain and improve personal fitness;
3. Regularly participate in physical activity;
4. Understand the short- and long-term benefits of physical activity; and
5. Value and enjoy physical activity as an ongoing part of a healthy lifestyle.

Students with disabilities and other special health needs may participate as fully as possible in physical education and other school physical activity programs. Teachers and other school personnel shall not withhold opportunities for physical activity (e.g., recess, physical education class) as punishment. [The District has implemented regulation ABEA-AR2, which contains additional programs and guidelines the District uses to promote physical activity.]

Nutrition Education and Promotion

The District shall teach, model, and support healthy eating in grades K-12 through the curriculum and through other promotional methods . The District should strive to:

1. Educate teachers and other staff members responsible for nutrition education (e.g., provide training regarding the Dietary Guidelines for Americans and how to teach them);
2. Identify and implement methods to educate family members about district nutrition standards and goals as well as involve them in program development and implementation;
3. Integrate nutrition education into core curricula that is aligned with state standards and requirements;

4. Include developmentally appropriate, culturally relevant and participatory activities in the nutrition curriculum;
5. Emphasize caloric balance between food intake and physical activity;
6. Provide students with the knowledge and skills necessary to promote and protect their health;
7. Promote fruits, vegetables, whole-grain products, low-fat dairy products, healthy food preparation methods, and accurate portion sizes; and
8. Promote healthy food and beverage choices for all students as well as encourage participation in school meal programs.

Nutrition promotion must be implemented through the use of evidence-based healthy food promotion techniques (e.g. Smarter Lunchroom techniques). All foods and beverages offered to students during the school day must meet or exceed the USDA Smart Snacks in Schools nutrition standards.

The District Wellness Committee may develop a list of activities that will help the District achieve the above goals.

Other School-Sponsored Activities

The District shall seek to promote the physical activity and nutrition goals of this policy through other activities that are practical, implementable, and within district budgetary and statutory parameters. The goals of these other activities shall reinforce the nutrition promotion, nutrition education, and/or physical activity goals set forth above. Activities implemented under this provision may be offered to students, parents, and/or district staff.

The District Wellness Committee may develop activities and programs that will help the District achieve its goals. Such activities and programs may include before-school and after-school physical activities, active transport programs, staff wellness programs, staff professional development programs related to wellness, alternatives to using food as rewards, healthy celebration/party ideas and fundraisers, as well as community partnership programs.

Nutrition Standards

The District shall comply with applicable nutrition standards established in federal regulations for all reimbursable meals, e.g., the National School Breakfast and Lunch program. The District shall comply with the USDA Smart Snacks in School nutrition standards for all competitive foods and beverages sold on school grounds during the school day to students, including those foods and beverages provided at celebrations and parties and classroom snacks brought by staff or family members. The District shall not allow foods and beverages at a free or discounted price if those foods do not meet the USDA's Smarter Snacks in Schools nutrition standards. Non-food

celebrations and rewards shall be promoted, and a list of ideas made available to staff and family members.

Foods purchased to raise funds must meet the USDA's Smart Snacks in Schools nutrition standards. The District may also encourage fundraising ideas that are **non-food related**.

Exception to Competitive Food and Beverage Sales

Each school year, schools within the District may hold up to three fundraisers that do not comply with federal nutrition standards for competitive food and beverage sales. The Superintendent shall develop rules for requesting and receiving approval to hold fundraisers under this exception. The fundraiser may occur during school hours, but not during school mealtimes.

Standards for competitive food and beverage sales do not apply to foods and beverages sold off school grounds and foods and beverages sold on school grounds more than 30-minutes after the school day until midnight of the next school day.

Hydration Standards

To promote hydration, unflavored drinking water that is free must be made available to all students throughout the school day and throughout every school. The District shall make drinking water available where school meals are served during mealtimes. In addition, students shall be allowed to bring and carry water bottles filled with only water throughout the day.

Marketing

The District permits the marketing of food items that meet or exceed the USDA's Smart Snacks in School nutrition standards. All advertising and promotions of food items must be approved by the Superintendent, or an individual that has been appointed by the Superintendent to make such decisions. These standards do not apply to foods and beverages sold off school grounds.

Qualifications and Training

The District shall comply with applicable hiring requirements in federal regulations for new hires in the food service program. The District shall also comply with the annual training requirements in state law and federal regulations for all food service personnel.

Complementing policies

- ABEA-AR1, Building-Level Wellness Policy Coordinators
- ABEA-AR2, Physical Activity and Recess Regulations
- ABEA-AR3, Smart Snacks in Schools Regulations
- ABEA-E, Wellness Policy Assessment
- ABEB, Child Nutrition Programs

End of Jamestown Public School District Policy ABEA Adopted:9/5/2017
Amended5/20/2024

Descriptor Code: ABEA-AR1

ABEA-AR1 - BUILDING-LEVEL WELLNESS POLICY COORDINATORS

The Superintendent has designated the following positions to monitor and enforce building-level compliance with the wellness policy:

Elementary Principals at Lincoln, Louis L'Amour, Roosevelt, Washington, Wm S. Gussner

Middle School Principal at Jamestown Middle School

High School Principal at Jamestown High School

CTC Director at James Valley Career and Technology Center

End of Jamestown Public School District Administrative Regulation ABCC-AR. Adopted 4/18/2022

ABEA-AR2 - PHYSICAL ACTIVITY AND RECESS REGULATIONS

Physical Activity

The Centers for Disease Control and Prevention recommends that young people ages 6–17 years participate in at least 60 minutes of physical activity daily.

To help achieve this standard, the District has taken the following steps:

1. Classroom health education will complement physical education by reinforcing the knowledge and self-management skills needed to maintain a physically-active lifestyle and to reduce time spent on sedentary activities, such as media time;
2. Opportunities for physical activity will be encouraged as a part of other subject lessons;
3. Classroom teachers are encouraged to provide short (10-15 minute) physical activity breaks between lessons or classes, as appropriate;
4. When activities, such as mandatory school-wide testing make it necessary for students to remain indoors for long periods of time, schools should give students several breaks during which they are encouraged to move and be moderately active; and
5. The physical education program will comply with standards in NDCC 15.1-21-01 and 02 and North Dakota Physical Education Content Standards, engage students in moderate to vigorous activity during at least 50 percent of physical education class time, and evaluate using both formative and summative assessments to improve growth.

Recess

Elementary schools should provide recess for students that:

1. Is at least 20 minutes a day;
2. Is preferably outdoors except when weather conditions otherwise prohibit productive outdoor activity
3. Encourages moderate to vigorous physical activity verbally and through the provision of space and equipment; and
4. Discourages extended periods of inactivity (i.e., periods of two or more hours of inactivity).

End of Jamestown Public School District Administrative Regulation ABEA-AR2

ABEA-AR3 - SMARTS SNACKS IN SCHOOLS REGULATION

The USDA Smart Snacks in School nutrition standards aim to improve student health and well-being, increase consumption of healthful foods sold during the school day and create an environment that reinforces the development of healthy eating habits. The Superintendent shall ensure that all foods and beverages sold to students during the school day meet the Smart Snacks standards. These standards apply in all school locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias, vending machines, school stores and snack or food carts.

To qualify as a Smart Snack, foods sold in school must:

1. Be a “whole grain rich” grain product; or
2. Have as the first ingredient a fruit, a vegetable, a dairy product or a protein food; or
3. Be a combination food that contains at least $\frac{1}{4}$ cup of fruit and/or vegetable; and
4. The food must meet the nutrient standards (except a vegetable or fruit with minimal added sugar) for calories, sodium, sugar, and fats.

Entrees originally sold as part of the reimbursable meal are exempt for that day and the next day.

Calorie Limits

1. Snack items must be less than 200 calories
2. Entree items must be less than 350 calories

Sodium Limits

1. Snack items must be less than 200 mg
2. Entrée items must be less than 480 mg

Sugar Limits

1. Less than 35% of weight from total sugars

Fat Limits

1. Total fat must be less than 35% of calories
2. Zero grams trans-fat (< 5 grams)
3. Saturated fat must be less than 10% of calories. Exemptions for: reduced fat cheese, part skim mozzarella cheese, nuts, seeds, nut or seed butters.

Schools are encouraged to use the Smart Snacks product calculator to ensure foods and beverages served during school meet Smart Snack compliance.

Beverage Standards

Schools may sell the following beverages:

1. Plain Water (with or without carbonation). There is no portion size limit for water.
2. Unflavored and flavored fat free milk, 1% milk, and milk alternatives permitted by the National School Lunch Program and School Breakfast Program.
3. 100% fruit or vegetable juice and 100% fruit or vegetable juice diluted with water (with or without carbonation) and no added sweeteners.
4. Elementary schools may sell up to 8-ounce portions of milk and juice, while middle and high schools may sell up to 12-ounce portions.

The Smart Snack rule for beverages does not allow soda to be sold to students in grades K-8.

High schools may sell caffeinated beverages and beverages up to 20 ounces within the following calorie limits:

1. < 40 calories per 8 ounces or
2. < 60 calories per 12 ounces
3. 20-ounce beverages must be < 10 calories per 20 ounces.

This would allow the sale of diet soda, diet teas and some coffee drinks in high schools if the beverage meets the calorie limits.

When evaluating coffee beverages, the calories added by any ingredients that are not allowable beverages must be counted. Flavored and unflavored fat-free milk and 1% milk are allowable beverages that may be combined with coffee, therefore, the calories from those milk types are not counted in the total calories. Any syrups or other flavorings such as cream and sugar are counted towards the 60-calorie limit for a 12-ounce cup. The use of accompaniments may be averaged over the total number of drinks sold.

Fundraisers, Food Brought from Home and Classroom Parties

1. The standards do not apply to food brought in for birthdays, parties, and other classroom activities, or a student's cold lunch brought from home.
2. The standards do not apply during non-school hours, on weekends, at off-campus fundraising events, or for food ordered during the school day and taken home.
3. States have the flexibility to set a certain number of fundraisers that can sell foods or beverages that do not meet the nutrition standards. North Dakota has set the limit at 3 exemptions per school building per year with a duration of one day.
4. There is no limit on fundraisers that do meet the new standards.
5. Fundraising activities that take place outside of school, such as cookie dough or frozen pizza sales, are exempt from the nutrition standards. Distribution of order

forms and the sale of foods not intended for consumption at school may continue.

Vending Machines

Vending machines may be in operation all day if all the items in the machine meet the Smart Snacks nutrition standards. Vending machines with non-smart snacks must be turned off until 30 minutes after the school day ends.

End of Jamestown Public School District Administrative Regulation ABEA-AR3

Descriptor Code: ABEB

ABEB - CHILD NUTRITION PROGRAMS

The District participates in the National School Lunch, School Breakfast, and Summer Food Service Programs. As a participant in these programs:

13. The District shall adhere to program requirements as outlined in state and federal law, the United States Department of Agriculture's (USDA) regulations and policies, and the Department of Public Instruction (DPI) directives and guidance relating to USDA Child Nutrition Programs.
14. The District prohibits discrimination based on race, color, national origin, sex, age, disability or reprisal/retaliation for prior civil rights activity in any program/activity conducted or funded by USDA.
15. The Board has established a discrimination complaint procedure to resolve civil rights complaints by individuals that believe they have been subjected to discrimination in any of the USDA Child Nutrition Programs that are offered through the District (ACEB-BR1).
16. The Board designates Food Service Director as the Child Nutrition Programs Civil Rights Coordinator. The Child Nutrition Programs Civil Rights Coordinator shall oversee and respond to discrimination complaints in any of the USDA Child Nutrition Programs that are offered through the District.
17. The Board shall designate Food Service Director as the district's Authorized Representative to administer the Child Nutrition Programs that are offered through the District. The Authorized Representative shall submit the required policy statement(s) and agreement(s) to DPI for approval as part of the application process, and ensure that the requirements of the policy statement(s) and program agreement(s) are met, and that local program operations are effective. This individual shall obtain the policy statement(s), agreement(s) and additional program materials from DPI.
18. The Board shall designate Food Service Director as the individual responsible for reviewing applications and making determinations of eligibility for purposes of claiming free and reduced priced meals.

19. The Board shall annually set reduced-price charges for lunch, breakfast and after school snacks at or below the maximum reduced-price allowed by federal regulations and below the full price of the lunch or breakfast.
20. The District shall comply with established eligibility hearing procedures for free and reduced-price lunch or free milk delineated in the district's Free and Reduced-Price Meals Policy Statement and regulation ACEB-BR2.
21. The Board shall designate Superintendent as the district's Child Nutrition Hearing Official
22. The District shall comply with training requirements in state and federal law for all employees who work with the Child Nutrition Programs.

Complementing policies:

- AAC, Nondiscrimination and Anti-Harassment Policy
- ABEA, Wellness Policy
- ABEB-BR1, Child Nutrition Programs Civil Rights Complaint Procedure
- ABEB-BR2, Free & Reduced Priced Meal Eligibility Appeals Procedure
- ABEB-E1, Child Nutrition Programs Civil Rights Complaint Form
- ABEB-E2, Child Nutrition Programs Civil Rights Complaint Log

End of Jamestown Public School District Policy ABEB

Adopted:9-6-2022

ABEB-BR1 - CHILD NUTRITION PROGRAM CIVIL RIGHTS COMPLAINT PROCEDURE

The following procedure is designed to resolve civil rights complaints by individuals who believe they have been subject to discrimination in any of the USDA Child Nutrition Programs that are offered through the District in a prompt and equitable manner. The District shall provide an impartial investigation of such complaints free of conflicts of interest and act on findings as appropriate, which may include disciplinary measures such as termination of employment in accordance with board policy, law, and, when applicable, the negotiated agreement. Students and employees are expected to fully cooperate in the investigation process. The District will take steps to prevent recurrence of discrimination or retaliation and remedy discriminatory effects on the complainant and others, when appropriate.

Complaint Filing Format and Deadlines

A program civil rights complaint may be filed verbally or in writing (ABEB-E1). In the event a complainant makes the allegations verbally or through a telephone conversation and refuses or is not inclined to place such allegations in writing, the district employee to whom the allegations are made shall write up the elements of the complaint.

Complaints must be filed within 180 days from when the discrimination allegedly occurred, unless the time for filing the complaint has been extended by the USDA. The complainant may contact the USDA at: USDA, Director, Office of Civil Rights, 1400 Independence Avenue SW, Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TTY), to request a waiver of the 180-day filing deadline. Complaints filed after the 180-day deadline must include a good cause explanation for the delay. A waiver of the complaint filing deadline may be granted for any of the following reasons:

1. The alleged discriminatory act could not reasonably be expected to be known within the 180-day period;
2. Illness or incapacitation;
3. The same complaint was filed with another Federal, state, or local agency; and/or
4. Any other basis determined by the Center for Civil Rights Enforcement.

The District's Child Nutrition Programs Civil Rights Coordinator shall promptly document all written and verbal complaints in the Civil Rights Complaint Log (ABEB-E2).

Anonymous complaints shall be handled as any other complaints. An individual wishing to file an anonymous civil rights complaint must be advised that confidentiality may limit the district's ability to fully respond to the complaint and that retaliation is prohibited.

With Whom Complaints May be Filed

A program civil rights complaint may be filed with any district employee. District employees are required to report any civil rights complaint to the Child Nutrition Program Civil Rights Coordinator when they knew (e.g., received a complaint, directly observed it) or should have known it was occurring (e.g., overheard staff or students talking about an incident). If the complaint concerns the Child Nutrition Program Civil Rights Coordinator,

the Superintendent or designee will receive the complaint. Failure by a district employee to report under this regulation may result in disciplinary action.

The District Child Nutrition Program Civil Rights Coordinator must report all alleged complaints within five business days of receipt to: Director, North Dakota Department of Public Instruction, Child Nutrition and Food Distribution at 600 East Boulevard Avenue, Department 201, Bismarck, North Dakota 58505 or via phone at 1-888-338-3663.

The complainant may file a complaint at any time before or during the complaint procedure with the USDA, Director, Office of Civil Rights, 1400 Independence Avenue SW, Washington, D.C. 20250-9410 or call (800) 795-3272v(voice) or (202) 720-6382 (TTY).

Complaint Resolution Procedure

The Child Nutrition Civil Rights Coordinator shall conduct and oversee all child nutrition civil rights investigations. If the coordinator is the accused, the Superintendent or Board President (if the Superintendent is the accused) shall designate a different individual (which may be a third party) to carry out the accused's responsibilities associated with the investigation.

The complainant must be contacted by the coordinator no later than five working days following the date the coordinator received the information. The procedures to be followed are:

23. An investigation of the complaint must be completed within 15 working days. Extension of the time line may be approved only by the Superintendent or Board President (if the Superintendent is the accused).
24. The investigator shall prepare a written report of the findings and conclusions within five working days of completion of the investigation.
25. The investigator shall contact the complainant upon conclusion of the investigation to discuss the findings and conclusions and actions, if any, to be taken as a result of the investigation.
26. Both the complainant and the accused must be provided written notice of the outcome of the complaint.
27. A record of each complaint shall be retained by the coordinator for a period of at least three years from the date of the complaint. The record shall include a copy of the complaint filed, report of findings from the investigation, and the disposition of the matter.

At no time during the resolution process shall the complainant be required to meet with the accused.

Confidentiality

Documents relating to a complaint of discrimination in the district's Child Nutrition program are subject to the open records law after 60 days or when the investigation is complete (whichever comes first), with limited exceptions such as when the record is protected by FERPA.

ABEB-BR2 - FREE & REDUCED PRICED MEAL ELIGIBILITY APPEALS

Districts participating in the National School Lunch Program, School Breakfast Program or the Special Milk Program shall establish a hearing procedure under which:

1. A family may appeal a decision made by the District with respect to an application the family has made for free, or reduced-price meals, or for free milk, and
2. The District may challenge the continued eligibility of any student for a free, or reduced-price meal, or for free milk programs.

Prior to initiating the hearing procedure, the school official, the parent(s), or guardian may request a conference to provide an opportunity for them to discuss the situation, present information, obtain an explanation of data submitted in the application and the decisions rendered. Such a conference shall not in any way prejudice or diminish the right to a fair hearing.

The hearing procedure shall provide both the family and the District:

1. A simple, publicly announced method to make an oral or written request for a hearing.
2. An opportunity to be assisted or represented by an attorney or other person.
3. An opportunity to examine, prior to and during the hearing, any documents and records presented to support the decision under appeal.
4. That the hearing shall be held with reasonable promptness and convenience, and that adequate notice shall be given as to the time and place of the hearing.
5. An opportunity to present oral or documentary evidence and arguments supporting a position without undue interference.
6. An opportunity to question or refute any testimony or other evidence and to confront and cross-examine any adverse witnesses.
7. That the hearing shall be conducted and the decision made by a hearing official who did not participate in making the decision under appeal or in any previously held conference.
8. That the decision of the hearing official shall be based on the oral and documentary evidence presented at the hearing and made a part of the hearing record.
9. That the parties concerned and any designated representative shall be notified in writing of the decision of the hearing official.
10. That a written record shall be prepared with respect to each hearing, which shall include the challenge or the decision under appeal, any documentary evidence and a summary of any oral testimony presented at the hearing, the decision of the hearing official, including the reasons therefore, and a copy of the notification to the parties concerned of the decision of the hearing official.
11. That the written record of each hearing shall be preserved for a period of three years after the end of the fiscal year to which they pertain, except when audit findings have not been resolved, the records shall be retained beyond the 3-year period as

long as required for resolution of the issues raised by the audit. The records shall be made available for examination by the parties concerned or their representatives at any reasonable time and place during that period.

Continuation of Benefits

When a household disagrees with an adverse action that affects its benefits and requests a fair hearing, benefits shall be continued as follows while the household awaits the hearing and decision:

1. Households that have been approved for benefits and that are subject to a reduction or termination of benefits later in the same school year shall receive continued benefits if they appeal the adverse action within the ten day advance notice period; and
2. Households that are denied benefits upon application shall not receive benefits.

End of Jamestown Public School District Board Regulation ABEB-BR2 Approved:9-6-2022

ABEB-E1 - CHILD NUTRITION PROGRAMS CIVIL RIGHTS COMPLAINT FORM

Complainants must provide sufficient information to determine the identity of the agency or individual towards which the complaint is directed and to indicate the possibility of a violation. Incomplete information may delay the processing of the complaint.

Date: _____

Your name: _____

Your address: _____

Your telephone: _____

If you are a district employee, list building/department/position: _____

Attorney or Authorized Representative contact information (if represented): _____

Your child's name (if relevant to the complaint): _____

Name of individual about whom you are complaining: _____

Date of incident: _____

Describe the incident that made you feel you had been discriminated against⁹:

State on what basis you feel discrimination exists (race, color, national origin, sex, age, or disability):

List any individuals that have knowledge of and/or witnessed the incident:

What remedy is sought?

⁹ If you have documents to support the events you are reporting, please provide a copy of the supporting documents along with the complaint form.

To be considered for investigation, the complaint must be filed within 180 days of the alleged occurrence. unless the time for filing the complaint has been extended by the USDA. The complainant must contact the USDA at: USDA, Director, Office of Civil Rights, 1400 Independence Avenue SW, Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TTY), to request a waiver of the 180-day filing deadline.

All complaints with regard to race, color, national origin, sex, age, and disability, written or verbal, shall be promptly investigated by the District, in accordance with board regulation ABEB-BR1, and forwarded within five business days to the Child Nutrition and Food Distribution Director at the North Dakota Department of Public Instruction at 600 East Boulevard Avenue, Department 201, Bismarck, ND 58505. Phone 1-888-338-3663.

The complainant may file a complaint at any time before or during the complaint procedure with the USDA at the above address.

ACKNOWLEDGEMENTS

I understand the following:

1. I have the right to be free of retaliation for filing this complaint. I agree to report any conduct that I believe is motivated by retaliation for filling this complaint. I understand, however, that if this statement contains accusations that I know are false, I may be subject to disciplinary action within the District and/or external legal action from those I have falsely accused. *(Language only applicable to district students and employees.)*
2. The respondent may be given a copy of this complaint in order to have an opportunity to respond to it.
3. I may have the right to file a complaint with state or federal agencies or to file legal actions in a court of law.
4. I understand that the investigating personnel are advocates for neither the complainant nor the respondent. Their responsibility is to investigate complaints from a neutral position to determine whether violations of district's policy and/or law have occurred.

CERTIFICATION

I certify that the statements made in this complaint are true and accurate, and that I have read and understand the statements made in the acknowledgements section of the complaint.

Signature of Complainant

Date

Signature of District Employee Receiving Complaint

Date

End of Jamestown Public School District Exhibit ABEB-E1

ABEB-E2 - CHILD NUTRITION PROGRAMS CIVIL RIGHTS COMPLAINTS LOG

School District Name: _____

Address: _____

Phone Number: _____

Date Complaint Received	Name of Person Who Took Complaint	Description of Complaint. Include Date of Incident. Use Additional Sheets if Needed.	Name of Complainant (Optional)	Who is Investigating the Complaint	Date(s) the Complaint Was Investigated	Date Civil Rights Complaint Forwarded to ND DPI	Date Complaint Resolved

USDA Child Nutrition Programs
Civil Rights Coordinator:

End of Jamestown Public School District Exhibit ABEB-E2

Coordinator Contact Information: _____

ABEC - SCHOOL MEAL CHARGE POLICY

Purpose

The purpose of this policy is to establish consistent district practices for the provision of meals to students who have insufficient funds in their school meal accounts and the collection of unpaid meal debt.

Adults

Adults are prohibited from charging meals.

Dissemination

The Superintendent must ensure that uniform meal account policy is posted on the District's website and provided in writing, to all parents of students at the start of each school year and to the parents of students transferring to the school mid-year. The Superintendent shall also provide the policy to all school and district-level staff members responsible for the enforcement of this regulation.

The District may use additional methods to disseminate the policy on an ongoing basis throughout the school year.

Payment Options

Parents are responsible to ensure that students have sufficient funds to purchase school meals each day or pre-pay for meals, to avoid accruing meal charges. District payment options for student meal accounts include in person, online payment, automatic payment.

Provision of Meals to Students with Insufficient Funds

A school meal may not be denied to a student who requests one regardless of the status of the student's meal account or ability to pay unless the student's parent or guardian has provided written permission to the school to withhold a meal. An alternative meal may not be served to a student with an unpaid student meal balance or without funds to pay for a meal. A school meal that has already been served to the student may not be disposed of or taken away from the student on account of the student having an unpaid meal balance or lacking the funds to pay for a meal.

A student with a negative meal balance is prohibited from charging a la carte or extra items (e.g., a second milk or additional entrée).

A student's participation in any school activities, graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities or access to materials, technology, or other items provided to students may not be limited as a result of an unpaid or negative student meal balance.

Payment Reminders

Whenever a student incurs a charge, district personnel shall notify the parents of the student by letter, phone, text, etc. Notice may be provided by requiring the student to deliver a sealed letter addressed to the child's parent or guardian, but

the letter may not be distributed to the student in a manner that stigmatizes the student.

If a pattern of charging continues, administration shall attempt to contact the student's parents and encourage the parent to complete a free or reduced meal application. Nothing in this procedure prohibits school district personnel from reporting suspected abuse or neglect of a student as required by law.

Unpaid Meal Charges

Parents are expected to pay all charges within 5 days. If they fail to do so, the District may rollover debt or refer the debt to collections. The District may use an alternative funding source (e.g., nonfederal funding or charitable funding source) to offset costs incurred from unpaid meal charges and collection fees. A student may not be required to provide services or perform work, including cleaning duties or chores, to pay for school meals debt.

Balance

Students returning to school in the District shall see a positive meal balance rolled forward into their meal account for the next year. Students that graduate or withdraw from the District may receive a refund of the remaining balance in their meal account within 30 workdays of completion or departure unless they wish to donate the funds.

A written request for a refund of monies remaining in an enrolled student's meal account at the end of the school year must be submitted to the district office by May 1st. A student who is graduating shall be given the option to transfer meal funds to a sibling's account. Any money left in an inactive account may be donated to help struggling students with insufficient funds in their meal accounts.

Complementing Policies:

- ABEC-AR, Adult Meals

End of Jamestown Public School District Policy ABEC Adopted:8/15/2022 Amended 8/21/23

ABEC-AR - ADULT MEALS

There is no reimbursement or commodities provided for meals served to adults. Reimbursement funds and student payments may not be used to subsidize lunches for adults who do not have specific duties directly related to the operation and administration of the foodservice program.

Adults are to be served the same menu and portions as students.

Pricing

The following guidelines to pricing adult meals are provided:

1. Meals served to foodservice employees may be provided at no cost.
2. Meals served to adults whose primary job is to administer or manage the foodservice program may be provided at no cost.
3. The cost of meals served at no charge to teachers or others who supervise students during meal service may be paid by the general fund.
4. The cost of all other adult meals is not attributable to the program, and the individuals must be charged the full cost of the meal or these meals must be supported by a payment from the general fund.
5. The minimum adult lunch charge, including lunches served to teachers and other adults without direct program responsibilities, is to be set above the highest student charge by the current amount of paid meal reimbursement rate, plus the current commodity value per meal.

End of Jamestown Public School District Administrative Regulation ABEC-AR...Adopted 8/15/2022

ABEB-E - OUTSTANDING BALANCE LETTER

Date

Parent name

Address

City, State, Zip code

Dear Name,

The goal of Jamestown Public School District is to provide healthy meals to students during the school day. In order to serve healthy, high-quality meals to all students, we must make sure that the program remains financially sound. You play a key role in this effort. As a parent, you are responsible for purchases made by Student's name in our school cafeteria.

As of Date, Student's name has a negative balance of \$ X.XX. We ask that you pay this amount as soon as possible.

To review Jamestown Public School District's Meal Charging policy, and the penalties for failing to pay back Student's name negative balance, please visit District website at Jamestown.K12.nd.us, policy ABEC.

Please contact Cindy Wall, Food Service Director if you have questions. If you think Student's name may qualify for free or reduced priced school meals, please see the next page.

Thank you for your payment.

Sincerely,

Name

Food Service Director

Attachment: Free and Reduced Price School Meals Application

End of Jamestown Public School District Exhibit ABEC-E

AC*DISTRICT SAFETY & PREVENTION POLICIES

ACA*EMERGENCY MEASURES

Descriptor Code: ACAA

ACAA - EMERGENCY CLOSINGS

The Board authorizes the Superintendent to delay the opening of, dismiss early, or close district schools in the event of hazardous weather, an epidemic, or other unexpected and extraordinary circumstances that threaten the health and/or safety of students and employees. The decision for an emergency closing shall not be arbitrary, capricious, or based merely on convenience.

The Superintendent shall, at a minimum, consider the following factors when exercising their authority under this policy:

1. Actual occurrence or imminent possibility of any emergency condition that would make operation of school difficult or dangerous.
2. Ability of students and staff to safely report to school. The Superintendent may consider items such as, but not limited to, weather and road conditions.
3. Whether or not conditions pose a threat to one or all district schools. If conditions only affect certain schools, only the affected schools shall be closed.

The Superintendent may consult traffic, weather, law enforcement authorities, and administrators from neighboring districts when weighing the above factors.

Notification

The Superintendent shall develop procedures for notifying students, parents, and staff of emergency closings, which should be published in district handbooks and disseminated annually.

Compliance

The Superintendent shall determine which district employees are required to report to work to ensure the operation of essential functions or departments during an emergency. Staff shall comply with the superintendent's work reporting instructions during an emergency closing unless emergency conditions make this impossible. Staff that do not comply and/or do not have good cause for noncompliance may be subject to disciplinary consequences in accordance with policy, law, and, when applicable, the negotiated agreement.

Complementing Policies:

- FGDB, Student Handbooks

ACAB - EMERGENCY & DISASTER PLANS & DRILLS

Emergency Plans

The goal of an emergency/disaster response plan is to ensure an organized, efficient, and effective response to life-threatening occurrences. The Superintendent in conjunction with principals, relevant staff members, and emergency response personnel shall develop an emergency/disaster response plan based on a district-wide threat assessment. The plan shall contain procedures for responding to threats; medical emergencies; natural disasters; and manmade disasters, including, but not limited to, nuclear attacks, terrorism, and other acts of violence.

Creation of an emergency/disaster plan does not guarantee that a trained responder will be present, able to properly respond to the situation, and/or able to properly administer first aid.

Dissemination

Threat response and emergency evacuation plans are exempt under the North Dakota open records law and will only be disseminated to individuals with an actual need to know.

Emergency Drills

The emergency/disaster response plan shall contain a means for evaluating its effectiveness, including provisions for carrying out emergency drills. The Superintendent shall ensure all required emergency and disaster drills are conducted in accordance with applicable law, including but not limited to, state law and city ordinances.

End of Jamestown Public School District Policy ACAB

Adopted: 4/16/2018

ACB* MEDICAL & HEALTH SAFEGUARDS

ACBA - AUTOMATED EXTERNAL DEFIBRILLATORS(AED)

1.

The Superintendent shall develop regulations to maintain, test, and implement the use of AEDs in the District. The regulations shall include a requirement that in the event of a cardiac arrest emergency, a district responder shall contact an emergency medical service provider as soon as possible. A copy of these regulations shall be kept with the district's emergency response plan.

The authorization of AED's in district schools shall not be deemed to create a guarantee or obligation to use the AED in the case of an emergency nor any expectation that an AED or trained employee will be present, able to use an AED in an emergency, or any expectation that the AED will operate properly.

Training

The Superintendent will determine the number of AED certified responders needed for each school and develop procedures for selecting and training staff on AED use and cardiopulmonary resuscitation. The frequency of recurrent training will be required in accordance with criteria established by issuing organization of each employee's certification. Unless unavailable in the event of cardiac arrest, only personnel trained and qualified in accordance with law shall operate the AED unit.

Limited Liability

In accordance with NDCC 32-03.1-02.3, an individual who in good faith and without compensation provides training to use an automated external defibrillator, or emergency care or treatment by using an automated external defibrillator is immune from civil liability for any personal injury resulting from the training, emergency care, or emergency treatment and for any act or failure to act in providing or arranging further medical treatment if the individual providing the training, emergency care, or emergency treatment acted as an ordinary, reasonable, prudent person would act under the same or similar circumstances. Any person responsible for the site on which the automated external defibrillator is located is also immune from civil liability.

Immunity from civil liability does not apply if a personal injury results from the gross negligence or from the willful or wanton misconduct of the individual providing the training, emergency care, or emergency treatment. NDCC 32-03.1-02.3 does not limit civil liability protection provided by any other law.

Policy Adopted 1-42010 amended 4/20/2020

ACBB - SIGNIFICANT CONTAGIOUS DISEASES

The Jamestown Public School District School Board adopts this policy with the intent of protecting the health and safety of all district students, staff, and independent contractors.

Definitions

- *Affected person, affected individual, or affected student* means an individual who has been diagnosed by a physician as having contracted a significant contagious disease.
- *Decisionmaker* is the affected person's personal physician. However, whenever an affected student is also disabled as defined under the Education For All Handicapped Children Act, 20 U.S.C. 1401(a)(1) or North Dakota Century Code chapter 15-59, the decisionmaker is the multidisciplinary team provided for under subsection 4 of North Dakota Century Code section 15-34.1-03.
- *Independent contractor* means any person or entity who is free of control or direction over performance of the service provided both under the contract and in fact, who renders service outside the ordinary course of business or outside of the place of business of the contractor and who is engaged in an independently established trade, organization, profession, or business.
- *Institution* includes all public kindergartens, elementary, junior high, and high schools operating within all school districts in North Dakota.
- *Reasonable accommodations* are defined by subsection 17 of North Dakota Century Code section 14-02.4-02 or U.S.C. 794.
- *Significant contagious disease* includes cytomegalovirus (CMV), hepatitis B (HBV) and human immunodeficiency (HIV) infection. The local board of health or the state health officer may determine that other diseases are significant contagious diseases.
- *Special provisions* are individually tailored education decisions designed to meet the needs of students requiring unique accommodations to ensure an educational opportunity. Special provisions are directed to students not covered by an individualized education program.
- *Universal precautions* mean protecting one's self from exposure to blood or body fluids, through the use of latex gloves, masks, or eye goggles, cleaning blood and body fluid spills with soap and water and then disinfecting and incineration or decontaminating infective waste before disposing in a sanitary landfill.

Universal Precautions

The District shall use universal precautions as standard procedure in the care and maintenance of school property and in administering first aid or otherwise handling emergencies.

Nondiscrimination and Anti-Harassment

No person shall be denied admission as a student, a contract as an independent contractor, or employment solely because they have, or they are perceived to have a significant contagious disease. The District prohibits harassment and/or discrimination against an individual diagnosed as having a significant contagious disease on and using school property. Complaints alleging harassment/discrimination based on a significant contagious disease shall be handled in accordance with the district's Discrimination and Harassment Grievance Procedure (AAC-BR).

Confidentiality

All information concerning an affected person's condition that is given to an employee or official of the District shall remain confidential to the extent required or permitted under applicable law. The Superintendent shall develop procedures to protect against confidentiality breaches (IDC).

No employee or official of the District may inform anyone of an affected individual's infection or release any information to the public either confirming or denying the presence within the District of a person who has contracted a significant contagious disease, unless otherwise required to do so by law. An employee violating these prohibitions shall be subject to disciplinary consequences in accordance with policy, law, and, when applicable, the negotiated agreement.

Spokesperson

The Board designates the Superintendent as the person to receive information concerning the status of students, employees, and independent contractors from their physicians. The spokesperson shall be the official representative of the District when information concerning an affected individual becomes public and may not delegate this duty unless authorized by the Board. The spokesperson may request assistance from the Department of Public Instruction or State Department of Health in developing a plan for conflict resolution and shall comply with all applicable requirements in the district's policy on relations with the news media (KBA) when handling media requests related to significant contagious disease.

Reasonable Accommodations

1. **Students:** The District shall not prohibit a student from attending school solely because they have, or they are perceived to have, a significant contagious disease. If the student is well enough to attend the institution, and does not constitute a public health threat, as determined by the decisionmaker or local board of health, the student must be permitted to attend school. If the student is unable to attend regular class instruction or requires special consideration, then reasonable accommodations, special provisions or individualized education programs must be provided for the student.

The Superintendent shall establish special provisions procedures.

2. **Employees and Contractors:** Employees, potential employees, and independent contractors may not be terminated or prevented from becoming employed in the District solely because they have, or they are perceived to have a significant

contagious disease. If the employee is well enough to perform their job and does not constitute a public health threat to others, as determined by a decisionmaker or the local board of health, the employee must be permitted to perform the duties. The District shall consider and implement reasonable accommodations to allow the affected individual to become/continue as an employee or become/continue as an independent contractor.

Education

1. **Students:** The District shall implement an instructional program on significant contagious disease appropriate to each participating grade level, providing information about the diseases, methods of transmission, the means of protecting against contracting the diseases in an educational setting, and the use of universal precautions and prevention. Instruction will begin in Grade 2 and continue through Grade 12.¹⁰ The curriculum will be integrated into the health curriculum.
The Curriculum Director is charged with recommending revisions in the program to the Board to update and modify the curriculum as new information about significant contagious diseases is made available. The Department of Public Instruction and/or the State Department of Health shall review and approve any curriculum and materials developed for use in this program according to the guidelines established by the Center for Disease Control.
Prior to the start of the significant contagious disease instructional program, and at any time thereafter, parents and guardians of students who will be involved in this program shall have an opportunity to preview/review the curriculum and materials.
2. **Employees:** All district employees shall receive appropriate training that addresses significant contagious disease prevention. The training will be presented by a health professional or someone specifically qualified in prevention of significant contagious diseases education. Training will include the proper use of universal precautions.
Those employees designated to teach significant contagious disease prevention to students shall receive additional training from qualified health education professionals.
3. **Independent Contractors:** All independent contractors performing services for the District shall receive a brochure concerning significant contagious diseases upon entering into a contract with the District. The brochure shall contain information regarding the transmission of significant contagious diseases in an institutional setting, the means of protecting against contracting the diseases in an institutional setting, and the use of universal precautions

¹⁰ State law requires that all students be educated concerning significant contagious disease. Specify the grades that are included in your district's enrollment.

Complementing Policies:

- ACBB-AR1, Responding to Potential Health Threats
- ACBB-AR2, Universal Precautions and Sanitary Cleanup
- ACBB-E, Laws on Communicable Diseases, Immunization Requirements, Reportable Diseases, and Significant Contagious Diseases
- KBA, Relations with the News Media

End of Jamestown Public School of District Policy ACBB....Adopted:11/6/2017
Amended 3/18/2024

ACBB-AR1 - RESPONDING TO POTENTIAL HEALTH THREATS

Determining if a Health Threat Constitutes a Communicable, Reportable, and/or Significant Contagious Disease

For the purposes of this regulation, *communicable disease*, *reportable disease*, and *significant contagious disease* are defined by state law or administrative code, and these definitions are contained in ACBB-E2.

If a teacher believes that a student may have a communicable, reportable, and/or significant contagious disease, they shall inform the building principal. Failure by a teacher to report this information may result in disciplinary action. The building principal shall contact the Superintendent to inform them of the student's suspected condition. Either the building principal or Superintendent should contact local public health or the ND Department of Health to assist in classifying the condition.

Once the illness is classified, the building principal or Superintendent shall comply with any applicable reporting and/or referral requirements contained in state law or administrative code (See NDCC 23-07-02 and ND Administrative Code 33-06-02-01). The District will comply with and implement all applicable provisions in the district's significant contagious disease policy (ACBB) if the illness is classified as such.

Procedure for Responding to a Communicable Disease or Other Public Health Threat

When a building principal or Superintendent suspects the presence of a communicable disease or other public health threat in a school or other district facility, the Superintendent may request the ND Department of Health's assistance with the following:

1. Communicating about the threat to students, staff, parents, and the public;
2. Determining if extracurricular activities should be canceled or postponed;
3. Determining if immunization-exempt students and/or students with certain health conditions should be excluded from school;
4. Determining if non-immunized staff, staff without verifiable immunization or other medical records that public health has recommended for review, and/or staff with certain health conditions should be excluded from district schools and/or facilities;
5. Determining if schools or other district facilities should be closed; and
6. Determining if there are additional steps necessary to minimize risk of contagion.

Excluding Students from School Due to a Potential Health Threat

Students may be excluded from school for health reasons if any of the following criteria apply:

1. The student's parent/guardian failed to provide, at the time of admission, either proof of all required immunizations or valid immunization exemption

documentation (NDCC 23-07-17.1). The District shall inform parents who fail to submit this required documentation of compulsory attendance requirements and law enforcement referral procedures. Students who are homeless must be admitted to schools regardless of whether or not they have submitted immunization records or immunization-exempt documentation at the time of admission. Homeless students shall be referred to public health to receive assistance complying with immunization requirements and/or opt-out assistance.

2. The student is immunization-exempt, an epidemic has been identified in a district school or schools, and a public health officer has deemed such student's attendance a potential public health threat. Such student shall be excluded from school until, in the opinion of the health officer, the danger of the epidemic is over (NDCC 23-07-17.1 (6)).
3. The student has, or lives with someone who has, a significant contagious or infectious disease and has not been cleared to attend school under regulations of the local board of health (NDCC 23-07-16).
4. The student is suspected of suffering from or has been exposed to a communicable condition. The classroom teacher is required to report this suspected condition/exposure to the building principal. The building principal shall contact a local public health officer to determine if the student's condition/exposure should be examined and further investigated. If public health confirms the need for a medical examination, the student will be sent home with instructions to see a physician. The student shall not be permitted to attend school again until they present a certificate from a ND licensed physician or from the local health department stating that the student is not suffering from a communicable condition and that it is safe for the student to return to school (ND Administrative Code 33-06-02-01 (4)).

Educational Services for Students Excluded Due to a Potential Health Threat

Students excluded from school due to a potential health threat must be provided educational services if (a) they currently have an IEP or 504 Plan or (b) if their condition meets the definition of a disability under the Americans with Disabilities Act or significant contagious disease under state law. The Superintendent may consult with legal counsel to determine if the District is required to provide educational services to a student excluded from school due to health reasons.

The District may provide educational services, to the extent possible, to all other students who are currently enrolled in a district school but are barred from attending due to a potential health threat.

Educational services provided shall be determined by the Superintendent or multidisciplinary team (for students with a 504 Plan or IEP) based on factors such as the duration the student is excluded from school, available district resources, and IEP/504 Plan requirements if applicable.

Excluding Staff from District Facilities Due to a Potential Health Threat

In the event of a potential health threat, the Superintendent shall work with the ND Department of Health to identify employees who must be excluded from school. Reasons for exclusion may be related to an employee's current or past health

conditions, non-immunized status, and/or inability to verify immunizations or medical documentation recommended for review by public health officials. Employers shall promptly communicate work expectations, available accommodations, and applicable district policies and procedures with employees excluded from school during a potential health threat. Employees may return to work only when a public health officer or ND licensed physician deems their return safe. The District shall pay costs associated with employees obtaining any medical records requested by the District.

All temporary employees working in district schools and facilities during a potential health threat must submit proof of receiving all required immunizations and any other medical documentation recommended for review by public health officials. This documentation must be submitted before the temporary employee begins their duties, and the District shall pay any costs associated with obtaining medical records.

Confidentiality of Medical Records

All medical records, including immunization records, obtained by the District are confidential. The District shall not release such records except as permitted by state or federal law.

**End of Jamestown Public School District Administrative Regulation ACBB-AR1...Amended
3/18/2024**

ACBB-AR2 - PHYSICAL ACTIVITY AND RECESS REGULATIONS

Physical Activity

The Centers for Disease Control and Prevention recommends that young people ages 6–17 years participate in at least 60 minutes of physical activity daily.

To help achieve this standard, the District has taken the following steps:

- Classroom health education will complement physical education by reinforcing the knowledge and self-management skills needed to maintain a physically-active lifestyle and to reduce time spent on sedentary activities, such as media time;
- Opportunities for physical activity will be encouraged as a part of other subject lessons;
- Classroom teachers are encouraged to provide short (10-15 minute) physical activity breaks between lessons or classes, as appropriate;
- When activities, such as mandatory school-wide testing make it necessary for students to remain indoors for long periods of time, schools should give students several breaks during which they are encouraged to move and be moderately active; and
- The physical education program will comply with standards in NDCC 15.1-21-01 and 02 and North Dakota Physical Education Content Standards, engage students in moderate to vigorous activity during at least 50 percent of physical education class time, and evaluate using both formative and summative assessments to improve growth.

Recess

Elementary schools should provide recess for students that:

Is at least 20 minutes a day;

Is preferably outdoors except when weather conditions otherwise prohibit productive outdoor activity

Encourages moderate to vigorous physical activity verbally and through the provision of space and equipment; and

Discourages extended periods of inactivity (i.e., periods of two or more hours of inactivity).

End of Jamestown Public School District Administrative Regulation ABEA-AR2

ABEA-AR3 - SMARTS SNACKS IN SCHOOLS REGULATION

The USDA Smart Snacks in School¹¹ nutrition standards aim to improve student health and well-being, increase consumption of healthful foods sold during the school day¹² and create an environment that reinforces the development of healthy eating habits. The Superintendent shall ensure that all foods and beverages sold to students during the school day meet the Smart Snacks standards. These standards apply in all school locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias, vending machines, school stores and snack or food carts.

To qualify as a Smart Snack, foods sold in school must:

1. Be a “whole grain rich” grain product; or
2. Have as the first ingredient a fruit, a vegetable, a dairy product or a protein food; or
3. Be a combination food that contains at least ¼ cup of fruit and/or vegetable; and
4. The food must meet the nutrient standards (except a vegetable or fruit with minimal added sugar) for calories, sodium, sugar, and fats.

Entrees originally sold as part of the reimbursable meal are exempt for that day and the next day.

Calorie Limits

1. Snack items must be less than 200 calories
2. Entree items must be less than 350 calories

Sodium Limits

1. Snack items must be less than 200 mg
2. Entrée items must be less than 480 mg

Sugar Limits

1. Less than 35% of weight from total sugars

Fat Limits

1. Total fat must be less than 35% of calories
2. Zero grams trans-fat (< 5 grams)
3. Saturated fat must be less than 10% of calories. Exemptions for: reduced fat cheese, part skim mozzarella cheese, nuts, seeds, nut or seed butters.

¹¹ <https://www.fns.usda.gov/school-meals/smart-snacks-school>

¹² The school day is defined as the midnight before to 30 minutes after the end of the school day.

Schools are encouraged to use the Smart Snacks product calculator¹³ to ensure foods and beverages served during school meet Smart Snack compliance.

Beverage Standards

Schools may sell the following beverages:

1. Plain Water (with or without carbonation). There is no portion size limit for water.
2. Unflavored and flavored fat free milk, 1% milk, and milk alternatives permitted by the National School Lunch Program and School Breakfast Program.
3. 100% fruit or vegetable juice and 100% fruit or vegetable juice diluted with water (with or without carbonation) and no added sweeteners.
4. Elementary schools may sell up to 8-ounce portions of milk and juice, while middle and high schools may sell up to 12-ounce portions.¹⁴

The Smart Snack rule for beverages does not allow soda to be sold to students in grades K-8.

High schools may sell caffeinated beverages and beverages up to 20 ounces within the following calorie limits:

1. < 40 calories per 8 ounces or
2. < 60 calories per 12 ounces
3. 20-ounce beverages must be < 10 calories per 20 ounces.

This would allow the sale of diet soda, diet teas and some coffee drinks in high schools if the beverage meets the calorie limits.

When evaluating coffee beverages, the calories added by any ingredients that are not allowable beverages must be counted. Flavored and unflavored fat-free milk and 1% milk are allowable beverages that may be combined with coffee, therefore, the calories from those milk types are not counted in the total calories. Any syrups or other flavorings such as cream and sugar are counted towards the 60-calorie limit for a 12-ounce cup. The use of accompaniments may be averaged over the total number of drinks sold.

Fundraisers, Food Brought from Home and Classroom Parties

1. The standards do not apply to food brought in for birthdays, parties, and other classroom activities, or a student's cold lunch brought from home.
2. The standards do not apply during non-school hours, on weekends, at off-campus fundraising events, or for food ordered during the school day and taken home.

¹³ <https://foodplanner.healthiergeneration.org/>

¹⁴ https://fns-prod.azureedge.net/sites/default/files/cn/SP07_CACFP04_SFSP05-2010os.pdf

3. States have the flexibility to set a certain number of fundraisers that can sell foods or beverages that do not meet the nutrition standards. North Dakota has set the limit at 3 exemptions per school building per year with a duration of one day.
4. There is no limit on fundraisers that do meet the new standards.
5. Fundraising activities that take place outside of school, such as cookie dough or frozen pizza sales, are exempt from the nutrition standards. Distribution of order forms and the sale of foods not intended for consumption at school may continue.

Vending Machines

Vending machines may be in operation all day if all the items in the machine meet the Smart Snacks nutrition standards. Vending machines with non-smart snacks must be turned off until 30 minutes after the school day ends.

End of Jamestown Public School District Administrative Regulation ABEA-AR3

ACBC - USE OF ANIMALS IN DISTRICT SCHOOLS & IN CURRICULAR PROGRAMS

The Jamestown Public School Board believes recognizes there are medical and physical dangers associated with allowing interaction with and/or use of animals in the educational program and in district schools. The Board, however, also recognizes that animals may be an effective teaching aid and/or their presence may be required to reasonably accommodate students and staff with disabilities.

Definitions

For purposes of this policy:

- *Disability* is defined in 28 CFR Part 35.108 with respect to an individual, as a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.
- *Service animal* is defined in NDCC 25-13-01.1 as any dog, signal dog, or other animal trained to do work, perform tasks, or provide assistance for the benefit of an individual with a disability. The term includes a dog trained to provide assistance or protection services to an individual with a disability, pull a wheelchair, lend balance support, retrieve dropped objects, or provide assistance in a medical crisis
- *School property* is defined in NDCC 15.1-19-10(6)© as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.

Therapy Dogs

The Jamestown School Board, in recognizing the educational uses of dogs in the classroom, requires that permission be obtained from the Building Principal before animals (other than service animals) are brought to the school or classrooms. It is the Building Principal's responsibility to confirm that there is an appropriate education purpose if any animal is housed in a classroom. Animals, other than service animals, are not to be transported on school buses.

Animals in school must be properly supervised, handled, and cared for and only the teacher or those students designated by the teacher are to handle animals.

It shall be the responsibility of the Principal or his/her designee to develop a plan of care for those animals housed in school in the event of an emergency school closing. Animal-specific guidelines established by the Center of Disease Control shall be followed at all times.

The Jamestown Public School District supports the implementation of a Therapy Dog for the academic, social and, emotional benefit of its students.

Therapy dogs are not considered trained service dogs as described by the Americans with Disabilities Act.

Guidelines for Therapy Dogs

The following minimum standards shall be in effect for all therapy dogs approved to serve in the Jamestown Public School District.

- A. A good therapy dog must be friendly, patient, confident, at ease in all situations, and gentle.
- B. Therapy dogs must enjoy human contact and be content to be petted and handled.
- C. A therapy dog is expected to be clean, well groomed, and not have an offensive odor.
- D. A therapy dog is expected not to urinate or defecate in inappropriate locations.
- E. A therapy dog is expected to not annoy any member of the student body or school personnel by seeking attention.
- F. A therapy dog is expected to not vocalize unnecessarily.
- G. A therapy dog is expected to show no aggression towards people or other animals.
- H. A therapy dog is expected to not solicit or steal food or other items from the student body or school personnel.
- I. A therapy dog is expected to not in any way interfere with the educational process of any student.
- J. A therapy dog is expected to not pose a health or safety threat to any student, personnel, or other persons.

A therapy dog may be excluded from school property if a school administrator determines any of the above are being violated. Owner shall remove the dog immediately if so.

Responsibilities of Therapy Dog Owner

Therapy dogs are independently owned by school employees and must meet standards of health as prescribed by veterinarians at the owner's expense. Required training for accreditation must be at the owner's expense. The school district bears no financial responsibility for the care or feeding of the animal. The school district is not responsible for providing any care, supervision, or assistance of the therapy dog.

The owner of the dog is solely responsible and liable for any damage to school property or injury to personnel, students, or others that is caused by the therapy dog while on school grounds.

Therapy dogs in the school setting shall be recommended by the Superintendent of Schools and approved by the School Board annually. Prior to recommendation and approval, owners shall provide.

1. Proof of current inoculations
2. Proof of Health, such as a current health certificate from a veterinarian.
3. Visible cleanliness of the dog with no sign of fleas/ticks.
4. A visually healthy, alert and not grossly over or under weight dog.
5. Proof of physical and stool sample.
6. Proof of heartworm test.
7. A copy of the owner's homeowner's insurance policy that provides liability insurance for injuries or damages that arise from the dog while on school property.
8. Proof of current licensure from local licensing authority.
9. Therapy dog must have appropriate identification.
10. All therapy dogs and owners shall be tested and accredited by a nationally recognized dog therapy certification/registration program.

The building principal shall notify parents on an annual basis regarding the presence of a therapy dog in the school building.

Use of Animals for Educational Purposes

Before a teacher may use an animal as part of the educational program or participate in an activity involving animals (e.g., a field trip), the teacher must submit a request to the building principal in accordance with administrative regulations. The principal shall consider such requests on a case-by-case basis based upon criteria established by the Superintendent.

Use of Service Animals by the Disabled

A qualified individual with a disability may be granted use of a service animal on school property, provided the work or tasks performed by the service animal are directly related to the individual's disability. The Superintendent shall make such determinations on a case-by-case basis based on the following criteria:

Would the presence of the service animal:

1. Impose an undue financial or administrative burden on the District;
2. Require a fundamental alteration to an educational program;
3. Impact legally protectable rights of others.

A disabled student's parent may be given the option of changing the student's educational placement if alternative placement will remedy the infringement of other's rights.

The individual with a disability or designated handler is responsible for the proper care and supervision of the service animal while on school property.

Revocation of Animal Use

The decision to allow any type of animal in school may be revoked if:

1. The animal poses a direct health and/or safety threat to others;
2. The animal is not properly controlled;
3. The animal’s presence has fundamentally altered an educational program or activity.

The District may offer alternatives to using a service animal (such as employing an aide), provided the alternatives effectively meet the student’s needs.

Animal Related Injuries

The principal and parent/guardian (if a student is involved) must be notified as soon as possible if an animal bites an individual on school property or if an animal-related incident occurs on school property that could have an adverse effect on an individual’s physical or emotional health. An accident report must be filed with the principal in accordance with district policy and regulations (ACAC).

Complementing:

- • ACBC-AR, Use of Animals in Curricular Programs Regulations

End of Jamestown Public School District Policy ACBC Amended 1/20/2025

ACBC-AR - USE OF ANIMALS IN CURRICULAR PROGRAMS REGULATIONS

Procedure for Requesting Interaction with or Use of an Animal

1. Teachers must submit such request to the building principal at least 15 days prior to the activity or event;
2. The written request must include a description of the activity, type of animal, educational purpose/benefit, length of the activity/event, and, if applicable, a plan for care of the animal.

If the building principal approves the activity/event, parents/guardians shall be notified in a timely manner of the activity/event and given an opportunity to opt their child out. Such students will be assigned an alternative activity and shall be treated in a nondiscriminatory manner with regard to grading.

Criteria for Granting or Denying Interaction with or Use of an Animal

1. The principal shall deny all requests that would allow direct contact with poisonous and/or unvaccinated animals, reptiles, or insects.
2. The principal shall deny requests for which there is not an executable and/or comprehensive plan for the animal's care, supervision, sanitation, and/or control.
3. The principal shall consider whether there are any known animal-related allergies among students who will/may be exposed and whether reasonable accommodations can be made.

End of Jamestown Public School District Administrative Regulation ACBC-AR

ACBC-E - APPROVAL FORM FOR USE OF ANIMALS IN THE CLASSROOM

No person may bring an animal on to school property unless the building administrator grants permission.

Permission shall not be granted until the administrator verifies:

- That the animal has been properly vaccinated;
- That the owner/custodian of the animal has verified that they have liability insurance that protects against any incident that may occur as a result of the animal being on school property; and
- That the owner/custodian of the animal signs a hold harmless statement that releases the Jamestown School District of any and all liability that may occur as a result of the animal being on the school property.

Any animal that strays onto school property should be reported to school staff. Students and staff are cautioned against approaching the animal.

USE OF ANIMAL IN THE CLASSROOM REQUEST FORM

Date _____ Building _____

Name of Owner/Custodian _____

Type of Animal

Reason for Bringing the Animal onto School Property

Verification of Type(s) of Animal Vaccination _____

Type & Policy Number of Liability Insurance _____

Acknowledgement of The Hold Harmless Agreement (See Below) ___ Yes ___ No

Signature of Owner/Custodian

Administrator Approval By

Hold Harmless Agreement

By execution of this application, the applicant hereby releases the Jamestown School District from any and all liability that may result from bringing an animal onto school property, and hereby agrees, upon acceptance of this application, to assume all responsibility and liability for injury to the person and property of any person who shall come in contact with the animal in connection with the function for which this application is made, and further agrees to defend any legal action brought against the Jamestown School District as a result of any injury to the person or to the property of any person or persons in connection with such functions, and to pay any judgment obtained against Jamestown School District as a result of any such legal action.

ACBD - ADMINISTERING MEDICINES TO STUDENTS

The Jamestown Public School Board has established a program for providing medication to students that includes authorizing individuals to provide medication to a student if the individual has received education and training in medication administration and has received written consent of the student's parent or guardian. (NDCC 15.1-19-23)

Students who must depend on receiving prescription medication during school hours for medical reasons must have a written order from a physician, dentist, or other legally designated health care professional giving specific directions for taking the medication. Such written order may be the prescription label on the original pharmacy labeled container.

The administration of aspirin/Tylenol, or generic equivalents, at school is not approved without the prior consent of a parent or legal guardian. Other over-the-counter medication may be administered only with written consent of the parent or legal guardian.

Any medication, which is ordered to be administered at school, may only be given using procedures developed by the administration and approved by the board.

End of Policy Code.ABCD.....Adopted 8-4-2014

ACBD-E1 - SCHOOL MEDICATION PROVIDER OPT-OUT OR OPT-IN AND VERIFICATION OF ELIGIBILITY FORM

INSTRUCTIONS: *Initial the option that applies.*

OPTION ONE: OPT-OUT

I choose to opt-out of providing medication to students for the 20__ - __ school year. I understand that I am prohibited from providing students any type of medication, whether prescription or over-the-counter, whenever serving in my official capacity for the school, and I may be subject to disciplinary action for violating this prohibition. I also understand that if I wish to retract this opt-out request, I must first meet the district’s qualification standards for eligible medication providers, which include education and training in providing medication, receive authorization from my building administrator.

OPTION TWO: OPT-IN AND VERIFICATION OF ELIGIBILITY

I agree to serve as a school medication provider for the **Jamestown School District**. I have completed the required education and training to perform this responsibility (attach proof of completion), including education and training in the following areas:

- a. The scope of my authority and my role in providing medication.
- b. Proper medication storage, inventory, and disposal.
- c. Proper techniques for providing medication including, but not limited to, understanding pharmacy labels, standard precautions for infection control (e.g., hand washing), six rights of medication administration, and measuring and dispensing protocols.
- d. Appropriate documentation of all medication provided and confidentiality requirements.
- e. Basic medical terminology related to providing medication.
- f. Appropriate action if unusual circumstances occur (e.g., medication error, adverse reactions, student refusal) and how and when to seek medical consultation or assistance.

I agree to provide medication in accordance with district policy and regulations only after I have received authorization from the Superintendent

Employee/volunteer’s name

Employee/volunteer’s signature

Date

TO BE COMPLETED BY SCHOOL ADMINISTRATION

Date form received by Superintendent: _____

Date of last criminal history record check: _____

Employee/volunteer received satisfactory adjudication on criminal history record check for purposes of providing medication? Yes No

Employee/volunteer eligible to serve as school medication provider: Yes No

Signature of Superintendent

Date

ACBD-E2 - AUTHORIZATION/PARENTAL CONSENT FOR SCHOOL TO PROVIDE OVER the COUNTER MEDICATION

DISPENSE AS DIRECTED ON PACKAGE

NOTE: Use a separate authorization form for each medication. Provide the school with a new form each school year, each time the student has a new medication, when the District assigns a new medication provider to the student, and each time there is a change in the student's current medication regimen.

Student's last name: _____

Student's first name: _____

Gender: _____

Grade: _____

EMERGENCY / PARENT CONTACT INFORMATION

Parent/guardian's emergency contact number:

Home Work Cell

Secondary family member's information:

Home Work Cell

Primary healthcare provider's name and phone number:

Phone: _____

STUDENT HEALTH INFORMATION

Does the student have any known allergies? Yes No

If yes, attach a list of known allergies to this form and certification from a healthcare provider that the student is not known to be allergic to any medication the school is requested to provide.

The student has knowledge of his/her known allergies and has been educated on the signs and symptoms of allergic reactions and how to prevent them. Yes No

Will the student be taking more than one medication at school or while otherwise under the school's supervision? Yes No

If yes, attach certification from a healthcare provider that the medications are not known to adversely interact or information on how to avoid any known adverse interactions.

MEDICATION AUTHORIZATION – PROVIDE AS DIRECTED ON PACKAGE

*NOTE: Fields marked with an * must be completed by a parent/guardian.*

*Medication's name: _____

Dates medication must be provided at school:

Short term, list dates to be given: _____

Every day at school until:

Medication is gone End of the school year Other: _____

Episodic/Emergency Events ONLY (explain): _____

Time(s) of day*: _____

NOTE: If request is to provide medication after school hours when the student is under district supervision, the parent/guardian must work with the building Principal to develop a plan for coordinating this request.

*Serious reactions/adverse side effects from this medication may occur: Yes No

*If yes, describe: _____

*Action/treatment for reactions:

*Special handling instructions: Refrigeration Keep out of sunlight

Other: _____

*Is any dispensing equipment or other medical equipment required in order for the student to receive medication? Yes No

*If yes, describe equipment and any special storage instructions: _____

OTC MEDICATION CHECK IN REQUIREMENTS FOR PARENTS

All over-the-counter medication supplied by the student's parent or guardian, must be supplied in the original manufacturer's container, and the container must list the ingredients, recommended dosage, expiration date, administration instructions, and storage instructions (if any) in a legible format. The container must be labeled with the student's name and, if unsealed, the number or amount of medication in the container.

If this request is to provide OTC medication in any way that deviates from the recommended manufacturer's directions approval must be received from an appropriate healthcare provider. This healthcare provider must complete form ACBD-E3

Reminder - All medications must be delivered, in person, by the child's parent to the office.

Continue on next page

(Continued – Parent Signature Page)

CONFIDENTIALITY WAIVER

NOTE: Completion of this section by a parent/guardian authorizes the disclosure and/or use of your child's individually identifiable health information consistent with law (including HIPAA).

I _____ (parent/guardian's name) authorize (name of agency and/or health care providers): _____ to provide health information from _____ (student's name) medical record to: Jamestown Public School. The disclosure of health information is required for the school to provide medication.

This authorization shall become effective immediately and shall remain in effect until _____ (enter date) or for the remainder of the school year from the date of signature (if no date entered).

Law prohibits the school from making further disclosure of my child's health information unless the school obtains another authorization form from me or unless such disclosure is specifically required or permitted by law. I understand that I may revoke this authorization at any time. My revocation must be in writing, signed by me, and delivered

to the healthcare agencies/persons and school listed above. My revocation will be effective upon receipt but will not be effective to the extent that the school or others have acted in reliance of this authorization.

I understand that the school will protect this information as prescribed by the Family Educational Rights and Privacy Act (FERPA) and that the information becomes part of the student's educational record. The information will be shared with individuals working at or with the school for the purpose of providing safe, appropriate, and least-restrictive educational settings and school health services and programs.

I have a right to receive a copy of this authorization. Signing this authorization is required in order for my child to obtain medication services in the educational setting.

Parent/guardian's signature

Date

NOTE: A copy of this confidentiality waiver must be sent to the student's healthcare provider upon completion.

PARENTAL CONSENT

I am the parent or guardian of _____. I give my permission for him/her to take the following medication while in Jamestown Public School. I authorize the district to provide medication to my child:

I acknowledge that I have read, understand, and agree to comply with the school district's medication program policy. I certify that the information included on this form is accurate to the best of my knowledge. I hereby release Jamestown Public School District and its employees from any claims or liability connected with its reliance on this permission and agree to indemnify, defend, and hold them harmless from any claim or liability connected with such reliance.

Parent/Guardian Signature

Date

ACBD-E3 - AUTHORIZATION/PARENTAL CONSENT FOR SCHOOL TO PROVIDE PRESCRIPTION MEDICATION

NOTE: Use a separate authorization form for each medication. Provide the school with a new form each school year, each time the student has a new medication, when the District assigns a new medication provider to the student, and each time there is a change in the student's current medication regimen.

Student's last name: _____

Student's first name: _____

Gender: _____

Grade: _____

EMERGENCY CONTACT INFORMATION

Parent/guardian's emergency contact number: _____ Home Work Cell

Secondary family member's information: _____ Home Work Cell

Primary healthcare provider's name and phone number:

Phone: _____

STUDENT HEALTH INFORMATION

Does the student have any known allergies? Yes No
If yes, attach a list of known allergies to this form and certification from a healthcare provider that the student is not known to be allergic to any medication the school is requested to provide.

The student has knowledge of his/her known allergies and has been educated on the signs and symptoms of allergic reactions and how to prevent them. Yes No

Will the student be taking more than one medication at school or while otherwise under the school's supervision? Yes No
If yes, attach certification from a healthcare provider that the medications are not known to adversely interact or information on how to avoid any known adverse interactions.

MEDICATION AUTHORIZATION

*NOTE: Fields marked with an * must be completed by a healthcare provider for prescription medication.*

*Medication's name: _____

*Relevant diagnosis: _____

Dates medication must be provided at school:
 Short term, list dates to be given: _____
 Every day at school until: _____
 Medication is gone End of the school year Other: _____

Episodic/Emergency Events ONLY (explain): _____
*Dosage (amount) _____ *Route _____ *Form _____
Time(s) of day*: _____

NOTE: If request is to provide medication after school hours when the student is under district supervision, the parent/guardian must work with the building Principal to develop a plan for coordinating this request.

*Serious reactions/adverse side effects from this medication may occur: Yes No

*If yes, describe: _____

*Action/treatment for reactions: _____

*Special handling instructions: Refrigeration Keep out of sunlight

Other: _____

*Is any dispensing equipment or other medical equipment required in order for the student to receive medication? Yes No

*If yes, describe equipment and any special storage instructions: _____

HEALTHCARE PROVIDER'S AUTHORIZATION

NOTE: This consent is only required for:

A. Prescription medication

B. Over-the-counter medication if it is to be provided in a manner inconsistent with manufacturer's recommendation.

*I certify that the information contained on this form is accurate and complete to the best of my knowledge.

Healthcare provider's name (print)

Healthcare provider's signature

Date

MEDICATION CHECK IN REQUIREMENTS FOR PARENTS

Prescription medications must be supplied in the original pharmacy-labeled container and include the name and phone number of the pharmacy. The container must list, in a legible format, the name of the student, name of the prescription medication, dose, expiration date, storage instructions (if any), administration directions, and number or amount of medication included.

If any prescription medication is given to a student prior to sending the prescription to school, the parent/guardian must indicate how much medication remains in the container.

Reminder – All medications must be delivered, in person, by the child's parent to the office.

Continued on next page

CONFIDENTIALITY WAIVER

NOTE: Completion of this section by a parent/guardian authorizes the disclosure and/or use of your child's individually identifiable health information consistent with law (including HIPAA).

I _____ (parent/guardian's name) authorize (name of agency and/or health care providers): _____

to provide health information from _____ (student's name) medical record to: Jamestown Public School. The disclosure of health information is required for the school to provide medication.

This authorization shall become effective immediately and shall remain in effect until _____ (enter date) or for the remainder of the school year from the date of signature (if no date entered).

Law prohibits the school from making further disclosure of my child's health information unless the school obtains another authorization form from me or unless such disclosure is specifically required or permitted by law. I understand that I may revoke this authorization at any time. My revocation must be in writing, signed by me, and delivered to the healthcare agencies/persons and school listed above. My revocation will be effective upon receipt but will not be effective to the extent that the school or others have acted in reliance of this authorization.

I understand that the school will protect this information as prescribed by the Family Educational Rights and Privacy Act (FERPA) and that the information becomes part of the student's educational record. The information will be shared with individuals working at or with the school for the purpose of providing safe, appropriate, and least-restrictive educational settings and school health services and programs.

I have a right to receive a copy of this authorization. Signing this authorization is required in order for my child to obtain medication services in the educational setting.

Parent/guardian's signature

Date

NOTE: A copy of this confidentiality waiver must be sent to the student's healthcare provider upon completion.

PARENTAL CONSENT

I am the parent or guardian of _____. I give my permission for him/her to take the following medication while in Jamestown Public School. I authorize the district to provide medication to my child.

I acknowledge that I have read, understand, and agree to comply with the school district's medication program policy. I certify that the information included on this form is accurate to the best of my knowledge. I hereby release Jamestown Public School District and its employees from any claims or liability connected with its reliance on this permission and agree to indemnify, defend, and hold them harmless from any claim or liability connected with such reliance.

Parent/Guardian Signature

Date

ACBD-E4 - MEDICATION CHECK-IN FORM

NOTE: To be completed by an eligible school medication provider prior to accepting medication from parent/guardian. If the answer to any question is "no," the district may defer the medication request until the parent/guardian provides the required information. If medication being checked in is emergency medication under NDCC 15.1-19-16, use form ACBD-E4 instead of this form.

Medication was hand delivered by parent/guardian: Yes No
If no, collect medication, store as directed, and contact parent/guardian to come to school as soon as possible to verify medication request.

Parent submitted fully completed authorization form: Yes No

- Appropriate documentation attached to form for students with allergies:
 Yes No N/a
• If more than one medication is to be provided/authorized, information from healthcare provider on known interactions is included:
 Yes No N/a
• If request is to provide/authorize over-the-counter medication in manner other than recommended by manufacturer, authorization from healthcare provider is included:
 Yes No N/a
• Includes healthcare provider's signature for prescription medication:
 Yes No N/a

Name of medication: _____
 Prescription Over-the-counter

Route by which medication must be given:
 Mouth Eyes Ear Nose Topical (e.g., skin ointment)
 Other: _____

NOTE: If other, check with school administrator to determine if school is obligated/willing and has qualified personnel to provide medication. This provision is not applicable if request is for student to self-administer.

Medication expiration date: _____
Was this listed on the medication container? Yes No

Amount of medication in container: _____
If parents provided medication at home, list amount given at home: _____

- For over-the-counter medication:
• Medication in original manufacturer's container Yes No
• Container lists medication's name Yes No
• Container lists ingredients Yes No
• Container lists recommended dosage Yes No
• Container lists administration instructions Yes No
• Container lists storage instructions Yes No

- Container is labeled with student's name and date of birth Yes No
- If container is unsealed, it is labeled with amount of medication contained in it Yes No

For prescription medication:

- Medication in original pharmacy container Yes No
- Container lists pharmacy name and phone number Yes No
- Container or attached documentation lists active ingredients Yes No
- Container lists dosage Yes No
- Container lists storage instructions Yes No
- Container is labeled with student's name and date of birth Yes No
- Container lists amount of medication dispensed Yes No
- Container lists administration instructions Yes No

If dispensing equipment is required:

- Did parent/guardian provide necessary equipment? Yes No
- Is the dispensing equipment clean and in good working order? Yes No
- Is the equipment labeled with the student's name and date of birth? Yes No

List any storage instructions for dispensing equipment: _____

Name of School Medication Provider (Printed)

Signature of School Medication Provider

Date

ACBD-E5 - EMERGENCY MEDICATION CHECK-IN FORM

NOTE: To be completed by an eligible school medication provider prior to authorizing a student to self-administer emergency medication under NDCC 15.1-19-16. If all check-in requirements are satisfied, inform the building principal. If check-in requirements are not satisfied, also inform the building principal so alternate education can be provided until documentation is completed as needed.

Student's name: _____
Grade level: _____
Today's date: _____

Definition of Emergency Medication

Emergency medication includes a prescription drug delivered by inhalation to alleviate asthmatic symptoms, insulin, and an epinephrine auto injectable pen.

Authorization Requirements

A student who has been diagnosed with asthma, diabetes, or anaphylaxis may possess and self-administer emergency medication for the treatment of such conditions provided the student's parent/guardian files with the school a document that meets all of the following requirements:

- Indicates that the student has been instructed in the self-administration of emergency medication.
Documentation received by school: Yes No
- Lists the name, dosage, and frequency of all medication prescribed to the student for use in the treatment of these conditions.
Documentation received by school: Yes No
- Includes guidelines for the treatment of the student in the case of a diabetic episode, asthmatic episode or anaphylaxis.
Documentation received by school: Yes No
- Signed by the student's health care provider.
Documentation received by school: Yes No

To be completed by the student's parent/guardian:

I understand the school, school district, and any employee or volunteer of the District is not liable for civil damages incurred by:

- a. A student who administers emergency medication to himself or herself.
- b. An individual because a student was permitted to possess emergency medication.

Parent/guardian's name (Printed)

Parent/guardian's signature

Date

Parent/guardian's name (Printed)

Parent/guardian's signature

Date

Parent/guardian's name (Printed)

Parent/guardian's signature

Date

ACBD-E6 - RECORDS OF OVER THE COUNTER MEDICATION

**STUDENT'S
NAME:**

MEDICATION:

DIRECTIONS: Use your initials to document when you provided medication or a code from below to indicate why medication was not provided.

Date	Time	Dose	Cod e	Notes	Staff Initial	Guardian Initial	Guardian Name Print

Descriptor Code: ACBD-E7

[ACBD-E7 - CONTROLLED MEDICATION LOG](#)

Instructions: *To be completed and retained by the building administrator and designee only. All controlled medication logs will be sent to Central Office at the end of the school year.*

RECORDS OF CONTROLLED MEDICATION

USE A SEPARATE FORM FOR EACH MEDICATION

This form will be sent to the Central Office at the completion of the school year

STUDENT NAME _____ DOB _____ SCHOOL YEAR _____ SCHOOL _____ GRADE _____
 MEDICATION _____ DOSE _____ TIME _____
 FROM _____ TO _____

See "Authorizations/Parental consent for medication administration" attached to this form for instruction and reference.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
August																															
September																															
October																															
November																															
December																															
January																															

AB=Absent RE=Refused NS=No School DC=Discontinued CH=Changed HO=Holiday FT= Field Trip **OOM- Out of Medication**

Initials	Name:	Initials:	Name:	Initials:	Name:	Initials:	Name:
----------	-------	-----------	-------	-----------	-------	-----------	-------

*See February - June on back

Date of medication check in	Amount Checked in and in	Staff Initials	Guardian Initials	Guardian Name - Print	Date	Comment

RECORDS OF CONTROLLED MEDICATION

USE A SEPARATE FORM FOR EACH MEDICATION

This form will be sent to the Central Office at the completion of the school year

STUDENT NAME _____ DOB _____ SCHOOL YEAR _____ SCHOOL _____ GRADE _____
 MEDICATION _____ DOSE _____ TIME _____
 FROM _____ TO _____
 See "Authorizations/Parental consent for medication administration" attached to this form for instruction and reference.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
February																															
March																															
April																															
May																															
June																															

AB=Absent RE=Refused NS=No School DC=Discontinued CH=Changed HO=Holiday FT= Field Trip **OOM- Out of Medication**

Initials	Name:	Initials:	Name:	Initials:	Name:	Initials:	Name:
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*See February - June on back

Date of medication check in	Amount Checked in and in	Staff Initials	Guardian Initials	Guardian Name - Print	Date	Comments

ACBD-E8 - MEDICATION INCIDENT REPORT

Instructions: To be completed as soon as possible after the incident occurred and appropriate response actions/interventions were taken. File form with the building principal.

Date of Report: _____
Name of person completing this report: _____
Student's name: _____
Grade: _____
Date incident occurred: _____ Time: _____ am pm
Person providing medication: _____
Name of medication: _____
Regular dose: _____ Regularly scheduled time: _____

TYPE OF INCIDENT

- Forgot to document the medication by the end of school day on which the medication was provided
Forgot to give a dose of medication
Gave the medication at the wrong time
Gave the medication by the wrong route
Gave the wrong dose of the medication
Gave the wrong medication
Gave the medication to the wrong child
Student refused a dose of medication
Other: _____

Provide a summary of the incident and describe how it occurred: _____

ACTION TAKEN/INTERVENTION

Parent/Guardian notified: Yes No
Date: _____ Time: _____
If yes, name of the parent/guardian who was notified: _____
Student's emergency contact alternate notified: Yes No
Date: _____ Time: _____
911 Called: Yes No
Student's healthcare provider contacted: Yes No
Date: _____ Time: _____
If yes, student healthcare provider's name: _____
Describe interventions taken and outcome: _____

FOLLOW-UP AND PREVENTION (To be completed by building principal)

List any follow-up information related to the incident and prevention measures enacted to prevent similar incidents in the future: _____

Principal's signature: _____
Date: _____

ACBD-E9 - MEDICATION PICKUP NOTICE

Student Name: _____

DOB: _____

School Name _____ Grade: _____

Date of Notice: _____

IT IS TIME TO PICK UP YOUR CHILD’S MEDICATIONS:

Dear Parent/Guardian,

School administrative rules state that “medications that are out of date or for which parental/medical authorization has expired must be picked up by the parent/legal guardian. Under no circumstances will medication be released to students. When medications are not picked up by the parent/guardian, they must be destroyed.”

Please pick up your child’s medication/s by the date specified below.

- 1. Name of medication: _____
- 2. Name of medication: _____
- 3. Name of medication: _____
- 4. Name of medication: _____
- 5. Name of medication: _____

The medication(s) listed above will be destroyed if not picked up by: _____ (date/time) at _____ (pick-up location). If you are unable to pick up medication by this date, you must make arrangements by this deadline to pick up the medication on an alternate date or your child’s medication will be destroyed.

Please call the school office to make arrangements for picking up the medications.

Thank you,

Print name and title

Signature, title

ACDB-E10 - MEDICATION DISPOSAL/DESTRUCTION LOG

INSTRUCTIONS: To be completed by authorized school personnel only. The Superintendent or designee (who shall not be a school medication provider) must serve as a witness when medication is disposed of/destroyed. Medication Disposal/Destruction log will sent to Central Office at the end of the school year.

STUDENT NAME	MEDICATION NAME	DATE RECEIVED BY SCHOOL	DATE OF PICK-UP NOTIFICATION TO PARENTS	QUANTITY REMAINING	METHOD OF DISPOSAL/DESTRUCTION	DATE OF DISPOSAL/DESTRUCTION	INITIALS OF INDIVIDUAL DISPOSING DRUG	INITIALS OF WITNESS

Name of School:

ACBD-E11 - HEALTH CARE PROVIDER AUTHORIZATION

Subject: New Medication Administration Policy for Jamestown Public Schools

To: Medical Providers

From: Jamestown Public Schools/Central Valley Health District

Date: August 26, 2014

Medical Providers – YOUR HELP IS NEEDED!

New legislation requires schools to establish a program for providing medication to students. Jamestown Public Schools has adopted a new policy for medication administration with full implementation planned on October 1, 2014.

Key Points:

- Students on prescription medications must have a written order from a provider for each medication submitted to the school.
- Over-the-counter medications provided in a manner inconsistent with the manufacturer's recommendation must also have a written order from a provider submitted to the school.
- Families will be seeking **signatures** from medical providers for medical authorization of prescription medications. It would be helpful to complete the form at the time of visit when the medication is prescribed.
- Containers with a prescription label from a pharmacy **are necessary** for prescription medications provided in schools. Labels should include the following:
 - The student's name
 - Amount of dosage
 - Time of administration
 - Name and strength of medication and route
 - Instructions for administration
 - Special care, such as refrigeration
- Name of provider Side effects of the medication should be listed on the information accompanying the medication (usually found on the medication information sheets provided by the pharmacist).
- Pharmacists please help families by providing a second labeled prescription bottle for medications that will be administered to students during school hours. Medications can only be picked up from the schools by a parent or legal guardian.
- A new pharmacy label/container must accompany any new prescription order, change in prescription, or refill. A consent form must be on file for any new prescription or change in prescription.

Thank you for your assistance as Jamestown Public Schools works to adopt the new medication administration policy. With your assistance, implementation should go as smoothly as possible.

ACBF - MEDICAL MARIJUANA

Definitions

This policy defines the following:

- *Cannabinoid concentrate* means a concentrate or extract obtained by separating cannabinoids from marijuana by a mechanical, chemical, or other process.
- *Cardholder* means a qualifying patient, designated caregiver, or compassion center agent who has been issued and possesses a valid registry identification card.
- *Debilitating medical condition* means one of the following:
 - a. Cancer;
 - b. Positive status for human immunodeficiency virus;
 - c. Acquired Immune Deficiency Syndrome (AIDS);
 - d. Decompensated cirrhosis caused by hepatitis C;
 - e. Amyotrophic lateral sclerosis;
 - f. Post-traumatic stress disorder;
 - g. Agitation of Alzheimer's disease or related dementia;
 - h. Crohn's disease;
 - i. Fibromyalgia;
 - j. Spinal stenosis or chronic back pain, including neuropathy or damage to the nervous tissue of the spinal cord with objective neurological indication of intractable spasticity;
 - k. Glaucoma;
 - l. Epilepsy;
 - m. Anorexia nervosa;
 - n. Bulimia nervosa;
 - o. Anxiety disorder;
 - p. Tourette syndrome;
 - q. Ehlers-Danlos syndrome;
 - r. Endometriosis;
 - s. Interstitial cystitis;
 - t. Neuropathy;
 - u. Migraine;
 - v. Rheumatoid arthritis;
 - w. Autism spectrum disorder;

- x. A brain injury;
 - y. A terminal illness; or
 - z. A chronic or debilitating disease or medical condition or treatment for such disease or medical condition that produces one or more of the following:
 - i. Cachexia or wasting syndrome;
 - ii. Severe debilitating pain that has not responded to previously prescribed medication or surgical measures for more than three months or for which other treatment options produced serious side effects;
 - iii. Intractable nausea;
 - iv. Seizures; or
 - v. Severe and persistent muscle spasms, including those characteristic of multiple sclerosis.
- *Designated caregiver* means an individual who agrees to manage the well-being of a registered qualifying patient with respect to the qualifying patient's medical use of marijuana.
 - *Medical cannabinoid product* is as defined in NDCC 19-24.1-01(24).
 - *Medical marijuana* product means a cannabinoid concentrate or a medical cannabinoid product.
 - *Minor* means an individual under the age of nineteen.
 - *Pediatric medical marijuana* means a medical marijuana product containing cannabidiol which may not contain a maximum concentration or amount of tetrahydrocannabinol of more than six percent.
 - *Possession* means:
 - a. Actual physical possession of the alcohol or drug while on school property;
 - b. Use or consumption of the alcohol or drug while on school property; or
 - c. In the student's locker, car, handbag, backpack, or other belongings while on school property.
 - *Qualifying patient* means an individual who has been diagnosed by a health care provider as having a debilitating medical condition.
 - *School property* is defined in NDCC 15.1-19-10(6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.
 - *Use* means that a student or employee is reasonably known to have ingested, inhaled or otherwise taken into the body a prohibited substance, or is reasonably found to be under the influence of such a substance while on school property.

Prohibitions

Although possession and use of marijuana for certain debilitating medical conditions is permitted in North Dakota, the Jamestown Public School District School Board recognizes that the possession and use of marijuana remains illegal under federal law. In an effort to maintain a drug-free workplace and compliance with state and federal laws, the Board prohibits the possession, administration, and use of medical marijuana while on school property. Administration of all other prescription and nonprescription medications to students shall be in accordance with applicable law and district policy concerning the administration of medications to students (see Policy ACBD, School Medication Program).

The District shall not refuse to enroll or discriminate against any student solely on the basis of such student's status as a qualifying patient or use of medical marijuana pursuant to North Dakota law.

The District shall not refuse to hire a person nor discharge, penalize, or threaten an employee solely on the basis of such person's or employee's status as a qualifying patient, cardholder, or designated caregiver. However, the Board retains its ability to prohibit the possession and/or use of medical marijuana during work hours and its ability to discipline an employee or student for being under the influence of medical marijuana during work hours and while on school property.

Disciplinary Consequences

The District shall notify employees and students of the district's policies and procedures regarding the prohibition of controlled substances and drug possession and usage while on school property. A student or employee who violates district policies may be subject to disciplinary action, up to and including suspension and/or expulsion for students or suspension and/or termination for staff. The District may notify law enforcement agencies regarding a student's or staff member's violation of this policy.

The employee must notify their supervisor of their conviction under any criminal drug statute for a violation occurring on school property or while performing work for the District, no later than five calendar days after such a conviction. The District may inform the appropriate licensing authority of such a conviction.

The protections provided to qualifying patients, both adult and minors, utilizing medical marijuana prescribed in state statute, do not apply if the qualifying patient uses or possesses marijuana while on school property or in violation of applicable law.

Confidentiality

Cardholder status for a student or employee is confidential and may not be requested or required by the district. Only upon a cardholder's written request to the Department of Health may the Department confirm the cardholder's status as a registered qualifying patient or registered designated caregiver to a school. All information received by the District as a result of this policy is confidential. Access to this information is limited to those who have a legitimate need to know.

Complementing Policies

- ACBD, School Medication Program
- DEAA, Drug & Alcohol Free Workplace
- DEAA-AR, Procedure if Harmful Chemical Use is Suspected
- DEAA-E, Record of Observable Behavior
- DBBA, Drug & Alcohol Testing Program for Employees (relates to employee/position subject to Omnibus Transportation Employee Testing Act)
- DBBA-E, Drug & Alcohol Testing Notification Requirements for Employees
- FFA, Student Alcohol & Other Drug Use/Abuse
- FFA-AR, Alcohol & Other Drug Intervention Procedure

End of Jamestown Public School District Policy ACBF

Adopted:10/3/2022

ACCA - SEXUAL OFFENDERS ON SCHOOL PROPERTY

(Board Adopted 9-17-07, revision to NDCC reference on 12-07-07)

DEFINITIONS:

A sexual offender is defined in NDCC 12.1-20-25. A parent sexual offender is an individual who meets this policy's definition of sexual offender and who has either parental or legal guardianship rights to a child attending a district school.

A nonparent sexual offender is an individual who meets this policy's definition sexual offender and who has no parental rights or legal guardianship rights to a child attending a district school.

School property includes all land within the perimeter of the school site and all school buildings, structures, facilities, computer networks and systems, and school vehicles, whether owned or leased by the school district, and the site of any school-sponsored activity.

NONPARENT SEXUAL OFFENDERS:

A nonparent sexual offender is prohibited from entering a district school except:

- a. When she/he is a qualified voter and is entering school property solely for the purpose of casting his/her vote.
- b. To attend an open meeting as defined in NDCC chapter 44-04. A nonparent sex offender who attempts to communicate electronically with a student while the student is on school property will be considered on school property without permission and will be in violation of this policy.

PARENT SEX OFFENDERS:

Parent sexual offenders are prohibited from entering school property except for purposes outlined in section one parts a and b of this policy and with the Superintendent's prior written approval in the following instances:

- To transport his/her child to and/or from school. The parent sex offender will only be permitted to transport his/her own child.
- To attend a conference to discuss his/her student's progress, placement, or individual education plan (IEP).
- Under other circumstances on a case-by-case basis, as determined by the Superintendent.
- A parent sex offender who attempts to communicate electronically with a student other than his/her child while the student is on school property will

be considered on school property without permission and will be in violation of this policy.

STUDENT SEX OFFENDERS:

The Superintendent shall determine the appropriate educational placement for student sex offenders except those identified as having a disability. When determining educational placement, the Superintendent shall consider such factors as the safety and health of the student population. The Superintendent shall develop guidelines for managing each student sexual

offender in district schools. If the Superintendent determines that, in the best interest of district schools, the student sexual offender should be placed in an alternative educational setting, the district shall pay for the costs associated with the placement.

An IEP team shall determine the educational placement of a student sexual offender with a disability. The student with a disability is entitled to all the due process procedures available to a student with disability under the Individuals with Disabilities Education Act. The IEP team shall develop procedures for managing each student sexual offender with a disability that attends a district school. If the IEP team determines that the student sexual offender should be placed in an alternative educational setting, the district shall pay for the costs associated with the placement.

GENERAL PROVISIONS:

The Superintendent will inform the appropriate principal and other relevant district staff of the scope of the permission granted to each sexual offender.

Sexual offenders who receive permission to enter school property must immediately report to the individual or location designated in the Superintendent's written permission statement. The building principal shall assign a chaperone to accompany the sexual offender while she/he is on district property. The only exceptions to these requirements are when the Superintendent grants permission to a parent sex offender to transport his/her child and when a student sex offender receives permission to attend a district school in which case the guidelines developed for this individual shall apply.

The Superintendent shall establish a system for identifying sexual offenders and will inform known sexual offenders of this policy. Lack of notification does not excuse sexual offenders from abiding by the requirements and prohibitions in this policy.

The Superintendent will contact law enforcement anytime a sexual offender violates this policy and will immediately revoke any privileges granted to the sexual offender under this policy.

Legal Ref: NDCC 12.1-20 Sexual Offender Presence Near Schools
Prohibited
NDCC 12.1-32-15 Offenders Against Children and Sexual
Offenders

[ACDA - Technology Acceptable Use Policy for Staff and Students](#)**TECHNOLOGY VISION STATEMENT**

It is the vision of the Jamestown School District to maximize learning for students through the use of current technology. By including technology in our K-12 curriculum, we can continue to instruct students in the basics, promote self-worth, promote active student-centered learning, and equip students with present and future skills. The use of technology as a tool improves the ability of students, teachers, administrators, and the entire community to gather, use, and distribute information more efficiently and more effectively.

POLICY

The Jamestown School District's technology resources shall be used for educational purposes consistent with the district's mission and goals, district policies, state laws, and federal laws. The Jamestown Board of Education will provide the opportunity and the training for staff to appropriately use the district's technology resources.

Staff and Student ("users") use of technology resources that include but are not limited to:

- Computers and related peripherals (including printers, portable hard drives/USB/flash drives, mp3 players, etc.)
- Personal Learning Devices (including iPads, Nooks, Kindles, etc.)
- Networks including local, cloud based, and cellular.
- Local and wide area networks, including wireless networks
- File and application servers both onsite and offsite
- Video networks, digital video camcorders, and cameras
- Telephones, voice mail systems, cell phones, smart phones PDAs, fax, and copy machines
- Televisions, projectors and other audiovisual equipment
- Printers of all types
- Internet access
- Office 365 Suite
- SMARTBoard and SMART technologies.

Use of these technologies must be consistent with academic actions of the Jamestown Public Schools (JPS). Users are expected to adhere to the district policies as they apply to district and personal technology resources. Users are also required to comply with all local, state, and federal laws, which include regulations against computer/network hacking, software piracy, copyright infringement, bullying and other illegal behaviors.

JPS prohibits technology uses, whether with district or personal technology used on district property, which could injure a person either physically or emotionally. Prohibited uses include, but are not limited to:

- Bullying or harassing others

- Use of the network for product advertisement or political lobbying.
- Sending or displaying offensive messages or pictures, including pornography.
- Students taking pictures of others and sharing publicly any photo without that person's permission or knowledge
- Use of the network for hate mail, discriminatory remarks, and offensive or inflammatory communication.
- Using obscene language.
- Harassing, insulting or attacking others.
- Damaging computers, computer systems or computer networks.
- Violating copyright laws including plagiarizing, downloading or exchanging pirated software, music, or other files.
- Use others' passwords, tampering with or forging names on electronic mail or other online environments. Trespassing in others' folders, work or files.
- Using another person's identity or falsifying your own within any digital correspondence or online persona.
- Any action hacking with intent to damage or for the purposes of circumventing standard technology configurations or policies.
- Loading or use of unauthorized games, programs, files, or other electronic media.
- Intentionally wasting network resources.
- Storage of games and excessive picture, music, and video files.
- Unauthorized posting of personal information about others, including phone numbers, names, etc.
- Performing any action that results in a compromise of the system security.
- Inappropriate use of personal handheld electronic devices, including cell phones.
- Using the network for any illegal, unethical, or commercial activities.
- Negligent release of confidential data.

Employee technology use, that is not specific to one's job duties, is acceptable under the conditions that it does not:

- interfere with the performance of that employee's duties.
- create the appearance of impropriety.
- result in political or personal commercial purposes.
- increase operational costs for the district.

1:1 Devices

The Jamestown Public School District is cognizant that students and staff may be using personal technology resources in the school environment. Examples are cell phones, PDAs, laptops, iPads, tablets, etc. The use of personal technology resources not owned by the school falls under the Technology Acceptable Use Policy. The school is not responsible for the loss of items with significant personal or financial value. School administrators shall use their discretion to determine a building policy for personal technology resources used in the school that may not be specifically addressed in this document.

Jamestown Public School District staff, students and parents/guardians fully acknowledge that the use of a personal device on the premises of JPS is subject

to all guidelines, rules, and regulations governing responsible use as established by the Jamestown Public Schools. It is further understood that the use of a personal device is restricted to those activities as required or related to the student's program of study and any other use may be subject to disciplinary action including the loss of device use privileges. Students will not access websites with inappropriate content using a 4G or 5G connection.

By logging on to the JPS wireless guest network, staff and students are accepting the terms of the JPS Technology Use Policy. The JPS wireless network will provide filtered Internet access just like the network for JPS devices.

Electronic Device Use While Driving

All employees are prohibited from conducting district business through the use of electronic devices while driving. School bus/vehicle drivers are prohibited from operating a bus/vehicle while using an electronic device. These prohibitions do not apply to the use of cellular phones in the following circumstances:

- During an emergency situation;
- To call for assistance related to a mechanical problem or breakdown;

In such instances, the driver shall only use a cellular phone if the bus/vehicle is parked unless the nature of the emergency situation prohibits this.

The prohibitions under this section do not apply to use of a fleet management system or dispatching device.

Electronic Communication

Electronic communication between staff and students should always be Transparent, Accessible, and Professional (TAP) as defined below:

1. The communication is **TRANSPARENT**: All digital communication between staff and students should be transparent. As a public school district, we expect to maintain openness, visibility, and accountability with regards to all communications.
2. The communication is **ACCESSIBLE**: All digital communication between staff and students, shall be considered a matter of record, part of the District archives, and/or may be accessible by others.
3. The communication is **PROFESSIONAL**: All digital communication from staff to students should be written as a professional representing the Jamestown Public School District. This includes word choice, tone, grammar, and subject matter that model the standards, and integrity of the profession.

Communication Methods

1. Acceptable Methods of communication between staff and students.
 - a. School Website – www.Jamestown.k12.nd.us and other web sites or portals endorsed by the district.
 - b. Jamestown Public School Google Domain
 - c. PowerSchool, Blackboard, Schoology, Teams or Edmodo
 - d. One-way or Two-way Messaging – Internet service sending text to registered individuals to receive notifications. The preferred method of

communication for school district personnel is the district's calling/texting service (Blackboard).

- e. Two-way Messaging – Not encouraged. If two-way texting is necessary, Jamestown School District personnel must follow TAP guidelines, and he/she must have parental permission prior to using two-way texting.
2. Unacceptable Methods
 - a. Non-District Email Accounts – Jamestown School personnel should never use personal email accounts to communicate with students about school matters. Coaches may obtain a school district email account and must also follow these expectations.
 - b. Coaches will be provided with Blackboard account and will need to create groups to make contact with players and/or parents.
 - c. Online Games and Related Activities – While many people enjoy gaming (Wii, Xbox, etc.) and recreational websites that allow them to compete with others through the Internet, this is not an acceptable activity for school personnel to engage in with students.

Social Media

General Guidelines

Staff members who are using social media should be cautious in the communication with these technologies. Comments or posts placed on these sites can be visible by a large audience including parents and students. Staff members should never “friend” students who are currently enrolled in Jamestown Public School. The separation between the role of a public educator and a personal friendship with students should always be visible and strongly communicated.

Any content staff members publish, pictures they post, or dialogue they maintain within any social media, or blog, should never compromise their professional integrity or ethics in their role as a professional employed by Jamestown Public School.

Personnel are not authorized to speak on behalf of the district in an official capacity, without prior consent by the Administration. Any opinions or comments about the district and related programs should clearly acknowledge that the comments are their personal opinions and not reflect the opinions of the district.

1. Facebook
 - a. The Jamestown Public School uses Facebook as a means to communicate with students, personnel, and patrons. Facebook can be a valuable tool to communicate with others and its use by school personnel is NOT prohibited.
 - b. If school personnel use Facebook for valid educational objectives in their classroom or student organization, the page should be set up as an Artist, Band or Public Figure Page, not a personal page. This allows all public to view the page and keep all content on it visible for all to monitor.
 - c. Communication with students within a Facebook Page should be centered on one-way communication. If two-way communication is used it should be monitored frequently by school personnel to ensure TAP guidelines are being followed. You can set your page up so that comments are not posted until you have reviewed them and this is recommended.

- d. Any page created for educational purposes should be owned and monitored by Jamestown Public School personnel. If you wish to create a Facebook page to be used within your course or student group be sure to notify parents of your intent to communicate in this fashion.
2. X
- a. JPS uses X as a communication tool to share vital information and details to events held in the district.
 - b. Any use of X as a professional in the district to communicate with students and parents should be education focused and one-way.
 - c. By establishing an account, it is your responsibility to monitor it closely.

Electronic Mail and Internet Use

- Users must adhere to this policy at all times when using the Internet and/or email, including after hours, weekend and/or holiday use.
- District email accounts will be provided to all employees and students grades five through twelve.
- Users are prohibited from using district or district provided (EduTech) email or Internet access for commercial or personal gain.
- Material hosted on district servers and published on the Internet may be reviewed for appropriateness. Materials that represent JPS and are hosted on non-district servers should adhere to this policy.
- Student email accounts will be provided through EduTech and will include the Office 365 Suite of software. Students are not allowed to access non-approved email accounts while in school. Student accounts may be revoked if used inappropriately as outlined in the EduTech Acceptable Use Policy or the Jamestown Public Schools Technology Acceptable Use Policy.

Office 365 Suite

Office 365 is a total Suite of tools. These tools continue to expand to even greater opportunities. Included with the Office 365 Suite are five free downloads for any student or staff with an @k12 account.

Collaborate with Office Online:

Mail	Calendar	People
Newsfeed	OneDrive	Sites
Tasks	Delve	Video
Word Online	Excel Online	PowerPoint Online
One Note Online	Sway	Teams

Many instructors are using these in their classrooms so it is vital that staff, students and parents are aware of the impact inappropriate use of an @k12.nd.us account can have. If you risk having your account shut down due to violation of the District Technology Policy you could lose all features listed above and more that may be added in the future. This would also include the program downloads you have accessed at home. You would not be able to login to any portion of the program if it becomes necessary to lock your account. You also would not be able to login to a website if that was a class you were taking. This

program through EduTech allows you have the tools you need to do your job in school and should be used wisely.

Internet Safety and Use of Filters

JPS participates in Internet filtering services provided through [NDIT-EduTech](#) to help prevent access to Internet content that is inappropriate as defined by the [Child Internet Protection Act \(CIPA\)](#). By default, filtering measures shall be in operation at all times during the use of the district's computers. Some filtering protection measures may be disabled by an authorized administrator, supervisor, or other authorized person in order to provide access to valid research or for other lawful purposes. In cases where JPS staff provide minimally filtered access to students, the teachers are expected to supervise students and can be held responsible for any student act that violates the Acceptable Use Policy. Problems with the filtering system should be reported immediately to the district Technology Department.

Although the state provides a filtering system to limit user access to potentially objectionable material, no filtering system can provide complete protection and it is the user's responsibility to access Internet resources appropriately. Staff are responsible for supervising students using Internet resources.

Internet safety precautions are the responsibility of all users. Safety tips include:

- Keep your personal information (name, phone numbers, address, passwords, etc.) private.
- Do not read email or download attachments from people you don't know.
- Understand that nothing done on the Internet is private.
- Tell a trusted adult or supervisor if someone says things or sends you something that you consider inappropriate (do not respond to the person either directly or indirectly).
- Never meet online-only friends in person (you have no way to confirm the real identity of someone you meet online).
- Practice proper 'Netiquette' while online and avoid conflicts with other users.

Potentially objectionable material includes, but is not limited to:

- Visual depictions that are obscene or depict child pornography as defined by the [Children's Internet Protection Act \(CIPA\)](#).
- Violence/violent behavior
- Drugs/drug culture
- Cults/satanic
- Militant/Extremist
- Gambling
- Alcohol/tobacco/drugs
- Unrestricted email/chat

Privacy

Privacy is not guaranteed when using JPS technology, including the network. Files, communications (including email), and use history may be reviewed to maintain system integrity and ensure that users are adhering to the Acceptable Use Policy and

guidelines. The district will cooperate with local, state, and federal authorities when necessary. All activity could fall under North Dakota open record laws, which means that someone can ask to review this information at any time.

Security

Network and computer security systems help maintain the integrity of the district technology resources. Any attempts to circumvent, disable, or misuse security systems are prohibited. If users feel they can identify a security problem they should notify the Technology Department.

Vandalism

Vandalism includes any malicious attempt to harm or destroy any JPS equipment or software or the data of another user on a computer, local network, or global network. Vandalism is prohibited and may result in cancellation of privileges or other disciplinary action.

Sanctions

The building administrator, supervisor, and/or teacher is responsible for applying sanctions when the Staff and Student Acceptable Use Policy has been violated. Possible sanctions include, but are not limited to:

- Loss of access to district or personal technology resources.
- Removal of students from classes with loss of credit.
- Suspension
- Termination of employment.
- Expulsion
- Restitution for costs associated with repair of equipment or software or associated with improper use of district equipment or systems.
- Additional disciplinary action may be determined at the site or district level in line with existing discipline procedures.
- When applicable, law enforcement agencies may be involved.

Documentation of all violations of this Acceptable Use Policy may be placed in the employee's personnel file or the student academic file. Prior to the suspension/revocation of the use of technology resources or termination, the building administrator will inform the user of the suspected violation and give the user an opportunity to present an explanation. A system user may appeal the suspension or revocation within seven (7) calendar days to the superintendent.

Legal Disclaimer

JPS will not be responsible for damages users may suffer, including loss of data resulting from delay, non-delivery, or service interruptions; damages to personal property used to access school computers, networks, or on-line resources; or unauthorized financial obligations resulting from use of school accounts to access the Internet. JPS specifically denies any responsibility for the accuracy or quality of information obtained through Internet services.

Since all transactions conducted through district technology resources could be perceived as authorized district activities, users of district technology resources are responsible for respecting and adhering to local, state, federal and international laws. Any attempt to break those laws through the use of district technology resources may result in legal action against the offender by the district, injured third parties and/or governmental authorities. If such an event should occur, the district will fully comply with any requests for information related to the legal proceeding, subject only to prohibitions of law. The Jamestown Public Schools is not liable for the actions of users, which violate the conditions of this document.

The Jamestown Public Schools reserve the right to inspect, review, or delete contents if it has reasonable cause to suspect that a student is using technology for illicit or illegal purposes, is in violation of policy, or for general maintenance. School authorities may conduct such inspection when they deem it necessary, without notice, without consent, and without search warrant.

Complementary Documents

- FFK, Suspension and Expulsion
- FFK-BR, Suspension and Expulsion Regulations

End of Jamestown Public School District Policy ACDA Adopted 7-18-2016, Amended
10-19-2020



The device provided is property of the Jamestown Public School District and is on loan for the 2020-2021 school year. Families receiving devices to use must understand and agree to the following:

Student Name (please print) _____

- I agree to take care of the device and return it in the condition in which it was received to be reissued for future use.
- I agree to carry my device carefully and always place it in a safe place such as a desk or table.
- I agree to keep food and beverages away from my device and not to place any decorations on it.
- I agree to notify JPS Technology Department if my device is lost or damaged immediately.
- I agree to notify JPS Technology Department if I have a change of address or phone number.
- I agree to use my device for the intent it is loaned to me.
- I understand that I will be held to all guidelines in the JPS Technology Acceptable Use Policy.
- I understand that using this device is a privilege and not my right.

Parent/Guardian Name (please print) _____

As the responsible parent/guardian of a student using this technology, I understand I am responsible for monitoring the use of the device by my child. I will notify the Technology Director if, at any time I acquire a device that is compatible with the district education program and wish to return the loaned device. I understand that usage is the determining factor in my child's success.

Please read and initial after the following sentence:

I understand that I am responsible for replacement/repair of the device if it is damaged in our use. _____

Signature *Date* *Parent/Guardian*

Parent/Guardian Email *Parent/Guardian Phone*

JPS USE:

Device Type: _____

Asset Tag # _____

Date Checked Out: _____

School Rep. Initials _____

Date Returned: _____

School Rep. Initials _____

ACE - VIOLENT & THREATENING BEHAVIOR

Threatening Behavior

A true threat is a statement made orally, in writing, or using another medium that would be perceived by a reasonable person to be a serious expression of intent to harm, commit assault, or damage school property.

Reporting

Any student or employee who has knowledge of a threat shall report it to the building principal or Superintendent. Failure to report a known threat may result in disciplinary consequences up to and including suspension for students and termination of employment for staff in accordance with policy, law, and, when applicable, the negotiated agreement.

Threat Assessment

Upon receipt of a threat report, the building principal shall contact the Superintendent. The **Superintendent** shall determine if the report constitutes a true threat as defined above and if, given the nature of the threat, it should be handled internally or turned over to law enforcement. The **Superintendent** shall make these determinations based on, but not limited to, the following criteria:

1. The detail, specificity, context, and content of the threat;
2. The amount of disruption the threat has caused or may cause to the educational environment;
3. Whether or not the **Superintendent** can identify the source of the threat; anonymous threats may be turned over to law enforcement;
4. When the source of the threat can be identified, the **Superintendent** shall consider, to the extent possible, the individual's:
 - a. State of mind;
 - b. Relationship with peers;
 - c. Age;
 - d. Domestic life;
 - e. Ability to carry out the threat (e.g., access to weapons);
 - f. Past behavior.
5. If any laws have been violated;
6. The identity and potential motives of the individual reporting the threat.

The threat assessment may involve interviews with district staff, students, and parents. The **Superintendent** may, in accordance with the Family Educational Rights and Privacy Act and other applicable records laws, release threat assessment findings to law enforcement when deemed necessary.

When law enforcement and/or the **Superintendent**, having considered the totality of the facts obtained through the threat assessment, verifies that a threat is true, the District shall take necessary and timely measures to safeguard students, staff, and district property.

Disciplinary Consequences for Threatening Behavior

1. **Regular Education Students:** A student who is found to have made a true threat will be subject to disciplinary measures, including, but not limited to suspension and/or expulsion. When deemed to be a necessary safety precaution, the District may require alternative placement or appoint supervision during the periods of suspension and/or expulsion for threatening behavior.

2. **Special Education Students:** Special education students found to have made a true threat will be disciplined in accordance with applicable policies and laws pertaining to the discipline of special education students.
3. **Staff:** Employees found to have made a true threat shall be subject to disciplinary consequences up to and including termination of employment in accordance with policy, law, and, when applicable, the negotiated agreement.

Students and employees may also be subject to the filing of criminal charges and/or referred to counseling services for treatment.

Violent Behavior

The District prohibits all acts of violence and aggression, including, but not limited to, possession of a weapon or dangerous instrument, physical assault, vandalism of district property, stalking, gang affiliation and/or activity, or terroristic acts. Violators of this policy shall be subject to disciplinary consequences, determined by the seriousness of the act, including, but not limited to, expulsion for students, discharge for employees, and exclusion from school premises in accordance with applicable policy and law. In addition, the District may take legal action against the perpetrator.

Students and employees may also be subject to the filing of criminal charges and/or referred to counseling services for treatment.

Complementing Policies:

- FFD, Carrying Weapons
- FFK, Suspension & Expulsion
- FFK-BR, Suspension & Expulsion Regulations

End of Jamestown Public School District Policy ACE

Adopted:1/15/2018

ACE-E1 - THREAT ASSESSMENT

A threat assessment is designed for use with students who are engaged in behaviors that suggest the potential for aggression directed at other people. School administrators will consider completing this assessment if any of the following are present:

- The threat or aggression is specific to an identified target along with a motive and plan.
- A weapon was brought to school or there was an attempt to bring a weapon onto school grounds.
- The threat, aggression or violence is causing considerable fear or disruption to school operations.
- There is continued intent to carry out threat, aggression, or violence exists.
- A history exists of threats, aggression, or violence.
- The administrator is unable to otherwise determine if a situation poses risk to school personnel or the community.

A threat assessment is not predictive of future violence, nor is it a foolproof method of assessing potential for harm to others. Further, the threat assessment is not a checklist that can be easily quantified. It is designed as a procedural guide to assist in the investigation of potential danger and to assist school staff in the development of a management plan. A completed threat assessment exists to document and assess a specific incident during one period of time; therefore, if this protocol is reviewed after the initial assessment date, the circumstances, interventions, and passage of time must be considered. Lastly, this process will also determine if more extensive assessment by an outside agency will be required.

Threat assessments are completed through investigation conducted by a multidisciplinary team consisting of an administrator, a school counselor, and a school resource officer. The threat assessment process must be reviewed solely on facts and behaviors associated with the threat assessment. The administrator will lead the discussion using the noted step-by step instructions and accompanying questions as a guide. Other individuals, as necessary, should also be included as sources for additional information. These include, but are not limited to:

- Teachers, coaches, case managers, and other educators.
- District/school security staff, instructional assistants, transportation staff, or other people who have contact with students.
- Parents/guardians, if time and circumstances allow.
- Case managers, and probation officers if student is adjudicated or a ward of the state.

Students will not attend the threat assessment meeting, although student information will be gathered through the investigation process.

Prior to completing the assessment, the following information should be considered:

- Cumulative folder of the student being assessed
- Other records of the student being assessed, including, but not limited to, academic history, attendance records, student behavior IEP/504 plans, law enforcement, mental health records, behavior or management plans, probation records
- Communications, including but not limited to, emails, text messages, and social media
- Internet history
- Interviews
- Schoolwork
- Personal belongings

The anticipated time commitment to complete the threat assessment range between 20 to 45 minutes in the majority of situations and includes the threat assessment process and assignment of appropriate interventions.

The completed assessment will be confidentially placed in the student's cumulative records. If the student transfers out of district, the confidential material will be expunged.

Complementing Policies:

- ACE, Violent and Threatening Behavior
- ACE-E2, Threat Assessment Protocol

End of Jamestown Public School District Policy ACE-E1..... Adopted:5/20/2024

ACE-E2 - THREAT ASSESSMENT PROTOCOL

Threat Assessment Team Members

The threat assessment team membership will vary with 3-5 members from the categories listed below, however, members in bolded categories are required.

Administrator:		Special Education Representative:	
Counselor:		District Designee:	
Law Enforcement:		Mental Health Representative	
Psychologist/Social Worker:		School Nurse:	
Classroom Teacher(s):		Others (Please Specify):	

Person Completing Form:	
Title/Position:	
Date:	
Time:	

Family Engagement

Guided Question: Has the parent/guardian been notified that an assessment is being conducted?

- Yes, the parent/guardian has been notified.
- No, the parent/guardian has not been notified due to:

Student and Incident Information

Student's Full Name:	
Age and Grade:	

Is the student on an IEP?

- Yes, the disability categories are _____
- No

Is the student on a 504 Plan?

- Yes
- No

Incident Date:	
Incident Time:	
Incident Location:	

Incident Investigation

Step 1: Determine if acts of aggression have been communicated.

Guided Question: Have any direct threats been made through any mode of communication?

- Yes
- No

- Direct threats include, but are not limited to, statements and references of aggression, veiled threats, or vague warnings.
- Modes of communication include, but are not limited to, art, email, social media, written language or any other means of communication reasonably assumed to be directed at an individual or institution.

Describe Findings

Guiding Question: Have any indirect threats been made through any mode of communication?

- Yes
- No

- Indirect threats include, but are not limited to, ominous warnings or casual references to possible harmful events or previously occurring violent events
- Modes of communication include, but are not limited to, art, email, social media, written language or any other means of communication reasonably assumed to be directed at an individual or institution.

Describe Findings

Step 2: Determine severity of aggression

Guiding Question: Does the incident suggest a threat of low, moderate, or extreme aggression/severe violence? Note: Scales below are provided as general descriptions and may vary based on severity and context.

- Mild Aggression (Low Impact, Incident Types May Occur More Frequently)
 - Examples include, but are not limited to: Scratching, Biting, Hitting
- Moderate Aggression (Moderate Impact, Less Likely General Occurrence)
 - Examples include, but are not limited to: Fight, Forceful Strike, Hit with Object
- Extreme Aggression/Severe Violence (High Impact, Infrequent Occurrence)
 - Examples include, but are not limited to: life-threatening harm

Describe Findings

Step 3: Determine if a plan, process, or intent to harm others existed

Guiding Question: Can intent be determined that suggest this incident has been planned or coordinated? Considerations may include, but are not limited to: Was this an isolated incident or was intent through actions or communications

- A plan, either simple or complex, to carry out a targeted act of violence against a specific individual, group, or student body.
 - A plan would entail a sequence of actions necessary for success and, generally, includes a motive. Note: The more plausible and detailed the plan, the greater the risk.

- Acquisition of a weapon, attempted acquisition of a weapon, past possession of prohibited items at school, or research about how to acquire a weapon.

- Rehearsal of the plan, or a similar plan
 - Rehearsal can be represented through art, fantasy games, writing, film, social media, and video games. Note: Participating in these activities themselves should only be considered if used in the context of a rehearsal.

- Scheduling of an activity to inflict harm
 - This may include either a clear and detailed schedule or a flexible schedule awaiting a trigger event, such as teasing, rejection or loss, that justifies violence as a solution

Describe Findings

Step 4: Determine any indications of suicidal ideation

Guiding Question: Were threats of suicide made, heard, or referenced or is there history of suicidal ideation?

- Yes
- No

- This may include, but not limited to, suicidal ideas, attempts, gestures, references and/or intent
- If Yes is selected below, completion of a suicide assessment is also recommended.

Describe Findings

Step 5: Focus of Incident

Guided Question: Is the incident focused on a specific, ongoing target?

Yes

No

- Is there ongoing consideration or focus on a particular person, group, or student body?
- Note: If the situation lacks an ongoing target, reactive aggression should be considered. The individual may perceive himself/herself to be under immediate threat, is in an escalated state, and uses threats as a means of self-protection or defending interests/wants.

Describe Findings

Step 6: Consideration of Weapons

Guided Question: Are there indications of a choice and/or availability of weapons?

Yes

No

- Access to weapons include availability within the home, through relatives and friends, and through other means.
- Note: The level of confidence in the source must be considered. Students and parents should be asked directly about availability and the responses documented.

Describe Findings

Step 7: Interest in Violence

Guided Question: Are there indications of a focused, or unusual, interest in acts of violence, previous school or community attacks, law enforcement/military, or criminals/criminal behavior?

Yes

No

- This may include, but is not limited to, weaponry, military/law enforcement including uniforms and paraphernalia, notorious characters or criminals (historical or fictional).

- This may include indications of violent revenge fantasies, or a desire to be an agent or martyr of a particular cause of belief system.

Describe Findings

Step 8: Existence of Motive

Guided Question: Are there indications of a motive that would, from the perspective of the individual, justify the incident?

Yes

No

- Revisit and consider the response to Step 5. Rationale for motive may include, but is not limited to, revenge, humiliation, or desire to reestablish control.

- Note: If no motive can be established, consider reactive aggression and any triggers that may have agitated the situation. Any triggers should be identified and, to the degree possible and practical, eliminated or mitigated in the future.

Describe Findings

Step 9: Determination of Personal Well-Being

Guided Question: Are there indications of feelings of hopelessness, overwhelming stress, depression, or feelings of desperation.

Yes

No

· Stressors to consider include, but are not limited to, humiliation, family conflict, mental illness, social distress, disciplinary actions, academic failure, contact with law enforcement, and bullying.

· Note: Hopelessness towards the resolution of stressful or overwhelming situations through acceptable social or coping skills, may result in desperate solutions. Step 9 is important to understanding the perception of the individual being assessed as opposed to the behaviors that have been observed by others.

Describe Findings

Step 10: Determination of Capacity

Guided Question: Are there indications of a capacity or ability to plan and carry out an act of targeted violence?

Yes

No

· Consider factors including, but not limited to, cognitive capacity, adaptive capacity, overall functioning, and supervision, of the person or party being assessed.

Describe Findings

Step 11: Determination of Social Norms

Guided Question: Are values, beliefs, or ideas congruent to social norms?

Yes

No

· Note: Socially maladjusted thinking can lead to justification and motive for behavior. Consider thinking that is anti-social or intentional to cause harm and the rationale for those actions.

Describe Findings

Step 12: Overall Assessment Findings

Guided Question: Do the responses and findings to Steps 1 – 11 identify actions, communications, and/or behaviors that suggest a motive focused on a specific target, with an indication of planning or preparation, and the ability to carry out targeted violence?

- Yes, the risk of targeted aggression is indicated. Proceed to Step 13.
- No, the response is affective or reactive. Select one of the following:
 - Findings support aggressive talk or behavior is highly emotional, unplanned, and a reaction to other factors, such as but not limited a perceived insult, affront or threat or as a means of depending personal interest or self.
 - Findings support aggressive behavior and/or aggressive talk that is used to intimidate, bully, manipulate, or impress others.

If Yes is indicated, Proceed to Step 13

If No is indicated, consider the actual or potential outcome of aggression.

- Actual or potential outcome is severe or lethal. Proceed to Step 13
- Actual or potential outcome is minor or moderate. Create a response, management, and support plan using Questions 1-11 to identify situations, settings, and triggers and develop strategies to decrease the behavior.

Step 13: Awareness of Concerning Behavior

Guided Question: Are others concerned about the student's potential for acting aggressively?

- Yes
- No

· Others include, but are not limited to, caregivers, other family members, peers, and staff members.

- Concerns include a range from odd discomfort to awareness of clearly articulated reason(s).

Describe Findings

Step 14: Existence of Strong Connections

Guided Question: Are there trusting and successful relationships with one or more responsible adults, either at school or within the community?

Yes

No

- Note: If both a feeling of being marginalized and a lack of positive relationship to prosocial adults exists, the need for interventions to improve connections are strongly indicated.

Describe Findings

Step 15: Examination of Impactful Factors

Guided Question: What circumstances, events, or triggers increase or agitate the likelihood of violence of aggression?

Describe Factors

Guided Question: What circumstances, events, or triggers decrease the likelihood of violence of aggression?

Describe Factors

Guided Question: Are there indications that the student's peer group reinforces delinquent thoughts, beliefs, and/or actions?

Yes

No

* Note: Risk increases if peer support and guidance includes reinforcement of entitlement, revenge, and/or the use of violence for problem-solving.

Describe Factors

Guided Question: Is there a history of behavioral, drug, alcohol, or developmental issues?

Yes

No

Describe Factors

Guided Question: Are there issues that indicate a depressed knowledge of coping strategies and/or lack of emotional resiliency?

Yes

No

Describe Factors

Step 16: Other Concerns

Guided Question: Are other concerns, which are not noted elsewhere in the threat assessment protocol, that should be considered?

Describe Other Concerns

Step 17: Team Determination

Consider the following steps/questions through a discussion of the assessment team:

- 1) Were any responses based on assumptions rather than actual observation and factual information regarding behavior? Should any other factors be considered by the team, such as background, culture, etc?
- 2) Review all previous questions and highlight/identify responses that indicate concern.

Select the state that best reflects the team's determination:

- A. Person/situation appears to pose a clear and immediate threat of serious violence toward others that requires containment/exclusion and action to
- B. Person/situation appears to pose a direct, specific and plausible threat of violence, exhibiting behaviors that indicate both a continuing intent to harm and efforts to acquire the capacity and resources to fulfill the plan.
- C. Person/situation does not appear to pose a threat of violence at this time due to a lack of specific, or fully articulated plan and/or limited capacity/resources. However, the person situation exhibits behaviors that indicate a continuing intent to harm and potential for future violence.
- D. Person/situation does not appear to pose a threat of violence based on the analysis of the Threat Assessment Protocols. The team believes the situation can be resolved with the development of a Response, Management, and Support Plan.

Complementing Policies:

- ACE, Violent and Threatening Behavior
- ACE-E1, Threat Assessment

End of Jamestown Public School District Policy ACE-E2..... Adopted:5/20/2024

ACEA - BULLYING POLICY

The Jamestown Public School District is committed to providing all students with a safe and civil school environment in which all members are treated with dignity and respect. Bullying of or by a student or school staff member is against federal, state, and local policy and is not tolerated by the Board. Bullying behavior can seriously disrupt the ability of the District to maintain a safe and civil environment, and the ability of students to learn and succeed. Therefore, it is the policy of the state and the District that students and school staff members shall not engage in bullying behavior while on school property.

Definitions

For the purposes of this policy:

- *Bullying* is defined in NDCC 15.1-19-17 as:
 5. Conduct that occurs in a public school, on school district premises, in a district owned or leased school bus or school vehicle, or at any public school or school district sanctioned or sponsored activity or event and which:
 - i. Is so severe, pervasive, or objectively offensive that it substantially interferes with the student's educational opportunities;
 - ii. Places the student in actual and reasonable fear of harm;
 - iii. Places the student in actual and reasonable fear of damage to property of the student; or
 - iv. Substantially disrupts the orderly operation of the public school; or
 6. Conduct received by a student while the student is in a public school, on school district premises, in a district owned or leased school bus or school vehicle, or at any public school or school district sanctioned or sponsored activity or event and which:
 - i. Is so severe, pervasive, or objectively offensive that it substantially interferes with the student's educational opportunities;
 - ii. Places the student in actual and reasonable fear of harm;
 - iii. Places the student in actual and reasonable fear of damage to property of the student; or
 - iv. Substantially disrupts the orderly operation of the public school.
 7. Conduct received or sent by a student through the use of an electronic device while the student is outside a public school, off school district premises, and off school district owned or leased property and which:
 - i. Places the student in actual and reasonable fear of:
 1. Harm; or
 2. Damage to property of the student; and

- ii. Is so severe, pervasive, or objectively offensive the conduct substantially interferes with the student's educational opportunities or substantially disrupts the orderly operation of the public school.

Conduct includes the use of technology or other electronic media (e.g. cyberbullying).

- Electronic communication* is defined in NDCC 12.1-17-07(5) as a transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic, or photo-optical system.
- Protected status* are classifications/characteristics protected from discrimination by NDCC 14-02.4-01 and federal law. The following statuses are protected: race, color, religion, sex (including sexual orientation, gender identity, and gender expression), national origin, age, disability (physical or mental), and status with regard to marriage or public assistance.
- School property* is defined in NDCC 15.1-19-10(6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.
- School-sanctioned activity* is defined as an activity that:
Is not part of the district's curricular or extracurricular program; and
Is established by a sponsor to serve in the absence of a district program;
and
Receives district support in multiple ways (i.e., not school facility use alone);
and
Sponsors of the activity have agreed to comply with this policy; and
The District has officially recognized through board action as a school-sanctioned activity.
- School-sponsored activity* is an activity that the District has approved through policy or other board action for inclusion in the district's extracurricular program and is controlled and funded primarily by the District.
- School staff* include all employees of the Jamestown Public School District, school volunteers, and sponsors of school-sanctioned activities.
- True threat* is a statement that, in light of the circumstances, a reasonable person would perceive as a serious expression of an intent to inflict harm.

Prohibitions

A student or school staff member may not:

- Engage in bullying.
- Engage in reprisal or retaliation against:
A victim of bullying;
An individual who witnesses an alleged act of bullying;
An individual who reports an alleged act of bullying; or
An individual who provides information/participates in an investigation about an alleged act of bullying.

- Knowingly file a false bullying report with the District.

Reporting Procedures for Alleged Policy Violations

Reporting requirements for school staff: Any school staff member with knowledge or suspicion of a violation of this policy or who has received an oral or written report of a violation of this policy from a student, community member, or anonymously shall contact the building principal to inform them as soon as possible. If the alleged violation implicates the building principal, the school staff member shall report it to the Superintendent. If the alleged violation implicates the Superintendent, the school staff member shall report it to the Board President.

Should school administration determine that a school staff member knew of or suspected a violation of this policy and failed to report it in accordance with the procedure above, the staff member may be subject to disciplinary consequences or, for sponsors of school-sanctioned activities, other corrective measures.

- **Reporting options for students and community members:** Students and community members (including parents) may report known or suspected violations of this policy using any of the following methods:
 - Completing a written complaint form (ACEA-E4). The District will place the form in a variety of locations throughout the school and should inform students and staff of these locations. A complainant will have the option of including their name on this form or filing it anonymously. The form may be returned to any school staff member, filed in a school building's main office, or placed in a designated drop box located in each school.
 - Complete and submit an online complaint form. A complainant will have the option of including their name on the form or submitting it anonymously.
 - File an oral report with any school staff member.

Bullying may be a repeated or, in rare cases, one-time exposure to deliberate, negative behavior by one or more individuals. Single incidents and conflicts between two or more individuals do not automatically constitute bullying behavior. Districts should investigate each situation to determine if the alleged behavior meets this policy's definition of bullying. If the misconduct does not meet this policy's definition of bullying, it may be addressed under other district policies.

A complaint filed anonymously may limit the district's ability to investigate and respond to the alleged violations.

Documentation and Retention

The District shall develop a form to report alleged violations of this policy (ACEA-E3). The form should be completed by school staff when they:

- Initiate a report of an alleged violation of this policy; or
- Receive an oral report of an alleged violation of this policy.

The form should be completed by an administrator when they:
Initiate a report of an alleged violation of this policy; or
Receive an oral report of an alleged violation of this policy.

All written reports of an alleged violation of this policy received by the District shall be forwarded to the appropriate school administrator for investigation and retention.

Report forms and all other documentation related to an investigation of an alleged violation of this policy involving a student shall be retained by the District for six years after the student turns 18 years old or graduates from high school, whichever is later.

Investigation Procedures

School administrators (i.e., a principal, an assistant superintendent, or the Superintendent) or the Board President, if the Superintendent is implicated, are required to investigate violations of this policy (as prescribed under “Prohibitions”), when in receipt of actual notice of an alleged violation. Actual notice of an alleged violation occurs when alleged bullying, reprisal, retaliation, or false reporting is reported using the applicable method(s) prescribed in the reporting section of this policy.

Upon receipt of a report of an alleged policy violation, the designated administrator shall first determine if the alleged policy violation is based on a protected status—whether actual or perceived. Reports involving a protected status shall be investigated in accordance with the district’s harassment/discrimination policy, including the timelines contained therein.

In all other cases, administration shall determine the level of investigation necessary based on the nature of the alleged violation of this policy after considering factors such as, but not limited to: the identity of the reporter and their relationship to the victim/alleged perpetrator; the ages of the parties involved; the detail, content, and context of the report; and whether or not this report is the first of its type filed against the alleged perpetrator. Based on the level of investigation the administrator deems necessary, investigations may include any or all of the following steps or any other investigatory steps that the administrator deems necessary:

Identification and collection of necessary and obtainable physical evidence

(NOTE: In some cases, physical evidence may be unobtainable, e.g., a private social networking profile).

Interviews with the complainant, the victim, and/or the alleged perpetrator. At no time during an investigation under this policy shall the victim/complainant be required to meet with the alleged perpetrator.

Interviews with any identified witnesses.

A review of any mitigating or extenuating circumstances.

Final analysis and issuance of findings in writing to the victim and perpetrator and, if applicable, implementation of victim protection measures and disciplinary measures under this or other applicable policies.

Investigations shall be completed within no more than 60 days unless the administrator documents good cause for extending this deadline. Such documentation should be sent to the victim and alleged perpetrator during the investigation.

Reporting to Law Enforcement and Others Forms of Redress

Law enforcement must be notified by a school administrator or the Board President if there is reasonable suspicion that a bullying incident constituted a crime on or off school property. Nothing in this policy shall prevent a victim/their family from seeking redress under applicable state and federal law.

Disciplinary and Corrective Measures

Students who the District has found to have violated this policy shall be subject to disciplinary consequences and/or corrective measures. When determining the appropriate response to violations of this policy, administration shall take into account the totality of circumstances surrounding the violation. Measures that may be imposed include, but are not limited to:

Require the student to attend detention.

Impose in- or out-of-school suspension or recommend expulsion. Due process procedures contained in the district's suspension and expulsion policy shall be followed.

Recommend alternative placement. This recommendation shall be submitted to the Superintendent for approval or denial. Alternative placement of special education students will be handled in accordance with applicable policy.

Create a behavioral adjustment plan.

Refer the student to a school counselor.

Hold a conference with the student's parent/guardian and classroom teacher(s), and other applicable school staff.

Modify the perpetrator's schedule and take other appropriate measures (e.g., moving locker) to minimize contact with the victim.

If applicable, contact the administrator of the website or social media platform on which the bullying occurred to report it.

If the misconduct does not meet this policy's definition of bullying, it may be addressed under other district disciplinary policies.

If the perpetrator is a school staff member, the District shall take appropriate disciplinary action that may include, but is not limited to: a reprimand, modification of duties (only if allowed by applicable policy, the negotiated agreement, and/or the individual's contract), suspension, or a recommendation for termination/discharge in accordance with applicable law and/or policy.

Victim Protection Strategies

When the District confirms that a violation of this policy has occurred, it should notify the victim's parents and shall implement victim protection strategies. These strategies shall be developed on a case-by-case basis after administration has reviewed the totality of the circumstances surrounding the bullying incident(s) or other violations of this policy. Strategies may include, but not be limited to, the following:

Additional training for all students and applicable staff on implementation of this policy and/or bullying prevention.

- Notice to the victim's teachers and other staff to monitor the victim and his/her interaction with peers and/or the assignment of a staff member to escort the student between classes.
- Assignment of district staff to monitor, more frequently, areas in the school where bullying has occurred.
- Referral to counseling services for the victim and perpetrator.
- Modification of the perpetrator's schedule and other appropriate measures imposed on the perpetrator (not the victim) to minimize the perpetrator's contact with the victim.

Dissemination and Education

The District shall review and revise this policy as it determines necessary. A copy of this district bullying policy and any amendments must be filed with the Department of Public Instruction.

The District shall place this policy, in its entirety, in student and staff handbooks and ensure that it is explained and discussed with its students each school year. The District shall also develop and implement bullying prevention programs for all students and staff professional development activities. School administration may develop guidelines to assist students and staff with identifying bullying conduct.

Complementing Policies

- AAC-BR, Discrimination & Harassment Grievance Procedure
- AAC-E, Filing a State or Federal Discrimination & Harassment Complaint
- ACEA-E1, Bullying Policy Adoption & Dissemination Checklist
- ACEA-E2, Bullying Reporting Guidelines
- ACEA-E3, Staff Bullying Report Form
- ACEA-E4, Student Bullying Reporting Form
- ACEA-E5, Bullying/Harassment Investigation Protocol

End of Jamestown Public School District Policy ACEA..... Adopted:11/18/2019 Amended 4/1/2024

ACEA-E2 - BULLYING REPORTING GUIDELINES

The following are signs that may indicate that a student has become a victim of prohibited behavior contained in the district's bullying policy. The examples serve as guidelines only and in no way encompass all indicators that a student has become victim of bullying. Students with knowledge/ reasonable suspicion of any conduct indicating a violation of the bullying policy should report it in accordance with the procedure in the bullying policy, and school staff with knowledge/reasonable suspicion of such conduct shall report it in accordance with the procedure in the bullying policy.

Reporting Guidelines

Students should file a report under the bullying policy and staff shall file such a report when there is:

1. Any report by a student that s/he is concerned about his/her safety as a result of intimidation, hostility, or actions by a student or staff member. Such students often avoid certain locations in the school to limit contact with a bully (e.g., locker rooms, restrooms, parking lots).
2. Any report by a student that his/her property has been damaged or s/he is concerned that his/her property will be damaged as a result of intimidation, hostility, or actions by a student or staff member.
3. Any indication that a student is being deprived of educational opportunities (e.g., grades rapidly decline, a pattern of absenteeism, avoids certain locations in the school.)
4. Any indication of verbal, nonverbal, physical aggression, intimidation, or hostility based on a protected status, i.e., race, color, religion, sex, national origin, age, disability (physical or mental), or status with regard to marriage or public assistance.
5. A student has filed a report under the bullying policy or participated as a witness in a bullying investigation and has since become the subject of verbal, nonverbal, or physical aggression or hostility by other students or staff.

End of Jamestown Public School District Exhibit ACEA-E2- 11-18-2019

ACEA-E3 - BULLYING COMPLAINT REPORT Jamestown Public School District #1

Complainant: _____ Student/grade or Employee (circle)

Home Address: _____ Phone: _____

School: _____ Date: _____

Summary of the Alleged Complaint/Conduct

1. Date(s) on which alleged conduct occurred:____

2. Names of witnesses (please specify whether employee, student, or other):

3. Name(s) of the alleged offender(s) (If known) *Please Print*

4. Where did the incident happen (choose all that apply)
On school property _____ On a school bus _____
At a school sponsored activity/event _____
Other (explain):

5. Describe in detail the specific incident(s) that is the basis of this complaint. Include verbal statements (e.g. threats, demands), or physical threats that are relevant. (Use additional sheets if needed.)

6. Did a physical injury result from the incident?
No___ Yes, but it did not require medical attention ___ Yes, medical attention was required ___

7. Was the student victim absent from school as a result of the incident?
Yes___ No ___
If yes, how many days?

Is there any additional information you would like to provide?

I request that the following actions be taken for restitution/recovery:

CERTIFICATION

I certify that the statements made in this complaint are true and accurate.

Signature of Complainant



STUDENT BULLYING REPORT

FORM- ACEA-E4

Instructions:

Please complete **both** pages, responding only to the questions that you feel comfortable answering and are able to accurately answer. You may choose to include your name at the bottom of the form or may submit it anonymously. Please note that the district's ability investigate an anonymous complaint may be limited, and the District prohibits retaliation against anyone who files a bullying report.

Describe what happened/what is happening:

When did it happen?

- Before school
- During school
- After school
- Unsure

Date:

Time:

am pm

Where did it happen?

- In the school building (list specific room):
- On the school playground
- In the school parking lot
- On the school bus
- Online

At a school event (list specific event):

Other (please specify):

Unsure

Who was committing the bullying (if you don't know the bully's name(s) describe him/her?)

Who was the victim of the bullying (if you don't know his/her name, describe him/her?)

Did anyone else witness the bullying (if yes, please list)?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unsure	
Were you or others physically hurt (please explain)?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unsure	
Was there damage to anyone's personal property?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unsure	
Have you or the victim missed any school or made any changes to your daily routine as a result of the incident(s)?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unsure	
Have you told anyone about the bullying?	<input type="checkbox"/> Parent <input type="checkbox"/> Babysitter <input type="checkbox"/> Brother/sister <input type="checkbox"/> Other family member:	<input type="checkbox"/> Teacher <input type="checkbox"/> Other school staff: <input type="checkbox"/> Other:
Have you previously filed a bullying report (this information is used to determine if retaliation is occurring)?		
<input type="checkbox"/> Yes <input type="checkbox"/> No		
Your name:		
Your grade and age:		
How can we contact you?	<input type="checkbox"/> Phone:	
	<input type="checkbox"/> Email:	
	<input type="checkbox"/> Other:	

Remember to hit "save" before closing this form. Please print the form and return it to any school staff member, the main office or place it in the bullying report drop box.

Bullying/Harassment Investigation Protocol
Jamestown Public School District

ACEA-E5

Name of Alleged Victim:

Date (MM/DD/YEAR):

7/11/2024

Date of Birth (MM/DD/YEAR):

Filed Until:

1) **PROTECTED CLASS**

<u>Guiding Question</u>	Is the alleged policy violation (either actual or perceived) based on a protected class (including race/national origin, religion, sex, disability, sexual orientation)?
<u>Examples</u>	Including, but not limited to: slurs, taunts, jokes, insults, demeaning/sterotyping comments, cartoons, and/or pictures, ethnic characteristics

	#N/A
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2) **DETERMINATION OF LEVEL OF NECESSARY INVESTIGATION**

<u>Guiding Question</u>	Is further investigation warranted based on the nature of the alleged violation?
<u>Considering Factors</u>	Including, but not limited to: the identity of the reporter and his/her relationship to the victim/alleged perpetrator, the ages of the parties involved; the detail, content and context of the report; whether this report is the first of its type filed against the alleged perpetrator.

	#N/A
--	------

<u>Rationale</u>

3) A) POTENTIAL INVESTIGATORY STEPS (DETERMINED BY ADMINISTRATOR)

Investigatory Step
Investigatory Step
Investigatory Step
Investigatory Step
Additional Comments

3) B) BULLYING DEFINITION

Guiding Question	Does the alleged incident meet the bullying definition as stated in NDCC 15.1-19-17?
	#N/A
Definition Explanation	

4) A) DISCIPLINARY AND CORRECTIVE MEASURES (IF MEETING DISTRICT BULLYING DEFINITION)

Action Taken
Action Taken
Action Taken
Additional Comments

CONTINUE TO STEP 5

4) B) DISCIPLINARY AND CORRECTIVE MEASURES (IF NOT MEETING DISTRICT BULLYING DEFINITION)

Guiding Question	Does the misconduct meet the parameters of other district discipline policies?
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	#N/A
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Additional Comments	
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4) C) DISCIPLINARY AND CORRECTIVE MEASURES (INITIATED OFF CAMPUS AND RECEIVED ON CAMPUS)

Guiding Question	Has the bullying substantially disrupted the educational environment or posed a true threat?
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	#N/A
--	------

Action Options 1	
Action Options 1	
Action Options 1	

Action Options 2	
Action Options 2	
Action Options 2	

Additional Comments	
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CONTINUE TO STEP 5

5) STAFF MEMBER INVOLVEMENT

<u>Guiding Question</u>	Is the perpetrator a staff member?
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#N/A

Action Options

Action Options

Additional Comments

CONTINUE TO STEP 6

6) VICTIM PROTECTION STRATEGIES

Guiding Question Have the parents been notified and has a victim protection strategy been implemented?

- #N/A

Strategies

Strategies

Strategies

Strategies

Additional Comments

7) Notification of Authorities

Guiding Question Do you have reasonable suspicion that a crime has taken place?

#N/A

Name of Claimant	
------------------	--

ACEA-
E5

Essential Questions to Consider When Interviewing Claimant	Response/Follow-Up
What exactly occurred or was said?	
Who was involved in the alleged misconduct?	
When did it occur and is it still ongoing?	
Where did it occur? How often did it occur?	
What exactly did you personally see or hear?	
How did it affect you?	
How did you react?	
What response did you make when the incident(s) occurred or afterwards?	
Are there any persons who have relevant information?	
Was anyone present when the alleged incident occurred?	
Did you tell anyone about it?	
When did you tell anybody about it?	
Did anyone see you immediately after the alleged incident?	
Did the perpetrator do the same thing to anyone else that you know about?	
Do you know whether anyone complained about the perpetrator?	
Are there any notes, physical evidence or other documentation regarding the incident(s)?	

How would you like to see the situation resolved?	
Do you know of any other relevant information?	

Name of Alleged Perpetrator	
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<u>Essential Questions to Consider When Interviewing Alleged Perpetrator</u>	<u>Response/Follow-Up</u>
What exactly occurred or was said?	
Who was involved in the alleged misconduct?	
When did it occur and, if so, is it still ongoing?	
How did you react?	
Are there any persons who have relevant information?	
Was anyone present when the alleged incident occurred?	
Did you tell anyone about it?	
When did you tell anybody about it?	
Did anyone see you immediately after the alleged incident?	
Are there any notes, physical evidence or other documentation regarding the incident(s)?	
Do you know of any other relevant information?	
Name of Alleged Witness	

<u>Essential Questions to Consider When Interviewing Witnesses</u>	<u>Response/Follow-Up</u>
Who was involved in the alleged misconduct?	
What exactly occurred or was said?	
What did the alleged perpetrator say to you about the incident(s) in question?	
When did he/she tell you this?	
What exactly did you personally see or hear?	
When did it occur and is it still ongoing?	
Where did it occur? How often did it occur?	
How did it affect you?	
How did you react?	
What response did you make when the incident(s) occurred or afterwards?	
Was anyone present when the alleged incident occurred?	
Did you tell anyone about it? When?	
Did anyone see you immediately after the alleged incident?	
Did the perpetrator do the same thing to anyone else that you know about? Do you know if this person has ever been reported before?	
Are there any notes, physical evidence or other documentation regarding the incident(s)?	
How would you like to see the situation resolved?	

Do you, or would anyone else, have any additional relevant information?	
Name of Corroborating Witness	
Essential Questions to Consider When Interviewing Corroborating Witnesses	
	Response/Follow-Up
What exactly did you personally see or hear?	
What did the complainant say to you about the incident(s) in question?	
When did he or she tell you this?	
What did the alleged perpetrator say to you about the incident(s) in question?	
When did he or she tell you this?	

ACEB - HAZING

Definitions

- *Hazing* means committing an act against a student or coercing a student into committing an act that creates a risk of harm to a person in order for the student to be initiated into or affiliated with a school-sponsored student organization or for any other school-related purpose. Hazing includes, but is not limited to:
 - Any type of physical brutality such as whipping, beating, striking, branding, electric shocking, or placing a harmful substance on the body.
 - Any type of physical activity that adversely affects the mental or physical health or safety of the student such as, but not limited to: sleep deprivation, exposure to extreme weather, confinement in a restricted area, calisthenics, or other activity that subjects the student to a risk of harm.
 - Any activity involving the consumption of any alcoholic beverage, drug, tobacco product or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
 - Any activity that intimidates or threatens the student with ostracism; subjects a student to stress, embarrassment, shame or humiliation; adversely affects the mental health or dignity of the student; or discourages the student from remaining in school.
 - Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of school district policies or regulations.
- *Retaliation* includes, but is not limited to, any form of intimidation, reprisal, or harassment.

Prohibitions

The Board believes that hazing is seriously disruptive to the educational environment and is therefore strictly prohibited on school property and at school-sponsored events. No student, district employee, volunteer, or contractor shall plan, direct, encourage, aid, or engage in hazing. No district employee, volunteer, or contractor shall permit, condone, or tolerate hazing.

Individuals found to be in violation of this policy shall be subject to disciplinary consequences in accordance with district policy and law. In addition, the District may refer individuals in violation of this policy to law enforcement.

Apparent permission or consent by a person being hazed does not lessen the prohibitions or consequences contained in this policy.

Reporting Requirements

Any person who believes s/he has been the victim of hazing or any person with knowledge or belief that conduct that may constitute hazing has occurred shall report the alleged acts immediately to a teacher, building principal, or the Superintendent. Teachers who receive a hazing complaint shall immediately report it to the building principal.

Submission of a good faith complaint or report of hazing will not affect the complainant's future employment, grades, or work assignments. Any district student, employee, volunteer, or contractor shall be subject to disciplinary action in accordance with district policy and law if any such individual retaliates against an individual who makes a good faith report of alleged hazing or any person who testifies, assists, or participates in a proceeding or hearing relating to hazing.

The District must receive actual notice of hazing in order to respond in accordance with the investigation procedure contained in this policy. Every report of hazing shall be investigated by the administrator to whom it is reported except when the administrator is the subject of the complaint. In such cases, the administrator's immediate supervisor shall conduct the investigation. The Board President shall conduct the investigation when the Superintendent is the subject of the complaint. The investigator may request assistance or designate a third party to conduct the investigation. The District may take immediate steps, at its discretion, to protect the complainant, students, or others pending completion of an investigation of hazing.

Upon completion of the investigation, the District will take appropriate action. Such action may include, but is not limited to: warning, in-school or out-of-school suspension, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with applicable statutory authority and school district policies and regulations. A complainant may appeal the findings of a hazing investigation to the Superintendent except when the Superintendent is the subject of the complaint or when the Superintendent conducts the initial complaint investigation. The superintendent's decision shall be final and binding.

- FFK, Suspension & Expulsion
- FFK-BR, Suspension & Expulsion Regulations

End of Jamestown Public School District Policy ACEB Adopted:11-18-2019

ACEC - VANDALISM

Definition

For the purposes of this policy, vandalism includes, but is not limited to, wantonly defacing or damaging school property, including items entrusted to students such as, but not limited to, textbooks and lockers.

Remedies & Repercussions

The Board may offer a reward as authorized by North Dakota law to any person furnishing information leading to the apprehension and conviction of any person(s) who vandalized property belonging to the District. The Board may also accept private donations to establish a reward fund to encourage the furnishing of such information.

It is the policy of the Board to seek all legal redress against persons found to have committed vandalism. Full restitution for the damage caused will be sought from the responsible persons, or in the case of minors, from the minors and their parents, under state law. In addition, disciplinary action will be taken in accordance with board policy and law when district students and/or employees have been found to have committed vandalism of school property.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FFK, Suspension & Expulsion
- FFK-BR, Suspension & Expulsion Regulations

End of Jamestown Public School District Policy ACEC..... Adopted:11-18-2019

ACF - WHISTLEBLOWER PROTECTIONS POLICY:

PROHIBITION AGAINST RETALIATION

Protections: Employees

The Jamestown Public School District prohibits and will not tolerate any form of reprisal, retaliation, or discrimination (including, but not limited to: discharge, discipline, threats, or penalizing compensation, work conditions, location, or privileges of employment) against any employee because s/he:

1. In good faith, made or intends to make a report that the School Board, school employee, or an entity/person with whom the District has a business relationship has violated federal, state, or local law/administrative rules or school district policy through practice, policy, act, or omission;
2. Participates in a Jamestown Public School District-related investigation, hearing, or inquiry; or
3. Refused to carry out a directive that the employee believes is a violation of local, state, or federal law, rule, or regulation or poses a substantial or specific danger to public health and safety provided the employee has an objective basis for that belief and informs the employer that the directive is being refused for that reason.

Protections: False Claims Act (FCA)

The District shall comply with the federal FCA and prohibits any District employee, contractor, or other District agent from knowingly submitting or causing the submission of a false or fraudulent claim to the federal government in the District's name. The District will not tolerate any form of reprisal, retaliation, or discrimination (including, but not limited to: discharge, discipline, threats, or penalizing compensation, work conditions, location, or privileges of employment) against any employee, contractor, District agent, student, or community member because s/he filed a complaint in good faith under the FCA against the District and/or any of its employees, contractors, or agents.

Protections: Students & Community Members

The District will not tolerate any form of reprisal, retaliation, or discrimination against a student and/or community member because s/he, in good faith, filed a complaint against the District (or a District employee, contractor, or agent) under District policy or when authorized by law. Furthermore, the District will not tolerate any form of reprisal, retaliation, or discrimination against a student and/or community member because s/he participates in a District-related investigation, hearing, or inquiry.

Grievance Procedure

Anyone covered by the above protections who reasonably believes this policy has been violated by a District employee, contractor, or other authorized District agent may file a complaint or grievance in accordance with the District's applicable complaint or grievance policy (including, but not limited to: complaints about personnel and patron complaints). In the absence of policy, or if policy is not applicable given the nature of the complaint or grievance, the individual should report to the lowest possible level of administrative authority. If the complaint cannot be satisfactorily resolved at that level, the complaint shall be directed to the Superintendent or designee who shall investigate. Board members shall refer individual complaints or grievances to the Superintendent or designee, whereupon established procedures will be followed. If a grievance under this policy concerns the Superintendent, Business Manager, or a school board member, the complainant should report to the Board President or Board Vice President (if the report concerns the Board President) who shall investigate.

Complaints or grievances not otherwise covered by deadlines in the applicable district policy must be reported within 180 calendar days unless state or federal law specifies otherwise.[1] Failure to timely present the complaint or grievance shall be deemed a waiver of the complaint or grievance. Investigations of complaints or grievances filed under this policy shall be completed within 60 days unless the investigator documents in writing reasonable cause for extending this investigation deadline. Upon completion of the investigation, the investigator shall issue his/her findings to the complainant in a written report.

Complainants may also report complaints or grievances under this policy to the state agency with jurisdiction over the subject of the grievance (e.g., ND Department of Labor or ND Department of Public Instruction), the appropriate federal agency[2], and/or, if applicable, law enforcement.

If necessary, the Superintendent or the Board President may take reasonable steps to protect the complainant from retaliation during and/or after the investigation. Reports of suspected employee impropriety under this policy shall be treated as confidential to the extent permitted by state law on administrative investigations of school personnel. All individuals involved in an investigation shall be advised to keep information about the investigation confidential and should be advised of the protections contained in this policy.

Policy Violation Consequences

Any employee, District contractor, District agent, or student who is found to have engaged in any of the prohibitions contained in this policy may be subject to disciplinary action including, but not limited to, dismissal or expulsion in accordance with applicable policy and law.

Prohibition of False Claims

The District may take appropriate disciplinary action against a District employee, contractor, and/or other District agent and/or may take legal action against anyone who knowingly files a false claim of reprisal, retaliation, or discrimination under this policy.

Notice of Policy

Each employee, contractor, volunteer, school board member, and student should receive a copy of this policy and should sign a statement verifying his/her receipt and understanding of this policy.

Complementing Policies

- DE, Staff Code of Conduct
- KACA, Patron Complaints
- KACB, Complaints about Personnel
- KACB-E1, Patron Complaint Form - Personnel Complaint
- KACB-E2, Investigation Confidentiality Agreement
- AAC-BR1, Discrimination and Harassment Grievance Procedure
- AAC-BR2, Title IX Sexual Harassment Grievance Procedure
- HEBC, Fraud Prevention and Investigation

End of Jamestown Public School District Policy ACF.....Adopted:4-3-2017 Amended 11-4-2024

[1] FCA action may be brought 6 years from the date of the violation, or 3 years from the date the U.S. official responsible for acting knew or should have known the violation, but no later than 10 years from the date the violation occurred.

[2] State and federal agencies may have reporting deadlines in place after which the grievance may be denied.

BA - SCHOOL BOARD ETHICS

School board members are to be:

1. Champions of the public schools.
2. Committed to high quality education for every student.
3. Honest and sincere, having the courage of their convictions.
4. Willing and capable of assuming board responsibilities.
5. Able to work cooperatively with others.
6. Non-partisan in dealing with all school matters, because the Board does not wish in any way to subordinate the education of children and youth to any partisan principle, group interest, or personal ambition.
7. Willing to maintain confidentiality of privileged information.
8. Aware that the strength of the Board is as a board, not as individuals. (Individual board members have no authority or power to act on behalf of the Board; therefore, a board member should never make out-of-meeting commitments.)
9. Informed concerning state and federal laws and regulations concerning education.
10. Faithful in attendance at board meetings, and diligent in preparation and study to become informed concerning the issues to be considered at those meetings.
11. Willing to conduct school business in an open meeting when required to do so by law, even when the subject is controversial or personal.
12. Cognizant that the primary function of the Board is to establish the policies by which the schools are to be administered, but that the administration of the educational program and the conduct of school business must be left to the Superintendent.
13. Eager to learn from association with other school board members around the state and nation, and open to personal development through reading publications of the National School Boards Association and the North Dakota School Boards Association and attending seminars and conventions of these and similar organizations.
14. Aware that it is as important for the Board to understand and support the administration of the educational program of the schools as it is to plan for the business of school operation.
15. Vigilant against even the appearance of conflict of interest. (Board members should become familiar with the laws governing contracts and purchases as they relate to board members, and carefully avoid any violation.)

Complementary Documents

- BA-BR1, Board Ethics Regulations
- BA-BR2, Board Member Internet and Social Media Use

BA BR1 - SCHOOL BOARD ETHICS REGULATION

In order to implement the school board ethics policy (BA), the Jamestown Public School District School Board adopts the following rules and procedures.

To implement items 4 and 12 of the board ethics policy related to board member roles and responsibilities, board members shall:

4. Comply with the district's policy on board member visits to schools (BFD) and the district's policy on visitors in school (KAAA), which prohibit unannounced visits to schools and prohibit visits for the purposes of directing or evaluating school staff.
5. Focus on policy adoption and strategic planning. (The Superintendent is responsible for policy implementation.)
6. Not provide directives or feedback to school personnel, and not attempt to evaluate them. The Board, as a collective body, may provide directives to the Superintendent and shall evaluate him/her in accordance with law.
7. Not review school personnel files without the permission of the Board President, with the exception of the Superintendent's file.
8. Perform the responsibilities assigned to them through state law or board policy. (Board members should annually review district policies and state laws governing board responsibilities and authority to ensure compliance with them.)

To implement item 5 of the board ethics policy related to cooperation, board members shall:

1. Actively participate at board meetings and allow all board members to have an equal opportunity to speak and offer their perspectives.
2. Be willing to concede after casting a minority vote, and be willing to publicly support, or at least not undermine, the decision of the majority of the Board.
3. Be willing to respectfully listen and consider all perspectives at the board table.
4. Correspond/communicate with fellow board members, administration, and other school personnel in a professional manner inside and outside the boardroom.
5. Follow parliamentary procedure at board meetings, including not talking out of turn or over one another.
6. Not use board discussion time as a forum for personally criticizing fellow board members, unless bringing forth a good faith concern under a board regulation.

To implement items 6 and 15 of the board ethics policy related to nonpartisan decision making, board members shall:

1. Determine if a conflict of interest exists is as follows:

1. An individual board member shall first consider criteria contained in the conflict of interest laws (N.D.C.C. 15.1-07-17 and 44-04-22) and the following factors to determine if s/he has a conflict of interest:
 1. Is there a direct and substantial personal or financial benefit to the board member?
 2. Is there a likely capacity to tempt the school board member to depart from his or her public duty of acting in the best interests of the community?
2. If the individual board member is uncertain whether s/he has a conflict, s/he is authorized to contact NDSBA legal counsel or the state's attorney to assist with making this determination.
3. If the individual board member determines there is a conflict of interest, the board member shall declare it to the board in accordance with applicable law.
4. If a conflict of interest is declared, the conflicted board member may not participate in or vote on that particular matter without the consent of the board.

Avoid making pledges to members of the public concerning an upcoming or past board agenda item, and reserve decision making for board meetings after having a chance to hear all perspectives.

2. Not attempt to judge other board members' motives or reasons for voting in support of or in opposition to a matter before the Board.
3. Not use discussion at board meetings to promote a personal agenda. (Board members should engage in discussion aimed at determining how each agenda item benefits the district as a whole and furthers the district's strategic plan.)
4. Send questions on agenda items to the Superintendent for clarification, and request from the Superintendent any additional material needed to inform decision making.

To implement items 8 and 11 of the board ethics policy related to individual versus collective board authority, and where such authority is appropriately exercised, board members shall:

1. Clarify, when speaking to the public about board matters, that they are speaking individually and that individual board members have no authority to act on their own.
2. Comply with state law on open meetings and records when engaged in correspondence or communication with board members inside and outside of board meetings. (Official board action may occur only at properly noticed board meetings where at least a quorum of the Board is present, and board members must avoid creating quorums outside of properly-noticed board meetings.)
3. Not issue or engage in official communication of the Board or District unless delegated such authority through board action or policy. (Official communication may take the form of correspondence with the press, publishing statements on the district's website or social media sites (BA-BR2), and/or written or verbal correspondence with students, parents, school staff, or other community members.)

4. Not represent themselves to the public or school district employees as having official authority to act on behalf of the Board unless delegated such authority through board action or policy.

Violations and Sanctions

When a board member violates the board ethics policy or regulation, the Board President may:

1. Meet with the errant board member to remind him/her of the requirements contained in the board ethics policy and regulation.
2. Place the board ethics policy and regulation on the board agenda for review and reaffirmation by the Board.
3. Issue an official statement clarifying that the board member acted without board authority.
4. If the policy or regulation has been repeatedly or substantially violated, request that the Board publicly censure the errant board member through a majority vote

If the errant board member is a board officer (e.g., president or vice president), the Board should review its policy on board officers (BBBA) to determine if there are grounds for removing the board member from this role.

End of Jamestown Public School District Board Regulation BA-BR1.....Adopted: 4-17-2017 Amended 11-4-2024

BA BR2 - BOARD MEMBER INTERNET AND SOCIAL MEDIA USE

While the District is not responsible for the online activity of individual board members on their personal social media and internet accounts, the Jamestown Public School District School Board adopts the following rules and procedures related to a board member's social media and internet activity, including, but not limited to, comments/posts on school district business online.

Individual board members have no authority to take action on behalf of the District unless delegated such authority by a majority vote of the Board taken at a properly noticed board meeting. However, the public may still perceive individual board members as official district spokespersons without the delegation of specific authority. Because of this potential perception, whenever commenting on school district business online, individual board members shall:

1. Avoid posting content indicating that they have formed an opinion on a matter pending before the Board;
2. Avoid posting a dissenting opinion on a matter that has been decided by a majority vote of the Board;
3. Clarify that they are commenting as individuals-not as District spokespersons-and remove all identifying information that would connect the individual to the Board on their personal website and/or social media accounts.
4. Only speak for the District (when delegated authority to do so by a majority vote of the Board) on authorized District websites and social media accounts and *never* on personal websites or social media accounts.
5. Never exercise authority (whether or not delegated such authority by the Board) to speak on behalf of the Board or the District on individual/-personal websites or social media.
6. Comply with District policy and applicable laws related to confidentiality including, but not limited to, items discussed during an executive session, student educational records, pending administrative investigations about personnel, etc.;
7. Do not respond to or comment on patron/-personnel complaints or curriculum complaints except to direct those complaints to the appropriate District channels for processing in accordance with policy;
8. Not delete or block public members on a District website or social media account, without consultation with the Superintendent and District legal counsel;

9. Not engage in any conduct prohibited by state or federal law or District policy in any online realm;
10. Not poll or otherwise ask for community input unless delegated this authority by a majority vote of the Board and;
11. Report to the Superintendent, as soon as possible, any public comments that potentially violate District policy, including policies on discrimination and harassment, bullying, and employee speech.

Use of District Technology

Board members shall comply with the District's acceptable use policy when using District-owned technology.

End of Jamestown Public School District Board Regulation BA-BR2.....Adopted:4-17-2017 Amended 11-4-2024

BAA - EMPLOYING BOARD MEMBERS

It shall be the policy of the District to respect and adhere to the case law and Attorney General opinions that restricts the ability of board members from being/becoming employees of a school district in which they serve on the board. District employees who run for seats on the Board and are elected, must choose between employment and board service.

The Board recognizes that there are circumstances that may require allowing a current board member to fill an open classified position with the District when such position is not incompatible with the individual's board service. Whether a particular classified position is incompatible with board service depends on specific circumstances and shall be determined by the board. The Board further recognizes that such circumstances are limited and should be avoided to the extent reasonably possible. Under no circumstances, may the board hire a board member to be employed as a teacher, administrator, or other contracted/certified position.

Administration shall use every means available to fill open classified positions from other sources, but when unable to do so, administration must seek approval from the Board to fill the position with a qualified board member. The remaining members of the Board shall determine if the position is compatible with board service and if so, must approve any such hiring by 2/3rds majority vote.

A board member who is employed in accordance with this policy must adhere to all conflict of interest laws. In the event a board member's employment with the District becomes incompatible with board service during the scope of employment, the board member must choose between continued employment and board service. If administration notifies the Board that they have identified another individual who is qualified for an employment position being occupied by a board member, the board member must, at the request of the Board, choose between continued employment and board service.

Complementing

- BAB, Board Conflict of Interest

End of Jamestown Public School District Policy BAAAdopted:2-3-2020

BAB – BOARD CONFLICT OF INTEREST

Each board member shall abide by all applicable conflict of interest laws contained in North Dakota statute.

Investigations

In the event that a board policy requires the President to conduct an investigation, and the President has a conflict of interest, the Vice President will conduct the investigation. If both the President and Vice President have a conflict of interest, the most senior board member who does not have a conflict of interest will conduct the investigation. For the purposes of this paragraph, conflict of interest is defined as a direct and substantial personal or pecuniary interest.

Complementing Policies

AAC, Nondiscrimination & Anti-Harassment Policy

AAC-BR, Discrimination & Harassment Grievance Procedure

ACEB, Hazing

BA, Board Ethics

DEBB, Conflict of Interests

HCBA, Vendor Conflict of Interest Disclosure

HEBC, Fraud Prevention & Investigation

KACA, Patron Complaints

KACB, Patron Complaints about Personnel

End of Jamestown Public School District Policy BAB.....Adopted 2-3-2020

BB* ELECTIONS & APPOINTMENTS

Descriptor Code:BBA

BBA - SCHOOL BOARD MEMBERSHIP

SELECTION

The School Board shall consist of nine members elected by the voters at large, six of whom shall be residents of the City of Jamestown and three of whom shall be residents of the rural area of the school district. All Board members are elected for a four-year term. In 1998, three city and two rural representatives shall be elected, and in 2000, three city and one rural representatives shall be elected.

Legal Ref: July, 1963 Reorganization Plan

MEMBERSHIP REQUIREMENT

Requirement for membership on the School Board is that the person be a qualified voter of the district and not employed by the district.

Legal Ref: NDCC 15.1-07-14; AG Letter Opinion 12/2/85

ELECTION

The School District, Stutsman County and the City of Jamestown have entered into a joint powers agreement. The purpose of this agreement is to provide terms by which Jamestown and the District shall coordinate the holding of their general elections along with Stutsman's primary election. This agreement is authorized by VII, Section 10 of the Constitution of the State of North Dakota and North Dakota Century Code Chapters 54-40, 40-18, and 15.1-09-24.

Each of the parties shall join in the issuance of the notice of election to be held on the second Tuesday of June of every even-numbered year. Jamestown and the District shall provide to Stutsman such information as may be necessary under their respective statutes, ordinances or administrative policies and procedures which is required to be published in its official newspaper and shall advise Stutsman as to its official newspaper. Said information shall be provided to Stutsman according to deadlines established in NDCC 15.1-09-11. Stutsman shall prepare the necessary notices and provide, after review and approval by the parties, for their timely publication consistent with the requirements of the parties.

Stutsman shall provide and maintain necessary poll books required by law and ordinance for the participating parties. It being specifically understood that insofar

as the District is concerned, Stutsman shall provide poll books consistent with the requirements of N.D.C.C. 15.1-09.24.

The canvassing board required for Jamestown and District elections shall be deemed to be the Stutsman canvassing board.

Legal Ref: NDCC Ch. 15.1-09-24; Title 16.1; Joint Powers Agreement April 14, 1992.

BBB* APPOINTMENTS

Descriptor Code: BBBA

BBBA - OFFICERS OF THE BOARD

At the annual meeting in July, the Board shall elect a president and vice president. The President and Vice President shall serve for one year or until their successor(s) are elected. The office of president and vice president shall not automatically rotate in order of length of service on the Board. Board members shall take into consideration qualifications that make a good leader and officer in nominating a member for office.

President's Duties

In addition to the duties prescribed by law or by the policies of the Board, the President will exercise such other duties and powers as listed below and as properly pertain to the office or as may be delegated by the Board:

1. Prepare an agenda in advance of each meeting in accordance with policy.
2. Serve as official spokesperson for the Board or appoint another member to speak for the Board in communications with the media.
3. When the Board is not in session, act on any emergency matter that may arise and report action taken at the next meeting.
4. Establish liaison with other governmental agencies to assist in cooperative action.
5. Provide the necessary leadership to help the Board act as a cohesive whole.
6. Be available for counsel to the district administrator.

At all meetings of the Board, the President may make or second a motion and shall exercise privileges and duties of a board member, including the duty to vote on any question put to the vote of the entire board. The President may also contribute to the discussion in order to provide information or point out aspects not brought forth by other members but shall not take advantage of the power of the chair to monopolize the discussion or exert undue influence on the vote.

Vice President's Duties

The Vice President may preside over meetings or portions of meetings when the President is absent, a conflict of interest exists for the President, or to avoid an appearance of impropriety by the President. The Vice President shall fill a vacancy in the presidency resulting from removal, resignation, or death until a successor is elected. The Board shall elect a new vice president through a simple majority vote.]

Absence

When the President and Vice President are absent from a board meeting, the most senior board member present shall act as the chair pro-tem unless they refuse to serve. In such case, the Superintendent shall call the meeting to order and the Board shall elect a chair pro-tem.

Removal

When a board-elected officer exhibits behavior that reflects negatively on the Board or in the event a board-elected officer is unable to fulfill the duties in the position, the Board may remove the officer from the position through an affirmative vote. Negative behavior includes, but is not limited to, misconduct, malfeasance, crime in office, gross incompetence or failure to discharge the duties as an officer of the Board. The removal from the elected position does not remove the individual from the Board

End of Jamestown Public School District Policy BBBAAdopted:2-6-2017 Amended 8-15-2022

BBBB - SCHOOL BOARD COMMITTEES

The purpose of committees will be to provide recommendations to the Board, unless a committee is expressly delegated prior authority by the Board to act upon an issue, and this authority is delegated using the procedure below.

Standing & Special Committees

The following shall be standing committees of the Jamestown Public School Board:

1. Bullying Committee
2. Co-Curricular Activity Committee
3. District School Improvement Committee
4. Facility Committee
5. Finance Committee
6. Health Insurance Committee
7. Negotiations Committee
8. Professional Development Committee
9. Sick Leave Bank
10. Special Education Committee

The Board may create additional standing and special committees through a majority vote without notice so long as the committee serves only an informational purpose. Committees that serve additional functions shall be formed only upon a 2/3rds majority vote of the Board with notice.

Membership

Committee members shall serve for one year, commencing at the annual meeting. Committee members will be selected through appointment by the Board President subject to approval by the Board. The Board President shall announce the names of appointees to the Board and receive board approval through a majority vote before the committee(s) commence duties.

If a committee member is unable to fulfill the term of his/her committee assignment, s/he must request a release from the Board President. The Board President may grant the release only if s/he determines that release is appropriate and is able to find a replacement. If the board member has extenuating circumstances such as, but not limited to, illness that prevents the board member from serving, the Board President may recommend that the board member consider resignation from the board. If the Board President denies the request for release, the board member will be expected to continue to serve on the committee. Failure to perform committee duties for 60 consecutive days may be grounds for declaring a vacancy. The Board President shall contact legal counsel to determine if this declaration is advisable prior to the Board declaring such a vacancy.

End of Jamestown Public School District Policy BBBB.....Adopted: 2-3-2020

BBC - METHOD OF FILLING A BOARD VACANCY

The Jamestown Public School District School Board must fill by appointment or special election any vacant seat on the board. A vacancy may be declared for any reason set forth in NDCC § 44-02-01 and must be filled within 60 days from the time the vacancy occurs. Upon receiving notice that a vacancy exists, the Business Manager shall notify the County Superintendent.

The Board may fill the vacancy through the selection process outlined herein. If the Board chooses not to utilize this selection process, it must either appoint an individual to fill the vacancy by taking action at a regular or special meeting with a simple majority vote or call for a special election to fill the vacancy. The Business Manager shall certify any appointment made by the Board to the County Superintendent of Schools.

Notice

If the Board chooses to fill the vacancy through a selection process, the Superintendent shall publish notice of the vacancy and information on the application process as directed by the Board. The Board shall establish an application period, which shall not be less than 2 weeks nor more than 4 weeks and shall have clearly stated beginning and closing dates. The Board may select a committee to review applications and make recommendations to the Board at the next regular or special meeting called for that purpose.

Interested individuals shall be required to complete an Application for Board Position. This application is subject to North Dakota open records laws and will be supplied to each board member.

Should the Board fail to receive any qualified applications for the board vacancy by the application deadline, the Board shall convene a committee to identify a candidate or candidates for board appointment, and the Board shall convene at an open meeting to select the finalist using the procedure below.

Selection Process

At the next regular meeting of the Board or at a special meeting called for that purpose, the Business Manager shall report all candidates by name. The Board shall narrow the pool of applicants to 3 through a roll call vote, if necessary. The Board shall vote on the final pool of candidates through a signed ballot process. The Business Manager shall read ballots aloud during the board meeting. The candidate receiving the simple majority of votes shall fill the board vacancy.

In the event of a tie, the Board will recast their votes through signed ballots, voting only on the candidates who were tied. Should a stalemate exist after the Board

has voted 3 times, the Board shall table the appointment process until the next regular or special meeting called for that purpose. Should a stalemate exist after 45 days, the Board shall initiate the proceedings for holding a special election to fill the board vacancy.

Commencement of Duties

The newly appointed/elected board member shall be seated at the next meeting of the Board following their appointment/election. The appointed/elected board member shall execute the Oath of Office in accordance with the deadline in law. A board member thus appointed/elected shall serve until the next regular election of the Board and until a successor is elected and qualified.

The same orientation procedures shall apply for any appointed member as for a regularly elected member.

Complementing Policies

- BEB, New Member Orientation

End of Jamestown Public School District Policy BBC Adopted:2-3-2020

BBC-BR - PROCEDURE FOR SELECTING APPOINTEE

INITIAL PHASE: Limiting the Field to Three

1. Each board member shall vote for three candidates on a written ballot, signing his/her name. The Business Manager (President) shall read the ballots aloud and the secretary (Business Manager) shall tally the votes. The three candidates with the largest number of votes will be advanced to the final phase of voting.
2. A tie vote could occur for one or more of the top three positions as a result of the first ballot. In that case, succeeding ballots will be taken until the three finalists have been selected. Each succeeding ballot will have board members selecting from only the candidates involved in the tie on the previous ballot.
 - a. If there are no clear winners advanced to the final phase of the process, board members will each vote for three candidates from among the four or more involved in the tie. The clear winner(s) will be advanced to the final phase of the selection process.
 - b. If one candidate has been advanced to the final phase of the process, board members will each vote for two candidates from among those involved in the tie for the last two positions in the finals. The clear winner(s) will be advanced to the final phase of the selection process.
 - c. If two candidates have been advanced to the final phase of the process, board members will each vote for one candidate from among those involved in the tie for the last position in the finals. The clear winner will be advanced to the final phase of the selection process.

FINAL PHASE: Selecting the Appointee from Among the Final Three Candidates

1. Each board member shall vote for one candidate from among the three finalists. If any candidate receives a simple majority vote of the members present, the appointee shall have been determined.
2. If none of the three candidates receives a simple majority on the first ballot in the final phase of the process, the name receiving the least votes will be

dropped and another ballot taken.

3. Following selection by the above procedure, there shall be a motion, duly seconded and voted upon, to appoint the selected candidate to the Board.

Policy adopted 2-18-2008, Amended 1-20-2020

BC - MEETINGS OF THE BOARD

Regular Meetings

Regularly scheduled meetings of the Jamestown Public School District School Board shall be held monthly on the 1st and 3rd Monday of the month unless rescheduling is necessary as determined by the Board President. All board meetings shall be properly noticed in accordance with law.

At the beginning of each regular school board meeting, board members must be given the opportunity to participate in a voluntary recitation of the pledge of allegiance.

Work Sessions and Retreats

The Board may, from time to time, meet in work sessions, also known as retreats, at a time and place conducive to in-depth discussion of the policies and goals of the district. All such meetings shall be open to the public and subject to the same notice requirements as any other meeting of the Board. No official action may be taken at a work session or retreat.

Board Meeting Procedures

All meetings will be conducted in an orderly and businesslike manner, using Robert's Rules of Order as a guide except when such rules are superseded by board policy or state and/or federal law.

All votes of the Board, other than on procedural matters, shall be roll call votes, with the votes of each member being made public at the open meeting. Procedural votes must be recorded roll call votes upon the request of any member of the Board.

At the request of a resident of the District, the District must record a regular or special meeting, archive the recording, and make the recording available to the public. A request must be submitted to the Superintendent no later than seven days prior to the meeting. The district shall publish on its website a link to the recording of a board meeting. The recording must be available on the district's website for no fewer than three months from seven days after the meeting. This requirement does not apply to executive sessions nor work sessions held as part of a regular or special meeting.

If the District provides a livestream of a regular or special meeting of the Board, the District must notify the public of the location of the link to access the livestream in the meeting notice.

Complementing Policies:

- BC-E, Sample Meeting Notice
- BCAA, Board Meeting Agenda and Pre-Meeting Preparation
- BCAD, Executive Session

BC-E - SAMPLE MEETING NOTICE

The School Board of the Jamestown Public School District (hereafter referred to as "governing body") will be holding a(n) _____ (regular, special, or emergency) meeting on _____ (Date) at _____ (Time). The meeting will be held in the _____ room at _____ (Location of Meeting). In the event that any or all of the members of the governing body participate in the meeting by telephone or video, a speakerphone or monitor will be available at the location noted above.

At the time this notice is being prepared, the governing body expects the agenda of its meeting to include the following topics: (list agenda items as appropriate).

Where noted, the discussion of some of the above topics may be held in executive session rather than during the portion of the meeting which is open to the public. If this is a regular meeting, additional topics may be discussed. If this is a special or emergency meeting, the governing body's discussion will be limited to the topics and executive session listed above.

Date of Notice: _____ Name of Person Preparing Notice: _____

Posting Instructions:

1. Post at the main office of the public entity, if the entity has a main office.
2. Post at the location of the meeting, if held somewhere other than the entity's main office.
3. File with the county auditor(s) or post on the district website.
4. Provide a copy of the notice to any individual who has requested notice of the meeting.
5. For special or emergency meetings, notify the entity's official newspaper, if any, and any other media representative who has asked to be notified of such special or emergency meetings.

End of Jamestown Public School District Exhibit BC-E.....Revised 8/21/23

BCAA - BOARD MEETING AGENDA AND PRE-MEETING PREPARATION

Agenda

The Board President, in consultation with the Superintendent, shall prepare agendas. Persons wishing items to be included in the agenda shall submit those items to the Superintendent no later than five days prior to the regular board meeting. Inclusion shall be at the discretion of the Board President.

Regular Meeting Agenda

The Board shall follow the order of business set up by the agenda unless altered by consent of the members present at the regular meeting. Items may be added to the agenda at regular meetings with consent of 2/3rds majority of the Board.

The order of business shall be as follows:

1. Call to order
2. Voluntary Recitation of the Pledge of Allegiance
3. Communications
4. Consent Agenda
5. Regular Meeting
6. Old Business
7. New Business
8. Items for Future Agenda
9. Monthly Superintendent Evaluation
10. Adjournment

The agenda, minutes of the previous meeting, and relevant supplementary information will be delivered to each board member at least three days in advance of each regular board meeting. Upon request, local news media representatives and citizens may obtain copies of board meeting materials from the district office. The agenda will be posted at the district office and at the location of the meeting.

Board members are expected to read the information provided to them and to contact the Business Manager or Superintendent to request additional background necessary to assist them in their decision-making responsibilities.

Complementing Policies:

- BBBA, Officers of the Board
- BC, Meetings of the Board
- BCAB, Board Meeting Procedures
- BCAC, Minutes

End of Jamestown Public School of District Policy BCAA Adopted:2/3/2020.Amended 8/21/23

BCAB - PROCEDURES FOR BOARD MEETINGS

All meetings will be conducted in an orderly and businesslike manner, using Robert's Rules of Order as a guide except when such rules are superseded by board policies, state, and/or federal law.

All votes of the Board on other than procedural matters shall be roll call votes on an alternating pattern using last names.

Complementing Policy

- BCAB-BR, Procedure for Seating New Board Member at the Annual Meeting

End of Jamestown Public School District Policy BCAB Adopted:2-3-2020

BCAB-BR – PROCEDURE FOR SEATING NEW MEMBER AT THE ANNUAL MEETING

The annual meeting in July shall be called to order by the President from the previous year, if the previous President is no longer serving the most senior board member reside. This individual shall serve as chair pro-tem until a new president is elected. The chair pro-tem shall acknowledge all new board members, who shall be seated after the call to order. The chair pro-tem will then follow the order of business delineated in the agenda. Election of officers shall be considered a special order and acted upon before addressing unfinished business and new business.

End of Jamestown Public School District Board Reg. BCAB-BR Approved:2-3-2020

BCAC – MINUTES

The Business Manager shall keep a complete record of the meetings of the Board. The minutes should be as brief as possible but record all action taken by the Board. The Business Manager may record meetings electronically, using either audio or videotape. The tapes shall be used for the purpose of ensuring accuracy of the written minutes. Except in the case of executive sessions where tapes are required, the tapes will not be considered the official record of the meeting and may be reused after the written minutes have been transcribed and approved.

The minutes shall be kept in an official minute book and, in addition to the items required by law, shall include:

1. Whether it is a regular or special meeting;
2. Approval of the minutes of the preceding meeting or meetings;
3. The names of all persons who speak before the Board and the topic of their remarks.

The Board President and the Business Manager shall sign the minutes following approval.

School board minutes shall be retained permanently.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- BCAA, Board Meeting Agenda & Pre-Meeting Preparation
- BCAD, Executive Session

End of Jamestown Public School District Policy BCAC..... Adopted:2-3-2020

BCAD - EXECUTIVE SESSION

The Board shall hold executive sessions only for reasons contained in law. Authorized committees of the Board may hold executive sessions when permitted by law. Any executive session expected to be held during a meeting must be included in the meeting notice.

Executive Session Procedures

The Board and authorized committees of the Board must comply with the following general procedures when conducting an executive session:

1. Convene in an open session;
2. Pass a motion to hold an executive session, unless a motion is unnecessary because a confidential meeting is required by law;
3. Announce during the open portion of the meeting the topics to be considered during the executive session and the legal authority for holding an executive session on those topics;
4. Excuse the public or reconvene in another location;
5. Record the executive session electronically or on audio or video tape;
6. Limit the topics considered during the executive session to the announced, authorized topics; and
7. Take final action on the topics considered in the executive session during the open portion of a meeting. Substantive votes must be recorded by role call.

Attendance at an Executive Session

Only members of the Board, any person permitted to be present by law, and any person the Board determines to be necessary to carry out or further the purpose of the meeting may be in attendance at the executive session.

Recordings and Documents

Although all executive sessions must be recorded, minutes of executive sessions need

not be kept. Rather, the minutes of a meeting during which an executive session is held must indicate the following:

1. Names of the members attending the executive session;
2. Date and time the executive session was called to order and adjourned;
3. Summary of the general topics that were discussed or considered that does not disclose any closed or confidential information; and
4. Legal authority for holding the executive session.

All recordings and documents resulting from an executive session must be sealed in an envelope. The date of the executive session, purpose of the session, and

word “confidential” should be written on the outside of the envelope. Envelopes must be secured in a locked area in the superintendent’s office.

When an executive session is held for the purpose of non-renewal, discharge, discussion of a student’s educational record or an expulsion hearing, the Business Manager should complete the applicable form (DI-E2 or FGA-E4) and place it in the appropriate personnel or student file.

Retention of Recordings and Documents

The District must retain all recordings and documents resulting from an executive session for a minimum of six months. If the executive session is related to contract negotiations, nonrenewal, discharge or expulsion, the District must retain all recordings and documents for at least six years.

Access to Recordings and Documents

In accordance with law, recordings and documents resulting from an executive session may be disclosed upon a majority vote of the Board, unless the executive session was required to be confidential. The recordings and documents must be disclosed pursuant to court order or to the Attorney General for the purpose of administrative review. The recording and documents of an executive session remain closed even if the underlying statutory basis for the executive session no longer applies.

Unauthorized disclosure of the recordings and documents by a public servant is a Class C felony.

Complementing Policies

- DI-E2, Notice of Confidential Record on File
- FGA-E4, Notice of Executive Session Tape on File

End of Jamestown Public School District Policy BCADA
Adopted: 2/4/2019 Amended 9-6-2022

BCB* PUBLIC INVOLVEMENT

Descriptor Code: BCBA

BCBA - PUBLIC PARTICIPATION AT BOARD MEETINGS

Meetings of the Board are conducted for the purpose of carrying on the business of the schools, and therefore are not public meetings but meetings held in public. Although there is no legal requirement that the public be given an opportunity to speak at board meetings, it will be the policy of this board to afford that opportunity in accordance with the following procedures:

Public Participation

Only items on the published board agenda will be discussed at any meeting of the Board, unless the Superintendent or a board member requests an addition to the agenda of a regular meeting and the board members present approve in accordance with board policy. Members of the public who wish to make formal presentations before the Board shall make request in advance in accordance with the board's agenda setting policy.

The Board may allot a time for general public comment on the regular meeting agenda. When the Board agrees to do this, no individual may speak more than once. When public comment has been permitted, the speaker should:

1. Stand during the appropriate period and be recognized by the presiding officer.
2. State name and address for the minutes.
3. Limit comments to no more than five minutes, unless the presiding officer waives the time limit.

Groups will be urged to designate a spokesperson. When there is a large number of speakers to be heard or if pressure of business or other circumstances dictate, the presiding officer may decide to shorten the length of time allowed each speaker and/or limit the total time to be devoted to public comment.

Complaints

The Board has adopted policies governing patron complaints. The public is required to seek redress through these policies. The public will be prevented from commenting on a topic if it is:

1. Governed by a district complaint policy and the complainant has not followed the procedure contained in policy and/or the policy prohibits the public from bringing the complaint before the Board.
2. Concerns a topic that is prohibited by law from disclosure to the public (e.g., student's educational record).

Conduct and Remarks Out of Order

Undue interruption or other interference with the orderly conduct of board business cannot be allowed. Defamatory or abusive remarks are always out of order. The presiding officer may terminate the speaker's privilege of address if, after being called to order, s/he persists in improper conduct or remarks. Furthermore, any individual who is persistently disruptive of a school board meeting may be removed from that meeting by order of the presiding officer.

Questions and Comments by Board and District Administrator

The presiding officer or an appropriate member of the administration will answer all pertinent questions verbally or in writing at a later time. There will be no dialogue between board members and the public at board meetings except to clarify the nature of questions or comments.

Discussion of a Motion

When a motion is before the Board, discussion will be limited to board members and the Superintendent except as the presiding officer requests information.

End of Jamestown Public School District Policy BCBA

Adopted: 1/15/2018

BCBA-AR - RULES OF DECORUM AT BOARD MEETINGS

Public participation at board meetings is allowed in accordance with policy BCBA. The privileges granted under this policy may be revoked under at least the following circumstances.

The speaker's remarks:

1. Attack an individual's ethnicity, race, religion, or other class protected by law;
2. Promote violence, terrorism, or other illegal activities;
3. Are obscene or pornographic as defined by community standards;
4. Are reasonably forecasted to materially or substantially disrupt the board meeting, school district operations, or the educational environment;
5. Pose a direct threat to the physical safety of the school population;
6. Infringe on the rights of others, such as (but not limited to) speech that is potentially slanderous or invades an individual's privacy;
7. Are governed by a district complaint policy and the complainant has not followed the procedure contained in policy and/or the policy prohibits the public from bringing the complaint before the Board;
8. Concern a topic that is prohibited by law from disclosure to the public.

If the presiding board officer declares an individual out of order, the speaker may be requested to relinquish the podium. If the person does not do so, the board meeting may be recessed, and the speaker may be subject to removal from the meeting room or school building. Policy BCBA allows removal from the board meeting if an individual is persistently disruptive. Law enforcement may be contacted to assist in this process.

Rules of Decorum for Audience Members

Clapping, applauding, heckling or verbal outbursts in support or opposition to a speaker are discouraged, and the presiding officer has authority to recess the board meeting when such behavior becomes disruptive to the order of the meeting.

Persons entering and exiting the board meeting room must do so quietly.

Signs, placards, banners, or items used to display an audience member's message shall not disrupt the meeting or interfere with others' visual rights.

Audience members shall be prohibited from approaching the board table unless directed to do so by the presiding officer.

The Board has adopted additional rules governing news coverage of board meetings.

End of Jamestown Public School District Board Reg. BCBA-BR Approved:2-3-2020

BCBB - NEWS COVERAGE OF BOARD MEETINGS

In its dealings with news media, the Board will be frank and open, recognizing the privilege of the press to publish newsworthy information. In return, the news media is asked to exercise courtesy and respect when covering meetings of the Board.

In order that the Board may transact its business with dispatch, questions from the press will not be entertained while meetings are in progress. However, a representative of the board may be available after each meeting to answer reporters' questions and to clarify points of discussion and action.

The press will be asked to operate with courtesy and decorum when the Board is in session so as not to disrupt the business of the Board. The Board reserves the right to prohibit the press from recording board proceedings in a manner that is disruptive.

When individual board members receive requests from news media representatives for information about board issues, members are requested to refer them to the Board President who shall be the public spokesperson for the Board except as the Board specifically delegates this responsibility to others.

Complementing Policy

- KBA, Relations with the News Media

End of Jamestown Public School District Policy BCBB Adopted:2-3-2020

BD*BOARD AUTHORITY

Descriptor Code: BDA

BDA - PROCEDURE FOR ADOPTING BOARD POLICY

The Board is the policy-making body for the School District. The policies of the Board shall be within the framework of state and federal laws and regulations.

It is the board's intention that the written policies serve as guides for the discretionary action of those to whom it delegates authority and as a source of information and guidance for all persons who are interested in, and affected by, the district schools.

Development

Proposals regarding policies may originate with any person who perceives a need for a policy statement in a particular area, including a member of the Board, the Superintendent, a staff member, a parent, student, consultant, civic group, or any resident of the District.

When a policy is proposed, the Board shall determine if a need exists and shall direct the Superintendent or the policy committee composed of board members to draft a policy statement for presentation to the Board. If a standing policy committee is not in place, an ad hoc policy committee of board members shall be established to consider the policy proposal. The committee will be established by the Board President. The policy committee will be responsible for drafting policies that pertain to the Superintendent. Both the Superintendent and policy committee are authorized to seek expert assistance with policy development within financial parameters as directed by the Board.

Adoption

All revisions and drafts of policies shall be submitted to all members of the Board and to the Superintendent in writing prior to the properly scheduled meeting in which the revision/draft shall be read and discussed. Adoption of any policy or substantive amendment to a policy shall require two readings unless otherwise waived by a majority of the Board when an expedited process is deemed necessary, in which case the policy shall require one reading to adopt and the procedure below shall not apply.

Substantive amendments and new polices cannot undergo more than one reading at any meeting of the Board. During the second reading of a new policy or substantive amendment, board action on the proposal shall be final if the proposal is approved in an identical form as passed at the previous meeting. If a revised form of the proposal is approved, or if approval includes an amendment, the

proposal shall be resubmitted for action at a future board meeting. Action shall be by majority vote of those board members present.

Board Regulations & Policy Exhibits

The Board may develop regulations to implement policy when the Board determines that this task is not appropriate to delegate to administration, when regulations are created on a highly litigious matter, or when law requires board approval on regulations. Board regulations shall require one reading.

Policy exhibits shall be developed when needed to help implement policy but shall not be adopted by the Board. Policy exhibits include, but are not limited to, summaries of law, forms, and other informational material.

Policy Implementation

Administrators are responsible for informing subordinates of existing policies and regulations and for seeing that they are implemented in the spirit intended. Continuous disregard for board policy and regulations may be interpreted as insubordination and/or willful neglect of duty.

Policy Review and Revision

The Superintendent, on a continuing basis, shall call the board's attention to policies that are out of date or in need of revision.

If school policy has been either purposely or inadvertently ignored, that action will not be considered as having changed the policy. Where undue harm to persons would result from rescinding the action taken that was in violation of policy, the Board may choose to honor the earlier agreement.

Suspension of Policy

Only those policies not established by law or negotiated agreement may be temporarily suspended and then only by a two-thirds vote of board members present at a regular or special meeting.

Policy Manuals

All policy manuals distributed shall remain the property of the Jamestown Public School District and shall be considered as "on loan" to anyone, or any organization, in whose possession they might be at any time. They are subject to recall at any time deemed necessary by the Superintendent or Board, whether for updating or other good cause.

Because the board policy manual is a matter of public record, it shall be open for inspection at the school district office.

End of Jamestown Public School District Policy BDA Amended:9-8-2020

BDAA - CONTRACTS SUPERSEDE POLICY AND REGULATIONS

Any contract entered into between the Board and another party supersedes district policy and regulations whenever a conflict exists between a policy or regulation and the contract language. Contracts include, but are limited to, the negotiated agreement and individual teaching and administrative contracts.

Policy BDAA.....Adopted 3-2-2015, Reviewed 1-20-2020

BDAB - SAVINGS CLAUSE

Should any policy of the District be found to conflict with requirements in law or be declared illegal by a court of competent jurisdiction, said policy shall be automatically rescinded to the extent that it violates the law. The remaining policies shall remain in full force and effect until rescinded or amended by Jamestown Public School Board.

Policy BDA.....Adopted 3-2-2015, Reviewed 1-20-2020

BDB* EXTERNAL ASSISTANCE WITH BOARD MATTERS

Descriptor Code: BDBA

BDBA - CONSULTANTS TO THE BOARD

In order to pursue its educational mission and also to protect the public's financial investment in the schools, the Board will from time to time engage the services of qualified professional consultants to provide special services which present staff is unable to provide.

Before engaging any consultant, the Board will require submission of a written proposal that can be incorporated into a contract or purchase order if it satisfies the wishes of the Board. Proposals will detail:

1. The specific objectives to be accomplished by the consultant;
2. The specific tasks to be performed;
3. The procedures to be used in carrying out the task(s);
4. The target dates for the completion of the task(s);
5. The method to be used to report results to the Board and/or to deliver any "product" to the Board;
6. The cost to the District.

Board approval and the consultant's approval of this proposal is required prior to its execution.

The Superintendent will establish procedures necessary to aid in ensuring an efficient working relationship between the consultant and the Board and/or staff members.

End of Jamestown Public School District Policy BDBA..... Adopted: 2-3-2020

BDBB – RETAINING AN ATTORNEY

When the Board determines legal counsel is necessary it may employ an attorney licensed to practice law in the state of North Dakota. A decision to seek legal advice or assistance on behalf of the District shall normally be made by the Superintendent or Board President, or by persons specifically authorized by the Superintendent or President, but the Board may also formally direct the Superintendent to seek such counsel. The superintendent's decision shall be consistent with approved district policy or standard practice. However, when the Superintendent concludes that unusual types or amounts of professional legal service may be required, the Superintendent shall seek board authorization prior to obtaining legal counsel.

End of Jamestown Public School District Policy BDBB Adopted:2-3-2020

BDBC - CITIZENS' ADVISORY COMMITTEES

The Board recognizes that the public has vast resources and experience useful to schools.

Residents of the District who are especially qualified because of training, experience, or personal characteristics shall be encouraged to take an active part in school affairs. Such persons shall be invited to serve on advisory committees as the need for such committees arises. In general, individual members of such committees shall not be requested to perform specific services for the Board. Unique talents of members can best be utilized on a consultative basis. Advisory committees shall not be used to avoid paying for professional advice.

The following three principles should be followed when the Board enlists the counsel of advisory committees:

1. Advisory committees should be broadly representative.
2. Recommendations should be based on research and facts.
3. Recommendations should be submitted to the Board, which alone has the authority and responsibility to act upon them.

Advisory committees should be appointed only when there is a definite function to be performed, and this function should be indicated to the committee in writing when it is appointed. Committees may be short-term for a specific task or may be ongoing to serve a particular need of the District.

Advisory committees should not be appointed to advise on matters requiring a decision by the Board unless adequate time is available for a thorough study by the committee.

The Board and staff shall give substantial weight to the advice which they receive from individuals and community groups interested in the schools, especially those individuals and groups which they have invited or created to advise them regarding selected problems, but the ultimate responsibility for decision making rests with the Board.

BDC - INSURANCE FOR BOARD MEMBERS

The Jamestown Public School District shall maintain adequate insurance coverage to protect the District, its employees, the Board, and individual board members against liability arising because of acts of omission, alleged negligence, and/or wrongful acts that occurred within the scope of employment or office.

End of Jamestown Public School District Policy BDC Adopted:2-3-2020

BDD - COMPENSATION AND EXPENSES FOR BOARD MEMBERS

School Board members will be compensated a flat \$4,000 per year with Board President's compensation set at a flat \$4,600 per year.

In addition, board members may be reimbursed for all necessary meals, lodging, and travel expenses actually incurred by the member while engaged in official business of the Board. The rate shall be paid in accordance with law.

Policy BDD....Revised 2-6-2017

BDE - MEMBERSHIP IN ASSOCIATIONS

The Board shall hold membership in the North Dakota School Boards Association and in any such county or regional association as may exist. The dues shall be paid by the District.

The Board will annually review the proposed resolutions of the NDSBA and send delegates to the convention prepared to discuss and vote on same.

End of Jamestown Public School District Policy BDE..... Adopted:2-3-2020

BE - BOARD MEMBER DEVELOPMENT

The Jamestown Public School District School Board places a high priority on the importance of a planned and continuing program of education for its members. The central purpose of the program is to enhance the quality and effectiveness of public school governance in the community.

The Board shall be provided specific development and education designed to assist board members in their efforts to improve their skills as members of a policymaking body; to expand their knowledge about trends, issues, and new ideas affecting the continued welfare of our local schools; and to deepen their insights into the nature of leadership in a modern democratic society.

The public shall be kept informed through the news media about the board's continuing inservice education.

End of Jamestown Public School District Policy BE Adopted: 2-3-2020

BEA - CANDIDATE ORIENTATION

All candidates shall be urged to attend public meetings of the Board during the period of their candidacy. All public information about the school system shall be made available to them.

Additionally, the Board, the Superintendent, and the staff shall seek to be impartial as they cooperate in the orientation of board candidates. The Board directs the Superintendent to provide candidates with information about school governance, board operations, and school programs upon request.

The Board expects the candidates to recognize that until and unless elected to the Board their official status is that of members of the public, and thus they are not entitled to privileged information such as is rightfully discussed only in executive session.

Complementing Policy

- BCAD, Executive Session

End of Jamestown Public School District Policy BEA..... Adopted:2-3-2020

BEB - NEW MEMBER ORIENTATION

A new member is to be afforded the fullest measures of courtesy and cooperation by the Board and the school district staff. In the interim between election and actually assuming office, the Board President will invite the new member to attend all meetings and functions of the Board, and the Superintendent should provide the new member with all reports and communications normally sent to board members.

The Board will encourage the new board member to attend the North Dakota School Boards Association New Board Members Seminar as required by law. The Business Manager shall maintain a record of attendance and report to the Board when each new member has fulfilled this obligation.

The Board President shall provide the new member with a copy of or access to the board policy manual and the latest copy of the North Dakota Century School Code. The Board should identify other material pertinent to board service and particularly useful to new members.

End of Jamestown Public School District Policy BEB..... Adopted:2-3-2020

BEC - SCHOOL BOARD EVALUATION

The Jamestown Public School District School Board recognizes the importance of regular periodic assessments of priorities, goals and objectives. Therefore, it shall be the policy of this board to conduct an annual self-evaluation based on the stated priority objectives for the year as well as on the goals of the Board.

Consistent with the understanding that the Board acts only as a whole and that individual board members have no authority or power, the evaluation will focus on how the Board functions, not how each individual functions. Individual board members are encouraged, however, to conduct a personal self-examination in conjunction with the board evaluation to gain insight and understanding into the quality of their own board service.

Annually, the President will distribute a self-evaluation instrument to all board members and to the Superintendent. Other personnel and selected community representatives may be asked to participate in this evaluation.

Following the evaluation, the Board will meet to establish the priority objectives for the coming year.

End of Jamestown Public School District Policy BEC..... Adopted: 11-18-2019

BF* RELATIONS WITH SCHOOL OFFICIALS & PERSONNEL

Descriptor Code: BFA

BFA - BOARD-SUPERINTENDENT RELATIONS

The Board will respect the Superintendent's professional competence and extend to them their full responsibility for duties enumerated in law, contained in the job description, and delineated in board policy.

School Operations

The Superintendent shall be responsible for all aspects of school operation. The Superintendent may delegate responsibility and the authority as necessary and shall develop such procedures and regulations as necessary to ensure efficient operation of the District. The Superintendent shall keep the Board informed about district operations and shall report all significant developments and actions to the Board at the earliest opportunity.

In addition, the Superintendent shall be the liaison between the Board and the staff.

Policy Implementation

The Board believes that the creation of policies is an important function of a school board and that the execution of the policies should be the function of the Superintendent. The Board holds the Superintendent responsible for carrying out its policies in good faith within established requirements.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- CAAA-E, Superintendent Job Description

End of Jamestown Public School District Policy BFA.....Adopted:3-2-2020, Amended 3-21-2022

BFB - BOARD-STAFF RELATIONS

Board-Staff Communications

All official communications, policies, and directives of staff interest and concern will be communicated to staff members through the Superintendent, and the Superintendent will employ all such media as are appropriate to keep staff fully informed of the board's problems, concerns, and actions.

All communication or reports to the Board or any board committee from principals, supervisors, teachers, or other staff members shall be submitted through the Superintendent.

All employee grievances shall be handled in accordance with board policy.

In the absence of board policy governing the grievance, employees shall submit their grievance to the Superintendent who shall investigate, and his/her decision shall be final. The Superintendent may bring recommendations to the Board as a result of such an investigation. Nothing in this procedure shall be construed to create an expectancy of continued employment, nor shall this procedure be used as a means of seeking a review of a termination decision.

End of Jamestown Public School District Policy BFB Adopted:3-2-2020

BFD - BOARD MEMBER VISITS TO SCHOOLS

School board members are encouraged to visit schools. Such visits should be scheduled with the building principal. A supervisor, principal, or another staff member will accompany the board member on the visit. Such visits are for the purpose of becoming acquainted with school programs, personnel, operation, and facilities. Board members will not give directions, or make suggestions to personnel during their visit. If a school visit leaves a board member with a concern, this concern should be discussed with the Superintendent.

Board members may also have children in the schools and therefore have parental opportunities to converse with their child's teacher, counselor, or administrator. In those instances, the board member should make it clear that s/he is visiting as a parent and not as a member of the Board. Board members with concerns as parents or community members shall file grievances in accordance with the district's grievance policies.

End of Jamestown Public School District Policy BFD.....Adopted: 4-17-2017

BGA - BOARD COMMUNICATION WITH THE PUBLIC

As members of the Jamestown Public School District School Board, individual board members may be contacted by the public with questions, comments, or concerns related to school matters. When approached by the public for these reasons, Jamestown Public School District School Board members shall comply with the applicable portions of the following procedure:

1. Explain that individual board members have no authority to act on behalf of the Board.
2. Explain that because board members serve as the “jury” when a licensed staff member (e.g., teacher, principal, or superintendent) is being considered for nonrenewal or discharge, board members must maintain their impartiality in the event of such a hearing. Consequently, board members must not hear complaints about licensed staff.
3. Explain that the Board has developed complaint procedures to handle public concerns and complaints and refer the complainant to the appropriate source under policy for further investigation.

If the communication concerns a comment or concern about the Jamestown Public School District School Board or for which the Board has not established a policy, the matter shall be referred to the Jamestown Public School District School Board President.

To ensure compliance under the open meetings law, board members shall not forward or discuss correspondence from the public with other board members outside the context of an open meeting except as otherwise stipulated above. In addition, the Board shall comply with the protocol contained in all policies related to complaints, some of which may prohibit an appeal to the Board.

Complementing Policies

- BCAB, Board Meeting Procedures
- BCAD, Executive Session
- BCBA, Public Participation and Board Meetings
- GAAC, Review & Complaints About Instructional & Resource Materials
- KACA, Patron Complaints
- KACB, Patron Complaints About Personnel

End of Jamestown Public School District Policy BGA Adopted:3-2-2020

C. ADMINISTRATION

CA* SELECTION, ASSESSMENT & SEPARATION OF ADMINISTRATIVE STAFF

Descriptor Code: CAAB

CAAB - SUPERINTENDENT EVALUATION PROCEDURE

Format of Evaluation Instrument

The Board shall approve a superintendent evaluation instrument that is reasonably related to the superintendent's job description and the goals and objectives of the District (see CAAB-E). The evaluation instrument shall require board members to rate the superintendent's performance as either satisfactory or unsatisfactory in each area of performance identified in the job description. If a board member rates the Superintendent as unsatisfactory in any area. The member shall provide an explanation and recommendations for improvement in the evaluation. The Board shall not assign an overall performance rating to the superintendent's evaluation.

Evaluation Process

Each month, as part of the regular school board meeting, board members should complete a superintendent evaluation worksheet to track the superintendent's performance and to assist with completing the March 15 and November 15 evaluations required by state law.

The Board shall evaluate and assess the performance of the Superintendent according to state law.

Twice a year, the Board President shall schedule a board meeting to discuss and approve the superintendent's evaluations on or before the deadlines for evaluation completion established by law. The Board President shall disseminate the evaluation instrument to individual board members prior to such meetings, set a deadline for their return, and collect and combine the completed evaluations prior to the meeting.

The Board President shall tally and combine all ratings and comments contained on individual board member's evaluations. Any discrepancies among board members about the superintendent's rating in any of the performance areas evaluated must be discussed and a decision reached through a roll call vote of a simple majority of the Board, at the open meeting, when the evaluation is discussed. For any performance area rated as unsatisfactory, the Board, through a roll call vote, shall approve all comments explaining this rating and all recommendations for improvement. All board-approved comments and recommendations must be included on the evaluation that the Board provides to the Superintendent.

Post-Approval Procedures

Upon approval of the evaluation, the Board shall discuss the evaluation with the Superintendent. The Board President shall present a copy of the approved evaluation to the Superintendent and place a copy of the approved evaluation in the superintendent's personnel file. Superintendent evaluations must be retained for six years after the Superintendent separates from district employment.

End of Jamestown Public School District Policy CAAB.....Adopted 2-4-2019

CAAB-E - Superintendent Evaluation

This form will collect board member perspectives from each meeting and compile them as part of the superintendent evaluation.

Ratings are conducted on a 4-point scale based on the following definitions:

1. Ineffective: The superintendent is not performing this function at all or performs this function very poorly and needs significant improvement.
2. Partially Ineffective: The superintendent has performed this function, but what is produced, how often it is produced, and/or how it is produced needs minor to moderate improvement.
3. Effective: The superintendent consistently demonstrates capable and satisfactory performance of the function.
4. Highly Effective: The superintendent executes the function exceptionally; what is produced, how often it is produced, and how it is produced exceed the board's expectations.

*Required

1. Name of Evaluator

1) Goal and Vision Setting

Expectations: The superintendent assists the board with data-informed goal development and takes actions necessary to accomplish those goals.

Suggested Evidence: Strategic plan, board minutes, board meeting packets, district communications (newsletters, social media, website, app notifications) and local media.

Assessed in: July, December, February, and April.

Ratings: 1 (Lowest Rating) to 4 (Highest Rating)

2. **Q1: The superintendent assists the board with developing, progress monitoring, or updating a district-wide strategic plan that is based on district data, the district's mission, and/or other identified needs; the plan outlines both short-and long-term goals.**

Mark only one circle

1	2	3	4
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3. **Q2: The superintendent demonstrates progress toward accomplishing district goals.**

Mark only one circle

1	2	3	4
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4. **If a rating of the superintendent in the Goal and Vision Setting section was 1 or 2, explain why performance is unsatisfactory and list recommendations for improvement.**

5. **What information or resources would you like to see in relations to the superintendent's performance in Goal and Vision Setting?**

2) Board Relations

Expectations: The superintendent carries out his/her roles and responsibilities as assigned by the board and takes steps to assist the board with understanding and executing its role. The superintendent has the board's confidence.

Suggested Evidence: Board agendas, board minutes, board meeting packets, superintendent's written correspondence with the board, Educational Standards and Practices Board (ESPB) Code of Professional Conduct, and other regular correspondence.

Assessed in: August, October, March, and May.

Ratings: 1 (Lowest Rating) to 4 (Highest Rating)

Section 2a: Superintendent's Focus on policy Implementation, District Operation, and Ensuring Board's Primary Focus on Goal Setting and Policy Adoption

6. **Q3: The board agenda provides regular progress monitoring of the district's goals and strategic plan.**

Mark only one circle

1

2

3

4

7. **Q4: The superintendent executes all roles and responsibilities in the job description and in policy and reports to the board on policy implementation and amendments as needed.**

Mark only one circle

1

2

3

4

Section 2b: Superintendent as Organized, Informed, and Responsive Resource

8. **Q5: The superintendent provides the board with all necessary information within a reasonable time frame prior to a board meeting and responds to board questions in a timely manner.**

Mark only one circle

1

2

3

4

Mark only one circle

1 2 3 4

28. Q21: The superintendent ensures that student support services are provided for all special categories of students, including disabled, English Language Learners, and homeless students.

Mark only one circle

1 2 3 4

29. If a rating of the superintendent in the Curriculum and Student Support Services section was 1 or 2, explain why performance is unsatisfactory and list recommendations for improvement.

30. What information or resources would you like to see in relation to the superintendent's performance in Curriculum and Student Support Services?

5) Community Relations

Expectations: The superintendent is active within the community and takes steps necessary to ensure the community is engaged in the school district.

Suggested Evidence: Board meeting minutes, presentations at board meetings, community/parent engagement activities, media coverage of school district, district newsletters, use of website and social media.

Assessed in: September, November, January, and June.

Ratings: 1 (Lowest Rating) to 4 (Highest Rating)

Section 5a: Superintendent Involvement in Community

31. Q22: The superintendent is involved in activities of community and civic organizations.

Mark only one circle

1 2 3 4

32. Q23: The superintendent is available to members of the community and seeks out avenues to engage the community in discussions regarding the school district.

Mark only one circle

1 2 3 4

Section 5b: Superintendent Engages Community

33. Q24: The superintendent oversees implementation of a communications plan; regularly engages with news media about school district activities; and ensures pertinent information is shared through district newsletters, website, and social media, as appropriate.

Mark only one circle

1

2

3

4

34. Q25: The superintendent works with key community stakeholders to help further the district's mission and support district schools.

Mark only one circle

1

2

3

4

35. If a rating of the superintendent in the Community Relations section was 1 or 2, explain why performance is unsatisfactory and list recommendations for improvement.

36. What information or resources would you like to see in relation to the superintendent's performance in Community Relations?

6) Operations and Resource Management

Expectations: The superintendent efficiently and prudently oversees district finances and facilities, equipment, and supplies; operational decisions are aligned with the district's goals and strategic plan.

Suggested Evidence: Superintendent's budget narrative/executive summary; monthly reports on budget status, board meeting minutes, district policies governing purchasing and school finance, board education on school finance and budget, capital project plans, deferred/preventative maintenance plans, and transportation replacement plans.

Assessed in: July, October, February, and June.

Ratings: 1 (Lowest Rating) to 4 (Highest Rating)

Section 6a: Superintendent Financial Management

37. Q26: The superintendent's budget recommendations meet various requirements of state law, such as deadlines, limitations of special reserve fund, and ending fund balance.

Mark only one circle

1

2

3

4

38. Q27: The superintendent clearly articulates budget recommendations to the board with applicable supporting documentation.

Mark only one circle

1

2

3

4

39. Q28: The superintendent seeks out alternative revenue sources, as appropriate and available, to support district initiatives.

Mark only one circle

1

2

3

4

Section 6b: Superintendent Provides for Needs

40. Q29: The superintendent provides a process for the procurement of necessary equipment and supplies and ensures that expenditures are within budget appropriations.

Mark only one circle

1

2

3

4

41. Q30: The superintendent ensures that school buildings, grounds and equipment are well-maintained, facility audits are conducted, preventative maintenance is up-to-date, and brings recommendations to the board to maintain and update facilities.

Mark only one circle

1

2

3

4

42. If a rating of the superintendent in the Operations and Resources Management section was 1 or 2, explain why performance is unsatisfactory and list recommendations for improvement.

43. What information or resources would you like to see in relation to the superintendent's performance in Operations and Resources Management?

CBAA - ADMINISTRATIVE REGULATIONS

The Superintendent shall prepare and disseminate administrative rules necessary to implement board policy and shall review such rules periodically to determine their effectiveness in carrying out policies. These rules shall constitute the school district's administrative regulations.

Administrative regulations need not be approved by the Board in advance of issuance except when specific state or federal laws require the Board to do so, or when the Board or Superintendent deems it necessary or advisable.

The Board reserves the right to review and veto any administrative regulation should it, in the Board's judgment, be inconsistent with the policies adopted by the Board.

CBAB - ADMINISTRATION IN POLICY ABSENCE

The Superintendent shall have the power to implement action within the school system if any emergency situation should develop for which the Board has provided no policy. However, the Superintendent's decision shall be subject to review by the Board at its next regular meeting. It is the Superintendent's duty to inform the Board of any such action and of the need for an official policy.

The Board grants to the Superintendent board powers to administer the district in absence of specific board policy. The Superintendent is expected to report to the Board actions and/or decision that reflect the need for policy.

Legal Ref: NDCC 15.1-14-01 School district superintendent – Duties

Policy CBAB Adopted 8-21-2006

D PERSONNEL

DB* HIRING PRACTICES

DBA* RECRUITMENT & SELECTION

Descriptor Code: DBAA

DBAA - RECRUITMENT, HIRING, & BACKGROUND CHECKS FOR NEW CLASSIFIED PERSONNEL

The Jamestown Public School District Board is committed to hiring individuals who will best meet the needs of the District consistent with budget limitations, with its goal to ensure student and staff safety, and in compliance with state and federal law.

Definitions- For the purposes of this policy:

- *Applicant* is defined as any individual applying for a classified position.
- *Classified employees/personnel* are defined as district staff working in positions that do not require licensure from the Educational Standards and Practices Board or an administrative credential from the Department of Public Instruction.
- *Competitive personnel system* is defined in accordance with NDCC 37-19.1-01.
- *Crime* is defined as a felony offense, misdemeanor, a violation of an ordinance, and charges that result from non-sufficient funds or “no account.”
- *Immediate family* is defined as the employee's spouse, brother, sister, parents, children, stepchildren, father-in-law, mother-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, and any member of the employee's household.
- *Sexual offender* is an individual meeting the criteria in NDCC 12.1-32-15 and/or is required to register under NDCC 12.1-32-15.
- *Unsupervised contact* is defined in accordance with NDCC 12-60-24 as being in proximity to one or more students, on school grounds, or at school functions.

Recruitment and Hiring Authority

The Board authorizes the Superintendent to hire classified staff. No action of the Board shall be necessary so long as the Board previously established the position and hiring is within budget limitations; however, any decision to hire a board member to fill a vacant classified staff positions must be made in accordance with BAA Policy and requires board approval as outlined in said policy.

All classified employees shall be hired on an hourly rate and not on a contract. The employment of classified employees shall be at-will.

All advertising for classified positions shall include a statement that applicants are eligible for Veterans' Preference and the District is an Equal Opportunity Employer. The advertisement should include a closing date.

Qualifications Screening Process

The Superintendent or designee(s) shall investigate the qualifications of applicants for classified positions, including education and experience. In order to determine if an applicant is qualified, the Superintendent or designee(s) shall conduct criminal history record checks when necessary (as explained below) and may:

1. Conduct a driving record check for applicants seeking a position involving transportation of students and/or regular use of district vehicles.
2. Conduct a credit check for positions involving regular access to district funds.
3. Require a work history from at least the past 5 years.
4. Require applicants to submit to an oral interview. The interview shall have a standard set of job-related questions and pre-determined satisfactory answers.
5. Require at least 3 professional references.
6. Require the applicant to submit to a work simulation.

Job announcements for positions requiring satisfactory driving and/or credit records (as determined by the hiring authority prior to advertising) must list such requirement(s).

An applicant shall be deemed unqualified for employment if their employment with the District would create a direct supervisor-subordinate relationship with an immediate family member who is also an employee.

Qualifications Screening: Criminal Background Checks

As part of the qualifications investigation, applicants for positions that allow unsupervised contact with students shall be required to:

1. Submit to a criminal history record check; and
2. Certify in writing that the applicant has never been charged with a crime or provide a written description of the disposition of the charge.

The Superintendent or designee shall adjudicate criminal history records based on the following factors:

1. The nature and gravity of any known misconduct and/or offense(s).
2. The time that has passed since any known misconduct, criminal conviction, and/or completion of a sentence occurred.
3. The nature of the job sought.

Applicants shall be deemed to be at a risk unsuitable for district employment in at least the following instances:

1. The applicant is a sexual offender or has committed an offense involving a child victim.
2. The falsification or omission of any information concerning criminal convictions or pending criminal charges.

Applicant Rights

Applicants claiming Veterans' Preference must provide appropriate certification in accordance with law.

Records obtained by the District for background and other record checks shall be used solely for purposes that they were requested and shall only be disseminated and retained in accordance with the personnel records policy. The Superintendent shall advise applicants that the procedure for obtaining, correcting, or updating federal records is contained in 28 CFR 16.34. Before making a hiring determination, the Superintendent shall give the applicant a reasonable time to correct and/or complete their criminal history record or decline to do so. The Superintendent shall follow the requirements under the Fair Credit Reporting Act if using credit reports to make employment decisions.

Competitive Personnel System

The District may use a competitive personnel system after conducting the qualifications screening. The system shall be an exam administered in compliance with the point system and other requirements contained in NDCC 37-19.1-02(4)].

Final Selection

The District shall make all final selections of employees for classified positions in accordance with Veterans' Preference law (NDCC 37-19.1-02). When permitted by law, this may include further inquiry (i.e., after initial qualifications screening and, if applicable, the completion of the competitive personnel exam) into an applicant's qualification based on screening mechanisms such as interviews, background checks, and skills testing.

Orientation

The Superintendent or designee shall provide an orientation program for new classified employees to acquaint them with the district's policies and procedures, the school's rules and regulations, and the responsibilities of their position.

Complementing Policies

- DBAA-AR, Background Screening Procedure
- DBAA-E, Adjudication System
- DBAA-E2, Intent to Hire Letter
- DI, Personnel Records
-

End of Jamestown Public School District Policy DBAAAdopted:3/12/2018
Amended 12/20/2021

DBAA-AR - CRIMINAL HISTORY RECORD CHECK SCREENING PROCEDURE

Within ten calendar days after an applicant has been notified that the applicant is a final candidate for employment, or as soon thereafter as practicable, the Superintendent or the superintendent's designee shall supply the individual with:

1. A packet containing all materials necessary for the applicant to undergo a criminal history record check screening; and
2. A copy of this procedure.

Within ten calendar days after the applicant has been provided with the criminal history record check packet, the applicant shall arrange to be fingerprinted at the District office or their local police station and have any other necessary identifying information collected. Failure of the applicant to meet this deadline without good cause constitutes grounds for disqualification from employment.

The Superintendent or the superintendent's designee shall arrange for the local police station to return criminal history record check materials to the District.

The Superintendent shall submit the applicant's criminal history record check authorization form, two sets of fingerprints, any other necessary identifying information, and the screening fees to the North Dakota Bureau of Criminal Investigation (BCI) within five calendar days of receiving the applicant's materials or as soon thereafter as practicable.

If BCI rejects an applicant's fingerprints or rejects any identifying information, the applicant shall arrange for a resubmission of the rejected fingerprints or identifying information within five calendar days of receiving the notification of rejection. Failure of the applicant to meet this deadline without good cause constitutes grounds for disqualification from employment.

If the BCI rejects an applicant's fingerprints or identifying information three times, the district reserves the right to request a name-based criminal record check search.

End of Jamestown Public School District Administrative Regulation DBAA-AR ..Amended 10-16-2023

DBAA-E1 - U.S. OFFICE OF PERSONNEL MANAGEMENT ADJUDICATION SYSTEM

Definitions

This system assigns crimes one of four rankings:

- *Minor*: Issue, standing alone, would not be disqualifying.
- *Moderate*: Issue, standing alone, would probably not be disqualifying.
- *Substantial*: Issue, standing alone, may almost certainly be disqualifying.
- *Major*: Issue, standing alone, would be disqualifying.

Selecting an Initial Ranking

Listed below are several of the most common crimes and misconduct issues that surface when an employer is screening applicants. The Office of Personnel Management has assigned each of these actions a ranking, which are as follows (*NOTE: The ranking of a probation or parole violation is determined by the conduct leading to the violation*):

1. Intoxication			
A- Minor	B- Moderate	C- Substantial	D- Major
Drunk Drunk and disorderly Liquor law violation (use or possession by a minor)	Drinking and driving Driving under the influence Driving while intoxicated	Illegal manufacturing Illegal sale	Pattern of excessive use, such as: Convictions Job performance Employment gaps Inability to function responsibly Medical treatment Poor health

2. Drug Use			
A- Minor	B- Moderate	C- Substantial	D- Major
Infrequent use or possession of marijuana	Regular use or possession of marijuana	Transfer of controlled substance	Pattern of excessive use as reflected in 1D above. Manufacturing

Possession of marijuana paraphernalia Arrested or charged with possession of marijuana	Infrequent use or possession of other controlled substances Possession of drug paraphernalia Cultivating marijuana for personal use	Possession for sale or resale Prescription fraud or forgery Sale of controlled substance Unlawful dispensing of prescription drugs Smuggling contraband drug into prison Regular use of controlled substance other than marijuana	Addiction Importing Trafficking Cultivating for sale.
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3. Financial Responsibility

A- Minor	B- Moderate	C- Substantial	D- Major
Bad check Infrequent, irregular but deliberate delinquency in meeting financial obligations	Non-support Judgment, tax lien or other default with no attempt at restitution Illegal gambling Eviction	Pattern of irresponsibility as reflected in: Credit history Disregard for debt Abuse of fiduciary trust	Pattern of irresponsibility as reflected in 3C plus continuing major, valid liabilities

4. Criminal & Immoral Conduct

A- Minor	B- Moderate	C- Substantial	D- Major
	Indecent exposure Solicitation Voyeurism	Carnal knowledge Sodomy Prostitution	Pattern of misconduct as reflected in conviction records Child molestation

	Mailing, selling, or displaying obscene material Obscene phone call Indecent proposal	Bigamy or polygamy Pandering or pimping Contributing to delinquency or corrupting the morals of a minor Sexual harassment Other sexual misconduct with impact on job	Sexual assault Statutory rape Incest Bestiality
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5. Honesty			
A- Minor	B- Moderate	C- Substantial	D- Major
Non-material, intentional false statement or deception or fraud in examination or appointment	Altering Breaking & entering Forgery Fraud Possession of stolen property Black market activities (nonprofit) Petty larceny Minor stealing or petty theft Shoplifting Abuse of property False statement Filing false instrument	Bribery Embezzlement Grand larceny Grand theft Mail theft Robbery (unarmed) Perjury False impersonation Interstate transportation of stolen goods Black market activities with intent to profit Income tax evasion Receiving stolen property	Pattern of dishonesty as reflected in: Disregard for truth Conviction records Abuse of trust Employment records Blackmail Counterfeiting Extortion Armed robbery Material, intentional false statement or deception or fraud in examination or appointment Deliberate misrepresentation, falsification, or omission of material fact

	Failure to file income tax return		
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6. Disruptive or Violent Behavior			
A- Minor	B- Moderate	C- Substantial	D- Major
Disorderly conduct Disturbing the peace Making a threat Resisting arrest Abusive language Unlawful assembly	Assault Damaging property Destroying property Hit and run Vandalism Criminal or malicious mischief Harassment Cruelty to animals Hindering prosecution Eluding police	Assault and battery Manslaughter (involuntary)	Pattern of violence as reflected in: Conviction records Disregard for life or property Civil actions Employment records or medical records Aggravated assault Assault with a deadly weapon Assault with intent to rape Kidnapping or abduction Murder Rape Arson Threat or assault on public official Manslaughter (voluntary) Child abuse

7. Employment Misconduct or Negligence			
A- Minor	B- Moderate	C- Substantial	D- Major

	Insubordination Absenteeism Attendance problems Rules or regulation violations		Pattern of unemployability based on misconduct or negligence as reflected in employment history
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If an employee engaged in other behavior listed in boxes one through five, eight and nine, and this was the reason for termination, raise the ranking by one level. For example, petty theft, a moderate issue by itself, becomes a substantial issue if it was the reason for termination.

8. Firearms & Weapons

A- Minor	B- Moderate	C- Substantial	D- Major
Possession of an unregistered firearm	Possession of a prohibited weapon Possession of illegal ammunition Carrying deadly weapon Unlawful discharge of a firearm	Carrying concealed weapon or firearm Brandishing firearm Possession of firearm by a felon Possession of explosives	Improper or illegal sale or transportation of firearms or explosives Illegal manufacture of firearm or explosives

9. Miscellaneous

A- Minor	B- Moderate	C- Substantial	D- Major
Vagrancy Loitering Trespassing Minor traffic violation	Moderate traffic violation Contempt of court Driving motor vehicle without owner's consent	Vehicular homicide Refusal to furnish testimony as required by 5 CFR 5.4 Tampering with a witness	Hatch Act violation Mutilation or destruction of public records Engaging in riots or civil disorders Military desertion

	Possession of instrument of crime	Harboring a fugitive	Striking against the Government
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Upgrading Ranking

An issue may be elevated to a higher level if it occurs repeatedly or in conjunction with another issue. If an individual is charged with multiple crimes based on one incident there is not an upgrade. Characterize the issue according to the most serious conduct.

Frequency Upgrade	
Two Issues in 0-36 months	Raise both issues one level.
Three or more issues in 0-36 months	Raise all issues two levels (e.g. minor becomes substantial)

Downgrading Ranking

Issues can be downgraded due to when they occurred. Any issue that occurred over 108 months (9 years) ago is considered a non-issue under this system.

Determining Recency			
Ranking	Period in Which Issue Occurred		
	0-36 months	37-72 months	73-108 months
A- Minor	No conversion	Downgrade to a non-issue	Downgrade to a non-issue
B- Moderate	No conversion	Downgrade to A-Minor	Downgrade to a non-issue
C- Substantial	No conversion	Downgrade to B - moderate	Downgrade to A
D- Major	No conversion	Downgrade to C-substantial	Downgrade to B

DBAB - EMERGENCY HIRING OF SUPPORT STAFF PERSONNEL

The Jamestown Public School District authorizes the Superintendent to hire non-licensed personnel on a provisional basis in emergency situations prior to the completion of a criminal history record check provided that the Superintendent has taken the following precautionary measures:

1. The applicant has completed and submitted all required application, authorization, and certification forms and provided references;
2. A criminal history record check has been initiated;
3. The Superintendent has received and reviewed other applicable records, including but not limited to credit history and/or driving records;
4. The Superintendent has reviewed the items listed in #1 and #3 in accordance with policy Descriptor Codes: DAB/DCB, Recruitment, Hiring, and Background Checks for Support Staff Personnel, and ruled that pending successful completion of the criminal history record check, the applicant is qualified for district employment.
5. The Superintendent has selected the final applicant in accordance with applicable portions of district policy and applicable Veteran's Preference laws;
6. The applicant has been advised that s/he is an at-will employee and employment is subject to successful completion of a background check.

Prior to receipt of the federal criminal history record, the new hire will not be permitted to have unsupervised contact with students.

Cross Ref: DAB Recruitment, Hiring, & Background Checks

Legal Ref: NDCC 12-60-24 Criminal History Record Checks
NDCC 12.1-20 Sexual Offender Presence Near School Prohibited
NDCC 12.1-32-15 Offenders Against Children and Sexual Offenders
NDCC Ch. 39-33 Driver and Motor Vehicle Record Privacy
2002-L-71 AG Opinion
42 USC 2000e et seq. Equal Employment Opportunity Commission
28 CFR 50.12(b) Exchange of FBI Identification Records

DBAC - RECRUITING & HIRING TEACHERS

The Jamestown Public School District is committed to hiring teachers who will best meet the needs of the District consistent with budget limitations, with district policy, with its goal to ensure student and staff safety, and in compliance with state and federal law. Nothing contained in this policy requires the District to fill a teaching vacancy. The Superintendent is authorized to end the advertising and screening processes in this policy at any time based on the needs of the District; however, once the District offers a teaching contract, it cannot retract this offer without the consent of the teacher receiving the job offer.

Definitions

For the purposes of this policy:

- *Crime against a child* is defined in accordance with NDCC 15.1-13-26.
- *Immediate family* is defined as the employee's spouse, brother, sister, parents, children, stepchildren, father-in-law, mother-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, and any member of the employee's household.
- *Teaching positions* are jobs held by individuals licensed to teach in North Dakota who are employed primarily as classroom teachers.
- *Sexual offense* is defined in accordance with NDCC 15.1-13-26.

Advertising Protocol

When the District seeks to fill a teaching position, the Superintendent or designee:

1. Shall develop an announcement with the following components:
 - a. Minimum qualifications including, but not limited to, required education, licensure, competencies, and successfully passing any required background or criminal history record checks;
 - b. Instructions on where to access the position's job description, this policy, and any other application material;
 - c. An Equal Employment Opportunity statement.
2. May post the announcement internally; internal teaching announcements shall contain all items listed under #1, a statement that internal applicants are ineligible for Veterans' Preference, and the deadline for internal applicants to exclusively submit applications if appropriate.
3. May post the announcement externally using methods deemed reasonable, effective, and within budget parameters; external teaching announcements shall contain all items listed under #1, a statement that external applicants are eligible for Veterans' Preference if meeting requirements in state law, and a closing date.

Screening Protocol

The Superintendent or designee should develop regulations, including adjudication standards, for conducting background and criminal history record checks on teachers.

Teaching applicants must meet minimum qualification requirements contained in the job announcement and job description. Teaching applicants are disqualified from employment if meeting the disqualifying

factors listed in this policy. If no applicant is qualified, the Superintendent or designee may revise the announcement and shall repost the opening in accordance with this policy's advertising protocol.

The Superintendent or designee shall verify that any applicant claiming Veterans' Preference has satisfied eligibility requirements in law, including submission of required documentation.

Applicants eligible for Veterans' Preference who are not recommended for hire shall receive notice in accordance with NDCC 37-19.1-02.

Disqualifying Factors

Factors that may exclude an applicant from employment as a teacher include, but are not limited to, the following:

1. The applicant has been charged with a felony, sexual offense, crime against a child, any other offense involving a child victim, or any other crime that the Superintendent or designee has reason to believe poses a safety risk to district students, staff, or operations or could substantially disrupt district operations.
2. The employment would create a direct supervisor-subordinate relationship with an immediate family member who is also an employee. Employees who marry or become members of the same household may continue employment; however, a direct supervisor-subordinate relationship between the employees shall be avoided.
3. Knowing falsification or omission of any information given to the District by an applicant or made by an applicant during the applicant screening process including, but not limited to, information concerning criminal convictions or pending criminal charges.
4. The individual has not met ESPB's standards for teaching licensure and/or will not have obtained a teaching license by the start of the school year.
5. The individual was discharged from a previous teaching position.

Hiring Authority

The Superintendent or designee(s) shall screen and make recommendations to the Board about offering an applicant a teaching position.

Final Applicant Rights

Records obtained by the District for background checks, criminal history record checks, and other record checks will be used solely for purposes that they were requested and will only be disseminated and retained in accordance with the district's personnel records policy. Applicant rights related to criminal history records are contained in DBAC-E2.

Issuing Contracts

If the Board approves hiring a new teaching staff member contingent upon satisfactory adjudication of criminal history records or obtaining a teaching license, the individual's teaching contract shall be issued with language notifying him/her of this contingency.

Complementing Policy:

DI, Personnel Records

End of Jamestown Public School District Policy DBAC Adopted: 4/16/2018

DBAC-E1 - COMPETITIVE PERSONNEL SYSTEM EXAMPLE FOR TEACHERS

Managing Classrooms	Total Points: 20
<p>Sample questions (select and assign point value to each):</p> <ul style="list-style-type: none"> ● Describe day-to-day procedures and activities you use to help structure your classroom. ● Describe how you would handle the following: <ul style="list-style-type: none"> ○ A group of students who are insubordinate ○ A parent who wants to observe your classroom ○ A student who persistently disrupts your classroom ○ Bullying ● Describe your ideal classroom environment. What steps do you take to create this environment? ● Do your students consider you to be lenient or strict? Why? ● How do you command the respect of your students? ● How would you rate yourself as a classroom manager? Why? ● What are your academic expectations for your students? How do you convey these expectations to them? ● What are your behavioral expectations for your students? How do you convey these expectations to them? ● What strategies do you use to work with and manage paraprofessionals and/or volunteers in your classroom? ● What is it like to be in your class? 	Score:
Organizing for Instruction	Total Points: 20
<p>Sample questions (select and assign point value to each):</p> <ul style="list-style-type: none"> ● Describe how you develop a lesson plan from start to finish. ● Describe how you use your preparation period. ● Describe strategies you use for short and long-term instructional planning. ● Describe your experience collaborating with others. How has involvement on the team impacted your planning and instruction? ● Describe time management strategies you use to ensure you successfully complete all your responsibilities as a teacher. ● How do state standards guide your lesson planning? Tell me about a lesson you use that integrates one or more standards. ● How do you decide what should be taught in your class? ● How do you ensure that you cover all the necessary content in your classroom each school year? ● How do you incorporate technology into your lesson plan? ● What is differentiated instruction and how is incorporated into your lesson plans? 	Score:
Implementing Instruction	Total Points: 30

<p>Sample questions (select and assign point value to each):</p> <ul style="list-style-type: none"> ● Describe how you make content relevant to students. ● Describe one of your assignments or projects, the outcome of which surprised you. Explain why. ● Describe the best lesson that you taught. Why did it work so well? ● Describe the worst lesson that you taught. Why didn't it work and what did you learn from it? ● Describe three teaching strategies you feel most competent using. ● Describe your teaching style. ● How do you encourage class participation? ● How do you individualize instruction? ● How much time do you devote to lecturing? ● If your students do not understand a concept, how do you adjust your instructional techniques to respond? ● What is cooperative learning, and how have you used it in your classroom? ● What was the best question(s) you asked your students during a lesson taught? What was their response? ● What would we see if overserving you at work in your classroom? ● What would your students say they remember most about your class? ● Would you rather try new teaching strategies or try to perfect the approaches which work best for you? Explain. 	<p>Score:</p>
<p>Monitoring Student Progress</p>	<p>Total Points: 10</p>
<p>Sample questions (select and assign point value to each):</p> <ul style="list-style-type: none"> ● Describe your experience and/or training in interpreting state assessment data. ● Discuss your philosophies related to grading, assignments, assessments, and extra credit. ● Does assessment improve student learning? If so, how? ● How do you communicate student progress or lack of progress to students? To parents? ● How do you define student success, and how do you know when a student has succeeded? ● How have you used student data to inform planning or assessment? ● If most of the students in your class failed an assignment, test, or project, how would you respond? ● What is the role of homework in your classroom? ● What procedures do you use to evaluate student progress besides tests? ● What strategies do you use to help students self-assess their progress? ● When should a student be considered for remediation? 	<p>Score:</p>
<p>Aptitude</p>	<p>Total Points: 10</p>
<p>Sample questions (select and assign point value to each):</p>	<p>Score:</p>

<ul style="list-style-type: none"> ● Describe characteristics of the best/worst teacher you have known. ● How do you handle a conflict with: <ul style="list-style-type: none"> ○ A student? ○ Parent? ○ Co-worker? ○ Supervisor? ● How would your previous principal describe you? ● What are your goals in terms of professional growth? ● What does it mean to be a professional and ethical educator? ● What does it mean to be a student advocate? ● What kinds of experiences have you had interacting with people whose backgrounds are different than your own? ● When is it appropriate for teachers to use social media to interact with students? ● Who do you believe to be most responsible for student learning: the student, the teacher, or the parent? ● Why did you choose to become a teacher? 	
Adaptability	Total Points: 10
<ul style="list-style-type: none"> ● Are you highly qualified to teach in any other areas? ● At which grade levels have you previously taught? ● Do you hold any specialty credentials? ● Do you have an administrator's credential? ● Do you have experience advising or coaching student activities? 	Score:

Interview total: _____

Extra points	
Applicant is eligible for Veteran's Preference and is not disabled: Assign five points	
Applicant is eligible for Veteran's Preference and is disabled: Assign 10 points	
Applicants is highly qualified to teach in one or more hard-to-fill area(s) as defined by the Educational Standards and Practices Board: Assign [#] points for each area	

Total score: _____

End of Jamestown Public School District Exhibit DBAC-E1

DBAC-E2 - CRIMINAL HISTORY RECORD SCREENING PROCEDURES & ADJUDICATION FOR TEACHERS

The process for teachers to be fingerprinted is contained in DBAA-AR.

Criminal history records are confidential. Only the district adjudicator is authorized to review them. The District designates Superintendent or designee to serve as the adjudicator of teachers' criminal history records.

The adjudicator shall advise applicants that the procedure for obtaining, correcting, or updating federal criminal history records is contained in 28 CFR 16.34. Before determining if an applicant passed or failed the criminal history record check, the adjudicator shall give the applicant a reasonable time to correct and/or complete his/her criminal history record or decline to do so.

The adjudicator will deem a teaching applicant to have failed the criminal history record check if the applicant has been charged with:

- A felony
- Sexual offense (NDCC 15.1-13-26)
- Crime against a child (NDCC 15.1-13-26)
- Any other offense involving a child victim
- Any other crime that the adjudicator has reason to believe poses a safety risk to district students, staff, or operations or could substantially disrupt district operations

End of Jamestown Public School District Exhibit DBAC-E2

DBBA - DRUG & ALCOHOL TESTING PROGRAM FOR EMPLOYEES

Definitions

For the purpose of this policy:

- Alcohol* means any alcoholic beverage as defined in 23 U.S.C. 158 and NDCC 5-01-01.
- Drugs or controlled substances* refers to substances covered by the Omnibus Transportation Act, including but, not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP) (See 21 CFR part 1308).
- Covered employee/position* means an employee/position subject to the Omnibus Transportation Employee Testing Act.

Safety-sensitive position means a job in which a momentary lapse in the discharge of duties poses a safety threat with potentially severe consequences. In addition to covered positions, the board recognizes the following as safety-sensitive positions: school vehicle drivers as described in NDCC 15.1-07-20

Statement of Philosophy

The Jamestown Public School District is committed to the establishment of a drug and alcohol testing program that meets all applicable requirements of the Omnibus Transportation Employee Testing Act and other applicable federal and state law. All covered and safety-sensitive employees are prohibited from using controlled substances and alcohol as stipulated in this policy.

Prohibitions and Hours of Compliance

Covered and safety sensitive employees are prohibited from using a controlled substance at all times unless use is at the instruction of a physician, and the physician has advised that use will not affect the employee's ability to perform safety-sensitive duties.

Covered and safety sensitive employees are prohibited from using alcohol while on duty, four hours prior to performing duties, and up to eight hours following an accident or until the employee performs a post-accident test (whichever occurs first).

No supervisor having actual knowledge that an employee covered by this policy has used a controlled substance or alcohol within prohibited hours shall permit the employee to perform or continue to perform safety-sensitive duties.

Notice of Medication Use

Employees covered by this policy shall notify the District any time they are using medication prescribed by a physician that could adversely affect their performance of safety-sensitive duties. Employees shall

not drive or perform other safety-sensitive duties at any time they have been advised by a physician that medication may or will adversely affect their ability to safely perform these duties.

Participation in Drug and Alcohol Testing Program Required

Employees serving in positions covered by this policy are required to participate in all applicable drug and alcohol testing as a condition of employment.

Circumstances for Testing

All covered and safety sensitive employees shall be subject to pre-employment, reasonable suspicion, random, post-accident, return-to-duty and follow-up alcohol and drug testing pursuant to procedures set out in the federal regulations or as allowed by applicable law. Pre-employment controlled substance and alcohol testing shall be administered to an applicant offered a covered or safety-sensitive position in the District prior to the first time the employee performs any safety-sensitive duties for the District unless the applicant meets exemption criteria contained in federal regulations. Employment with the District is conditional upon the applicant receiving negative test results.

An individual applying for, transferring to, or being promoted to any covered or safety-sensitive position shall initially be subject to controlled substance and alcohol testing. Verified positive test results shall prevent an applicant/employee from moving into a covered or safety-sensitive position. School vehicle drivers shall also be subject to post-accident, reasonable suspicion and random testing. Non-transportation safety-sensitive positions shall be subject to post-accident and reasonable suspicion tests.

Transportation contracts approved by the District shall contain assurance that the contractor will establish or join a drug and alcohol testing program that meets the requirements of federal regulations and this policy and associated regulations and will actively enforce the requirements of this policy and regulations as well as federal requirements. An independent contractor who drives their own bus/vehicle is subject to the same requirements as the district's own employees.

Testing Procedures

Testing shall be performed in accordance with federal drug and alcohol testing regulations and testing procedures are outlined in administrative regulations.

Refusal to Submit

An employee covered by this policy may not refuse to take a required test. Refusal includes tampering with, adulterating, or substituting a specimen for testing; inability to provide sufficient quantities of the substance being tested without a valid medical exemption; interfering with the collection procedure; not immediately reporting to the collection site; leaving the collection site before the collection process is complete; and/or leaving the scene of an accident without a valid reason before a drug and/or alcohol test has been conducted. Employees who refuse required testing shall, at a minimum, be prohibited from performing covered and safety-sensitive duties.

Violations

If the testing confirms prohibited alcohol concentration levels or the presence of a controlled substance, the employee shall be removed immediately from covered and safety-related duties and may be subject to the disciplinary consequences contained in the Drug and Alcohol Free Workplace policy. Before an employee is reinstated, if at all, the employee shall comply with all applicable return-to-duty requirements, including evaluation, rehabilitation, and drug/alcohol testing requirements. An employee who is prohibited from performing covered or safety-sensitive duties may be assigned to non-covered or nonsafety-sensitive duties until such time as the employee complies with the requirements for returning to duty. The District will follow treatment referral procedures contained in federal regulations for covered employees.

Employees with verified alcohol concentrations below prohibited amounts shall be removed from covered and safety-sensitive positions and may be subject to the disciplinary consequences contained in the Drug and Alcohol-Free Workplace policy.

The District is not required to provide rehabilitation, pay for substance abuse treatment, or to reinstate the employee. The Board retains the authority consistent with law to discipline or discharge any employee who is an alcoholic or chemically dependent and whose current use of alcohol or drugs affect the qualifications for and performance of their job.

Confidentiality of Records

The District shall maintain records in compliance with law. Drug and alcohol testing records are confidential and shall be maintained in a secured location. An employee shall be entitled, upon written request, to obtain copies of any records pertaining to the employee's use of alcohol or controlled substances including information pertaining to alcohol or drug tests. Records shall be made available to a subsequent employer upon receipt of a written request from an employee only as expressly authorized by the terms of the employee's request.

Necessary records and reports shall be maintained and made available to federal and state transportation agencies upon request in accordance with federal regulations.

Records from Former Employers

With the employee's consent and in accordance with 49 CFR 40.25, the District may obtain any information concerning drug and alcohol testing from the employee's previous employer.

Training

The District shall take steps to ensure that supervisors receive proper training to administer the drug and alcohol testing program.

Identity of Contact Person

The Board designates the Superintendent to serve as the contact person for questions concerning the drug and alcohol testing program and this policy. This designee may be reached at the District Office, 207 2nd Ave SE, Jamestown, ND or calling 701-252-1950.

Policy Dissemination

The Superintendent shall disseminate this policy and other educational material in accordance with federal law. Each employee subject to this policy shall certify in writing that they have received this material upon receipt. The Board designates the Superintendent as the individual responsible for answering questions related to this material.

Effects of Alcohol and Controlled Substances

The district contains information on the effects of alcohol and controlled substance misuse on an individual's health, work, and personal life; signs and symptoms of an alcohol problem; and available methods of intervening when a misuse problem is detected.

Conflict between Regulations and Federal Law and Regulations

In the event of a conflict between the provisions of federal law or regulations concerning alcohol and drug testing and this policy or regulations, the federal law or regulations shall control.

Complementing policies:

- DBBA-E, Drug and Alcohol Testing for Employees
- DEAA, Drug and Alcohol-Free Workplace
- DEAA-AR, Procedure If Drug and/or Alcohol Use is Reasonably Suspected
- DEAA-E1, Record of Observable Behavior
- DFC, Transfer and Reassignment
- DI, Personnel Records

End of Jamestown Public School District Policy DBBA Adopted:4-17-2017, Amended 2/21/2022.

DBC* EMPLOYMENT REQUIREMENTS

Descriptor Code: DBFB

DBFB - RIGHTS OF THE ADMINISTRATION TO REMOVE MATERIALS FROM PERSONNEL FILES

The district administrator or his designate shall periodically review the material in the personnel files and may remove and destroy irrelevant, inappropriate or outdated materials, including files of personnel separated from the district for more than six years. Current employees shall be notified prior to removal of documents from their files.

DC COMPENSATION

Descriptor Code: DCA

DCA - PAYROLL - IRS CODE SECTION 409A

In accordance with IRS Code 409A, Jamestown Public School has adopted the following policy and procedures:

1. Teachers will have the option of receiving their pay in 9 or 12 monthly installments.
2. Teachers must state their payment preference in writing prior to the first day of work in the new school year.
3. Teachers that do not state their payment preference in writing prior to their first day of work in the year will automatically be paid in 9 monthly installments.
4. Once a monthly payment preference is stated, it remains in effect for the entire year. It will not be changed under any circumstance.
5. Monthly payment preferences automatically renew for future years unless a new payment preference is stated in writing prior to the first day of work in the new school year.

Policy DCA Adopted 4-21-2008

DCAB - FRINGE BENEFITS

All employee benefits, other than those established by negotiated agreements, will be subject to board policy. The Superintendent or designee will provide for the interpretation and application of the board's policies and decisions regarding benefits.

Licensed Staff

Personnel subject to negotiated agreements will receive only those benefits authorized by the agreement.

Classified Staff

The Board shall extend to regular full-time classified personnel benefits designed to promote their economic security including a comprehensive health insurance program. Benefits may also include various types of insurance protection and tax-sheltered annuity programs, and retirement benefits. Classified employees who are employed nine or more months per year for at least 20 hours per week will be eligible to receive fringe benefits as detailed for each area of fringe benefit.

Positions in which the work time is flexible and which may at times be more than 20 hours per week and at other times less than 20 hours per week will not be eligible for fringe benefits unless determination is made prior to the start of the school year (or at the commencement of the position) that the position is intended to be at least a 20 hours per week position.

Complementing Policy

- DKBA, Separation of At-Will Employees

End of Jamestown Public School District Policy DCABAdopted: 7/8/2021 Amended9/6/2022

DCAB-AR - FRINGE BENEFIT REGULATIONS

Unemployment Compensation

Jamestown Public School District #1 has chosen to reimburse the state on a dollar-for-dollar basis for all benefits paid resulting from claims of former employees of the School District. To accomplish this in an efficient and effective manner, the District has joined the NDUC Group Account. The District Administrator shall insure that the business manager, payroll officer, or both are properly trained in the submission of reports and payments and in the proper administration of claims.

Health Insurance

(Staff covered by the Negotiated Agreement should refer to that document.)

- A. The Jamestown School District will provide a medical coverage plan. Premiums, deductible, co-pay, etc. will be determined on an annual basis.
- B. All full-time employees working at least 30 hours or more per week are eligible for coverage on the first of the month following date of hire of continuous full-time employment.

The district will deduct on a 9 month basis (Sept-May) with coverage of 12 months (Sept - Aug). The insurance contract begins September 01 and terminates August 31 or the last day of employment if the working contract is not fulfilled. Classified staff coverage expires at the end of the month following the last day of work. The School District will reimburse the employee for any excess deductions made during the preceding months if employment terminates before the working contract is fulfilled.

- C. The Jamestown Public School District will make available to any active full-time employee age 65 or older the same group health plan coverage provided for employees under 65 as their primary coverage. However, employees age 65 or older may opt to retain Medicare as their primary health care coverage. The Jamestown Public Schools will not pay Medicare supplementary coverage.
- D. The School District will provide information regarding COBRA coverage to all terminated employees covered by the group health insurance.

Income Protection Plan(Long Term Disability Insurance)

The School District will select a plan and contribute 75% per covered employee toward the cost of an Income Protection Plan. All employees under the income protection plan must use the income

protection plan after 90 consecutive calendar days of illness. The plan shall be equal to or better than the current existing plan.

Group Term Life Insurance

1. The district will contribute up to 100% of the cost of a single premium for a \$25,000 policy. An employee's term life insurance policy terminates when he/she leaves the school system. The employee will have the opportunity to purchase a voluntary life portability option.

Eligibility

Any employee who works twenty (20) hours per week and is paid over a nine (9) month period of time is eligible to participate in the plan. Employees working part-time will receive pro-rated benefits based on the number of hours worked and the balance of cost will be the responsibility of the employee.

Exclusions

1. Emergency employees who are employed for emergency work.
2. Part-time employees whose service does not exceed the lesser of twenty (20) hours per week or 50 percent of the normal work week.
3. Employees who hold positions of a basically temporary or seasonal in nature for a period not in excess of 100 working days in any calendar year.
4. Coverage is effective the first of the month following 30 days of employment.

Voluntary Benefits

Other voluntary benefit plans maybe offered by the District as outlined in the Employee Benefit Guide.

Worker's Compensation

The law sets forth limitations on filing of claims, it is important that when an employee is injured at work, no matter how minor the injury, the employee immediately report the injury to the employee's supervisor.

The employee's immediate supervisor must submit an incident written report to the Central Office within 24 hours. -

Activity Tickets for Staff (Revised July, 2022)

Each employee will receive an ID which allows entrance into the events of Jamestown Public Schools. An Additional activity pass will be given to each employee for their guest.

Lifetime activity passes will be issued to retired staff members of Jamestown Public School with a minimum of 10 continuous years of service

End of Jamestown Public School District Administrative Regulation DCAB-AR...7-8-2021Amended 9-6-2022

DCAC - SALARY ADJUSTMENTS FOR CERTIFIED EMPLOYEES

The District shall take steps to ensure that all employees receive the proper salary each paycheck and are promptly paid on the scheduled paydays.

The employee and the administration are responsible for the accuracy of the employee's placement on the salary schedule. Employees are expected to examine the annual contracted salary before signing their contracts and to notify the Business Manager of any possible errors.

Should an underpayment of the contracted salary exist after the contract is signed, the salary will be adjusted to compensate for the error, and a new contract will be issued. The District will spread the additional salary equally over the remaining pay periods for that fiscal year.

If the employee has been paid more than the proper placement on the salary schedule indicates, the District will enter into an agreement with the employee to have the overpayment amounts repaid through wage deduction by entering into a repayment plan with the employee. Employees will be expected to sign a wage reduction authorization agreement authorizing deductions from wages in repayment to the District. A copy of this agreement will be retained in the employee's personnel file.

Complementing Policies:

- DCAC-E, Salary Reduction Authorization
- DHA, Licensure

End of Jamestown Public School District Policy DCAC

Adopted:1/17/2022

DCAC-E - SALARY REDUCTION AUTHORIZATION

I have read and understand policy DCAC, Salary Adjustments, and agree to its terms. I acknowledge that any wage overpayment constitutes an advance of future wages payable to me. If I receive any overpayment of wages for any reason, I give permission to the District to deduct such overpayments in installments of \$XXX at a time from any subsequent paycheck(s) to which I become entitled until the overpaid amount has been fully repaid.

Employee Signature

Date

End of Jamestown Public School District Exhibit DCAC-E

DCAD - EXPENSE REIMBURSEMENT

The District will reimburse employees and district officials for approved expenses incurred while conducting authorized business on behalf of the District.

Authorization

All expenses to be reimbursed must be approved by the Superintendent or designee. Such expenses may include transportation-related costs, meals, lodging, registration fees, required materials, parking fees, and other reasonable, actual, and necessary district related expenses. The District will not reimburse the cost of alcoholic beverages.

Reimbursements

Requests for reimbursement must be itemized on the school district form and are to be submitted to the employee's supervisor for approval. Receipts for lodging, commercial transportation, registration, and other reasonable and necessary expenses must be attached to the reimbursement form.

Authorized automobile travel with a personally-owned vehicle shall be reimbursed at the mileage rate set by the Internal Revenue Service. Mileage will be based on distances from current maps by utilizing a direct and reasonable route to the destination. Employees who use their personal vehicle for travel shall be reimbursed only for mileage. Commercial transportation shall reflect economy fares and shall be reimbursed only for actual cost of the trip.

All expense claims must be submitted with supporting documentation, such as approved vouchers or receipts, to be eligible for reimbursement and be submitted to the employee's supervisor prior to July 15th of the current fiscal year. Expenses submitted after July 15th will not be reimbursed.

Clinics, Workshops, and Conferences

Employees participating in clinics, workshops, and conferences pertaining to their employment shall follow the following guidelines:

1. The Board President shall determine and approve which meetings and conferences may be attended by board members and the Superintendent.
2. The Superintendent shall determine, in the first instance, whether attendance by district staff at any conference or professional meeting is in the best interest of the district and eligible for reimbursement of expenses under this policy.
3. Employees desiring to attend a clinic, workshop, or conference shall obtain prior approval from the employee's supervisor.

4. Expenses for attendance at approved clinics, workshops, and conferences shall be paid by the District. Expenses may include, but are not necessarily limited to, meals and lodging.
5. Expenses for meals shall be paid on a per diem basis in accordance with law.
6. When breakfast, lunch, or dinner is included with the clinic, workshop, or conference, the District's daily meal allowance will be reduced accordingly.
7. Mileage will be paid for traveling to the site of the meeting and return, if a school vehicle is not available.
8. Receipts or other supporting documentation must accompany all claims for reimbursement.

Complementing Policy

- BDD, Board Member Compensation

End of Jamestown Public School District Policy DCAD.....Adopted:10-4-2021

DCAF - COMPENSATION FOR SUPPORT STAFF

Placement of new employees will be at the beginning lane.

Administration may request employees not receive a raise based on performance. The final decision rests with the Superintendent.

Policy DCAF Adopted 3-18-2013 Amended 11-6-2017

DCB - OVERTIME AND COMPENSATORY TIME POLICY

The district administrator or his designee of the Jamestown Public School District #1 shall determine whether it is necessary for employees to work overtime hours. Employees shall be required to perform all overtime hours assigned to them by their supervisor.

The Jamestown Public School District #1 shall provide overtime compensation at the rate of one and one-half times the employee's regular rate of pay for all hours worked over 40 in a workweek in accordance with Section 7 of the Fair Labor Standards Act for all overtime hours worked.

If an employee is employed for two or more different positions which have different rates of pay, this district will pay the employee overtime based upon the weighted hourly rate or may enter into an agreement with the employee before the work is performed to pay overtime at the regular overtime rate of pay for the actual work performed after the first forty hours of work in that workweek.

There will be no compensatory time for employees of the Jamestown Public School District #1. Time taken off with time to be made up must be made up during that same workweek or deducted from pay.

The workweek begins Monday at 12:01 A.M. and ends Sunday at 11:59 P.M.

DDA - SICK LEAVE POLICY

Professional Staff

Fifteen (15 days per the first two (2) years will be granted to each teacher signing his/her first contract in the Jamestown Public Schools. Each succeeding year, ten (10) days will be granted per year, accumulating to a possible 135.

Support Staff

Employees earn one sick day (based on hours reflected on letter of employment) per month, cumulative to 960 hours. The District Administrator may request a medical examination if excessive absence occurs. Excessive absences are defined on a case by case basis by the District Administrator.

When paid leave is available for FMLA (Family and Medical Leave Act) purposes, the Paid leave must be taken first and will be counted as part of the FMLA leave.

Use of Sick Leave

Sick leave may be used for the following reasons:

1. Personal illness, injury or disability that prevents an employee from performing their duties **or**
2. Personal medical appointments **or**
3. Sick leave may be used for medical reasons involving any family member or relative

Employees are encouraged to schedule personal or family medical appointments outside of work hours when possible. Employees who are ill are encouraged to stay home to promote healing and reduce the risk of infecting others, especially during significant public health events. In the event of a significant public health event, schools may be closed to just students, or to all employees and students. If schools are closed only to students, employees are expected to work regular schedules, unless directed otherwise by administration, or use appropriate leave.

Sick leave cannot be used to make up for work missed due to weather conditions, blocked roads or other similar circumstances.

After being absent for over 4 consecutive days, an employee may be asked to provide a note from their medical provider confirming the need for sick leave.

Any false claim for or fraudulent use of sick time can be cause for disciplinary action, up to and including termination.

Disability Resulting from Pregnancy Leave

Disability or physical limitations resulting from pregnancy shall be treated the same as any other illness, injury, or disability for the purpose of sick leave and is subject to the limitations of this policy. The employee is free to determine when she will commence her leave in accordance with her healthcare

provider's recommendations. The District will not mandate that pregnancy leave be taken for a prescribed duration of time. Requests for sick leave resulting from a disability or physical limitation related to pregnancy, child birth, or a post-pregnancy condition shall be made in accordance with board regulations on sick leave documentation requirements and may, at the employee's discretion, occur earlier than timeframes contained in regulations in order to allow the District ample time to locate a replacement.

Long-Term Sick Leave

Leave for a serious health condition will be granted in accordance with District's FMLA policy.

Sick Pay

Sick pay shall be paid at the employee's base rate at the time the leave is taken. Sick time is paid only for days on which the employee would otherwise have worked a regular schedule, and not for absences on Saturday, Sunday, or school holidays.

Requesting Sick Leave

Requests for sick leave shall be made in accordance with administrative regulations (DDA-AR).

Sick leave may be taken in full days or the following increments: Professionals one-hour, Ancillary .25.

Separation

Employees shall not be paid for any accrued, unused sick leave upon separation from district employment.

Leave Records

The Business Manager shall record employee leave, verify that the leave record is accurate, and maintain and make available leave records for each employee

The District shall retain leave records for all separated employees for a period of at least six years from the date of separation.

Complementing Policies:

- DDA-AR Sick Leave Requests
- DDAA- Family & Medical Leave Act
- DDAA-BR Family & Medical Leave Act Regulations
- DDAA-E Family & Medical Leave Act Law
- DDAA-E2 FLA Forms

DDA-AR - SICK LEAVE REQUESTS

Requests for Sick Leave

Foreseeable sick leave (e.g., leave for an operation) should be requested at least 30 days in advance of the leave period. If an employee is unsure when leave will commence or requests unforeseeable sick leave, notice shall be given as soon as practicable. Requests for leave shall be made to the supervisor.

Requests for Medical Certification

The supervisor has the right at their discretion to request medical certification as a pre-requisite for the awarding of sick leave. When medical certification is requested as a pre-requisite for granting sick leave, the employee shall have 15 calendar days to fulfill this request unless this deadline is not practicable despite the employee's good faith effort. In the event a second medical opinion is requested by the supervisor, the District shall pay the expense.

Failure to provide medical certification may result in the delay or denial of the employee's leave request until certification is received. Medical certification shall contain information indicating the nature of the condition requiring leave, the exact period of the condition needing leave, whether the employee will need intermittent leave or a reduced schedule, and a statement from a licensed health care provider verifying that the employee is unable to carry out their duties.

End of Jamestown Public School District Administrative Regulation DDA-AR...Adopted 7/18/2022

DDAA - FAMILY AND MEDICAL LEAVE ACT

The District will comply with the Family and Medical Leave Act.

Twelve-Month Leave Description

Eligible employees may request, and upon approval use, unpaid family and medical leave in accordance with and for the applicable duration guaranteed by the federal Family and Medical Leave Act. Unless subject to an exception in law, FMLA shall be made available for up to a combined total of 12 weeks.

Use of Other Leaves

Other available and applicable paid leaves may be substituted for family and medical leave necessitated by birth, adoption/foster care placement, a family member's serious health condition, an employee's own serious health condition, qualifying exigency, or to care for covered service member in accordance with law. Any substitution required by this policy shall count against the employee's family and medical leave entitlement. The District shall pay sick leave only under circumstances permitted by the applicable leave policy.

Notice of Leave

An employee shall provide notice in accordance with regulations. If deemed necessary, the building principal may waive notice requirements.

Employee Benefits During Leave

The District shall continue to maintain the employee's coverage under any group health plan on the same basis as coverage would have been provided if the employee had been continuously employed during the entire leave period. The District shall also continue making payroll deductions if the employee contributes to a life insurance or disability plan or other benefits. The employee must continue to make premium payments per District instructions during any unpaid portions of leave to maintain benefits.

Return to Work

An employee returning from family and medical leave shall be given a position equivalent to their position before the leave, subject to the district's reassignment policies, negotiated agreement, and practices. Instructional employees may be required to wait to return to work until the next academic term in certain situations as provided by law.

Implementing Procedures

The Superintendent shall develop procedures to implement this policy consistent with the federal Family and Medical Leave Act.

Recordkeeping

The Superintendent shall ensure that records are kept according to the requirements contained in law.

Complementing Policies

- DDA, Sick Leave
- DDAA-BR, Family and Medical Leave Act Regulations

- DDAA-E1, Family and Medical Leave Act Law
- DDAA-E2, FMLA Poster and Forms

DFC, Transfer and Reassignment End of Jamestown Public School District Policy DDAAAdopted:6/20/2022

DDAA-BR - FAMILY AND MEDICAL LEAVE ACT REGULATIONS

Procedure to Request Leave

Foreseeable FMLA leave shall be requested at least 30 days in advance.¹⁵ If a 30-day notice is not practicable, the employee shall provide notice as soon as possible. An employee shall at least provide verbal notice of leave to the building principal.

Request for Medical & Qualifying Exigency Certification

When requested, medical or qualifying exigency certification shall be provided in accordance with law. Failure to provide certification or adequate certification may result in the **[delay or]** denial of an employee's leave request. Medical certification must contain all components in 29 CFR 825.306, 825.309, or 825.310.

Intermittent or Reduced-Leave Requests

The Board limits leave increments to one-hour periods of time.

An employee should follow the regular notice procedures when requesting an intermittent or reduced-hour leave. If the leave is taken because of the birth or placement of a child, leave may be taken intermittently or on a reduced schedule only if the building principal agrees.

Posting and Notice to Employees

Building principals shall post a notice explaining the FMLA's provisions in a location where it can be readily seen by employees and applicants for employment. The FMLA Fact Sheet, published by the Department of Labor, Wage and Hours Division, shall be incorporated into any employee handbook.

End of Jamestown Public School District Board Reg. DDAA-BR

Adopted:6/6/2022

¹⁵ See 29 CFR 825.302

DDAA-E1 - FAMILY AND MEDICAL LEAVE ACT LAW

Definitions

Definitions under FMLA are contained in 29 C.F.R. 825.102. Included below are key definitions for quick reference.

- *Covered Active Duty*: The term means, in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and, in the case of a member of the reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.
- *Covered service member* means a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.
- *Equivalent position* is defined in 29 C.F.R 825.15.
- *FMLA* refers to the Family and Medical Leave Act of 1993, implemented by 29 C.F.R. 825.
- *Health care providers* are defined in 29 C.F.R 825.125.
- *In loco parentis* applies to employees with either day-to-day care or financial support of a child when the employee intends to assume the responsibilities of a parent with regard to a child.
- *Intermittent leave* means leave taken in separate periods of time due to a single illness or injury, rather than for one continuous period of time, and may include leave of periods from an hour or more to several weeks. Examples of intermittent leave would include leave taken on an occasional basis for medical appointments, or leave taken several days at a time spread over a period of six months, such as for chemotherapy.
- *Next of kin of a covered service member* means the nearest blood relative other than the covered service member's spouse, parent, son, or daughter, in the following order of priority: Blood relatives who have been granted legal custody of the covered service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered service member, all such family members shall be considered the covered service member's next of kin and may take FMLA leave to provide care to the covered service member, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered service member's only next of kin.
- *Outpatient status*, when used with respect to a covered service member, means the status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient

or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients (29 U.S.C. 2611).

- *Parent* means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a son or daughter as defined below. This term does not include parents “in law.”
- *Qualifying exigency* is defined in accordance with 29 C.F.R. 825.126.
- *Reduced leave schedule* is a leave schedule that reduces an employee's usual number of working hours per workweek or hours per workday.
- *Same health benefits* mean, for example, that if family member coverage is provided to an employee, family member coverage must be maintained during a FMLA leave. Also, if an employer provides a new health plan or benefits or changes health benefits or plans while an employee is on FMLA leave, the employee is entitled to the new or changed plan or benefits to the same extent as if the employee were not on leave.
- *Serious health condition* means an illness, injury, impairment or physical or mental condition that involves inpatient care as defined in § 825.114 or continuing treatment by a health care provider as defined in § 825.115. Conditions for which cosmetic treatments are administered (such as most treatments for acne or plastic surgery) are not “serious health conditions” unless inpatient hospital care is required or unless complications develop. Restorative dental or plastic surgery after an injury or removal of cancerous growths are serious health conditions provided all the other conditions of this regulation are met. Mental illness or allergies may be serious health conditions, but only if all the conditions of § 825.113 are met.
- *Serious injury or illness* means in the case of a member of the Armed Forces (including a member of the National Guard or Reserves), an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating; and, in the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period described in paragraph (15)(B), means a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.
- *Son or daughter* means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and “incapable of self-care because of a mental or physical disability” at the time that FMLA leave is to commence.
- *Spouse* means a husband or wife. For purposes of this definition, husband or wife refers to the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the state in which the marriage was entered into or, in the case of a marriage entered into outside of any state, if the marriage is valid in the place where entered into and could have been entered into in at least one state.

This definition includes an individual in a same-sex or common law marriage that either:

1. Was entered into in a state that recognizes such marriages; or
 2. If entered into outside of any state, is valid in the place where entered into and could have been entered into in at least one state.
(29 C.F.R. 825.102)
- *Teachers* (or employee employed in an instructional capacity, or instructional employee) means an employee employed principally in an instructional capacity by an educational agency or school whose principal function is to teach and instruct students in a class, a small group, or an individual setting, and includes athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual teaching or instructing, nor auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers, bus drivers, or other primarily non-instructional employees.
 - *Veteran*: the term has the meaning given the term in section 101 of title 38, United States Code.

Leave Description

The use of unpaid family and medical leave is subject to the following:

1. The District will pay family leave or sick leave only under circumstances permitted by the applicable leave plan (29 C.F.R. 825.207).
2. To be eligible for family and medical leave, an employee must (29 C.F.R. 825.110 and 825.111):
 - a. Have been employed by the District for at least 12 months (the 12 months need not be consecutive—see 29 CFR 825.110 for explanation).
 - b. Have been employed for at least 1,250 hours of service during the 12-month period immediately before the beginning of the leave.
3. Family and medical leave is available in one or more of the following instances (29 C.F.R. 825.112; 29 U.S.C. 2611):
 - a. The birth and first-year care of a son or daughter.
 - b. The adoption or foster placement of a child.
 - c. The serious health condition of an employee's spouse, parent, or child.
 - d. The employee's own serious health condition that makes the employee unable to perform his/her essential job functions.
 - e. Because of any qualifying exigency, arising out of the fact that a spouse, son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces.
 - f. To care for a covered service member if the eligible employee is the spouse, son, daughter, parent, or next of kin of the covered service member.
4. FMLA may generally be used for up to a combined total of 12 weeks during any 12-month period (29 C.F.R. 825.200). Eligible employee caring for a covered service member in accordance with "3f" above are entitled to a total of 26 workweeks of leave during a single twelve-month period (29 C.F.R. 825.127).
5. School board policy will govern family and medical leaves, but FMLA, and its implementing regulations, will be the final authority (29 C.F.R. 825.700).

Response to Leave Requests

The Superintendent or designee shall issue the following notices to employees upon receiving a leave request:

1. **Eligibility notice:** When an employee requests FMLA leave, or when the employer acquires knowledge that an employee's leave may be for an FMLA-qualifying reason, the employer must notify the employee of the employee's eligibility to take FMLA leave within five business days, absent extenuating circumstances. All FMLA absences for the same qualifying reason are considered a single leave and employee eligibility as to that reason for leave does not change during the applicable 12-month period. The eligibility notice must state whether the employee is eligible for FMLA leave. If the employee is not eligible for FMLA leave, the notice must state at least one reason why the employee is not eligible, including as applicable the number of months the employee has been employed by the employer, the number of hours of service worked for the employer during the 12-month period, and whether the employee is employed at a worksite where 50 or more employees are employed by the employer within 75 miles of that worksite. Notification of eligibility may be oral or in writing.
2. **Rights and responsibilities notice:** Employers shall provide written notice detailing the specific expectations and obligations of the employee and explaining any consequences of a failure to meet these obligations. This notice shall be provided to the employee each time the eligibility notice is provided. If leave has already begun, the notice should be mailed to the employee's address of record. Such specific notice must include, as appropriate:
 - a. That the leave may be designated and counted against the employee's annual FMLA leave entitlement if qualifying.
 - b. Any requirements for the employee to furnish certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of covered active duty or a call to covered active duty status, and the consequences of failing to do so;
 - c. The employee's right to substitute paid leave, whether the employer will require the substitution of paid leave, the conditions related to any substitution, and the employee's entitlement to take unpaid FMLA leave if the employee does not meet the conditions for paid leave
 - d. Any requirement for the employee to make any premium payments to maintain health benefits and the arrangements for making such payments and the possible consequences of failure to make such payments on a timely basis (i.e., the circumstances under which coverage may lapse);
 - e. The employee's status as a "key employee" and the potential consequence that restoration may be denied following FMLA leave, explaining the conditions required for such denial (see § 825.218);
 - f. The employee's rights to maintenance of benefits during the FMLA leave and restoration to the same or an equivalent job upon return from FMLA leave
 - g. The employee's potential liability for payment of health insurance premiums paid by the employer during the employee's unpaid FMLA leave if the employee fails to return to work after taking FMLA leave.
3. **Designation notice:** The employer is responsible in all circumstances for designating leave as FMLA-qualifying and for giving notice of the designation to the employee. When the employer

has enough information to determine whether the leave is being taken for a FMLA-qualifying reason (e.g., after receiving a certification), the employer must notify the employee whether the leave will be designated and will be counted as FMLA leave within five business days absent extenuating circumstances.

- a. If the employer determines that the leave will not be designated as FMLA-qualifying (e.g., if the leave is not for a reason covered by FMLA or the FMLA leave entitlement has been exhausted), the employer must notify the employee of that determination.
- b. If the employer requires paid leave to be substituted for unpaid FMLA leave, or that paid leave taken under an existing leave plan be counted as FMLA leave, the employer must inform the employee of this designation at the time of designating the FMLA leave.
- c. If the employer has sufficient information to designate the leave as FMLA leave immediately after receiving notice of the employee's need for leave, the employer may provide the employee with the designation notice at that time.
- d. If the employer will require the employee to present a fitness-for-duty certification to be restored to employment, the employer must provide notice of such requirement with the designation notice. If the employer will require that the fitness-for-duty certification address the employee's ability to perform the essential functions of the employee's position, the employer must so indicate in the designation notice, and must include a list of the essential functions of the employee's position.
- e. The designation notice must be in writing.
- f. The employer must notify the employee of the amount of leave counted against the employee's FMLA leave entitlement. If the amount of leave needed is known at the time the employer designates the leave as FMLA qualifying, the employer must notify the employee of the number of hours, days, or weeks that will be counted against the employee's FMLA leave entitlement in the designation notice. If it is not possible to provide the hours, days, or weeks that will be counted against the employee's FMLA leave entitlement (such as in the case of unforeseeable intermittent leave), then the employer must provide notice of the amount of leave counted against the employee's FMLA leave entitlement upon the request by the employee, but no more often than once in a 30-day period and only if leave was taken in that period.

FMLA Leave for Spouses

A husband and wife who are both eligible for FMLA leave and are employed by the same covered employer may be limited to a combined total of 12 weeks of leave during any 12-month period if the leave is taken (29 C.F.R. 825.120):

1. For birth of the employee's son or daughter or to care for the child after birth;
2. For placement of a son or daughter with the employee for adoption or foster care, or to care for the child after placement; or
3. To care for the employee's parent with a serious health condition.

A husband and wife who are both eligible for FMLA leave and are employed by the same covered employer may be limited to a combined total of 26 workweeks during any single 12-month period if the leave is taken:

1. To care for a covered service member; or

2. As a combination of leave to care for a covered service member and leave for the birth, foster placement, or adoption of a child; or to care for the child after birth, adoption, or foster placement; or to care for a parent with a serious health condition. However, if the leave taken by the husband and wife includes leave for the birth, foster placement, or adoption of a child; or to care for the child after birth, adoption, or foster placement; or to care for a parent with a serious health condition, the leave for that reason shall be limited to 12 workweeks per year.

Medical Certification

Except in the case of leave for care of covered service member, the Superintendent or designee may challenge the adequacy of a medical certification and require the employee to obtain a second opinion from a second health care provider, paid for by the District. If a second medical opinion conflicts with the first, the Superintendent may require a third opinion, paid for by the District. The third health care provider must be designated or approved jointly by the District and the employee. The third opinion is final and binding.

Intermittent or Reduced-Leave Requests

1. If the leave is taken to care for a sick family member, to care for a covered service member, or for the employee's own serious health condition, leave may be taken intermittently or on a reduced schedule when medically necessary. Leave due to a qualifying exigency may be taken intermittently or on a reduced schedule basis.
2. Non-instructional employees, may be required to transfer temporarily to an available alternative position for which the employee is qualified and which better accommodates recurring periods of intermittent or reduced-schedule leave. The alternative position must be equivalent in pay and benefits; benefits will not be eliminated even when they are not available to part-time employees.
3. If an instructional employee requests intermittent leave or leave on a reduced-leave schedule to care for a family member, to care for a covered service member, or for the employee's own serious health condition, which is foreseeable based on planned medical treatment, and the employee would be on leave for more than 20 percent of the total number of working days over the period the leave would extend, the Superintendent may require the instructional employee to choose either to:
 - a. Take leave for a period(s) of a particular duration, not greater than the duration of the planned treatment. OR
 - b. Transfer temporarily to an available alternative position for which the employee is qualified, which has the equivalent pay and benefits and which better accommodates recurring periods of leave than does the employee's regular position. (29 C.F.R. 825.601)

Health Insurance Premiums

Any share of health plan premiums which had been paid by the employee before taking the leave, must continue to be paid by the employee during the FMLA leave (29 C.F.R. 825.210). Districts must provide advance written notice of the terms and conditions under which premium payments must be made.

A district's obligation to maintain health insurance coverage ceases if an employee's premium payment is more than 30 days late (29 C.F.R. 825.212). In order to drop the coverage for an employee whose premium payment is late, the employer must provide written notice to the employee that the payment

has not been received. Such notice must be mailed to the employee at least 15 days before coverage is to cease, advising that coverage will be dropped on a specified date at least 15 days after the date of the letter unless the payment has been received by that date.

All other obligations under the FMLA continue. If coverage lapses because an employee has not made required premium payments, the employer must still restore the employee to coverage and benefits when the employee returns from leave. Districts may recover: (1) the employee's share of any premium payments paid by the employer after the employee misses a payment, and (2) its share of premiums during an unpaid FMLA leave if the employee fails to return to work after the employee leave entitlement is exhausted or expires, with a few exceptions (29 C.F.R. 825.213). The district's attorney must be consulted for the appropriate premium recovery method.

Return to Duty

An instructional staff member may be required to wait to return to work until the next term if:

1. The employee's leave begins more than five weeks before the end of a term, the leave will last at least three weeks, and the employee would return during the three-week period before the end of the term.
2. The employee's leave, for a purpose other than the employee's own serious health condition or qualifying exigency, begins during the five-week period before the end of a term; the leave will last more than two weeks; and the employee would return during the two-week period before the end of the term.
3. The employee's leave, for a purpose other than the employee's own serious health condition or qualifying exigency, begins during the three-week period before the end of a term and the leave will last more than five working days.

End of Jamestown Public School District Exhibit DDAA-E1

DDAA-E2 - FMLA POSTER and FORMS

All covered districts are required to permanently display a poster prepared by the U.S. Department of Labor which summarizes major provisions of the Family and Medical Leave Act (FMLA) and informs employees how to file a complaint. The poster must be displayed in a conspicuous place where employees and applicants for employment can view it. A poster must be displayed at all district locations even if there are no eligible employees.

- <https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/fmlaen.pdf>

When an employee requests FMLA leave, the following forms need to be completed:

- Notice of Eligibility and Rights & Responsibilities <http://www.dol.gov/whd/forms/WH-381.pdf>
- Designation Notice: <http://www.dol.gov/whd/forms/WH-382.pdf>

When requesting medical certification use one of the following forms:

- Certification of an Employee's Serious Health Condition: <http://www.dol.gov/whd/forms/WH-380-E.pdf>
- Certification of a Family Member's Serious Health Condition: <http://www.dol.gov/whd/forms/WH-380-F.pdf>

When requesting certification for a military-related FMLA request use one of the following forms:

- Certification of Qualifying Exigency for Military Family Leave: <http://www.dol.gov/whd/forms/WH-384.pdf>
- Certification of Serious Illness or Injury for a Covered Service Member for Military Family Leave: <http://www.dol.gov/whd/forms/WH-385.pdf>
- Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave: <http://www.dol.gov/whd/forms/wh385V.pdf>

End of Jamestown Public School District Exhibit DDAA-E2

DDAD - CHILD CARE LEAVE

(Professional)

In the case of teachers leave for child care related reasons, the teacher shall have been employed for one year by the School District of Jamestown before becoming eligible for such leave. No leave accumulates and no salary will be paid during this leave of absence.

The district administrator has the power to act on all child care leave of absence requests.

DDAE - PARENTAL LEAVES

Birthing Parental Leave

Full-time licensed employees and full-time 12-month classified employees of the district that are birthing parents shall receive twenty (20) paid leave days to be used for recovery from childbirth. These paid days are in addition to any other paid leave the employee may have available. Birthing parental leave is not available for part-time employees.

Non-Birthing Parental Leave

Full-time licensed employees and full-time 12-month classified employees of the district that are non-birthing parents shall receive fifteen (15) days of non-birthing parental leave within one year of birth, adoption, or foster care placement. These days are to be deducted from the employee's available sick leave. In the event accumulated sick leave is less than 15 days, any days used beyond those accumulated will be unpaid.

Complementing Policies:

- DDA, Sick Leave
- DDA-BR, Sick Leave Regulations
- DDAA, Family & Medical Leave Act
- DDAA-AR, Family & Medical Leave Act Regulations
- DDAA-E, Family & Medical Leave Act Law
- DDAE, Parental Leaves
- DKA, Reduction in Force Policy

End of Jamestown Public School District DDAE-AR..... Adopted:7/18/2022

DDAE-AR - PARENTAL LEAVE REGULATIONS

Definitions

- *Birthing parent* is defined as an employee who is pregnant and births a child.
- *Non-Birthing parent* is defined as an employee who does not birth a child, but who becomes a parent through birth of a child by someone other than the employee, or placement through adoption or foster care.
- *Licensed employees/personnel* are defined as district staff working in positions that require licensure from the Educational Standards and Practices Board or an administrative credential from the Department of Public Instruction.
- *Classified employees/personnel* are defined as district staff working in positions that do not require licensure from the Educational Standards and Practices Board or an administrative credential from the Department of Public Instruction.

Birthing Parental Leave

Full-time licensed employees and full-time 12-month classified employees of the district that are birthing parents shall receive twenty (20) paid leave days to be used for recovery from childbirth. These paid days are in addition to any other paid leave the employee may have available. Birthing parental leave is not available for part-time employees.

If the employee is eligible for leave under the Family Medical Leave Act (FMLA), all leaves, including birthing parental leave, will be substituted for family and medical leave, and any substitution will count against the employee's family and medical leave entitlement under the FMLA.

Non-Birthing Parental Leave

Full-time licensed employees and full-time 12-month classified employees of the district that are non-birthing parents shall receive fifteen (15) days of non-birthing parental leave within one year of birth, adoption, or foster care placement. Birthing parental leave is not available for part-time employees. All non-birthing parental leave days are to be deducted from the employee's sick leave. In the event accumulated sick leave is less than 15 days, any days used beyond those accumulated will be subject to a salary deduction following use of all other applicable leaves.

If the employee is eligible for leave under the Family Medical Leave Act (FMLA), all leaves, including non-birthing parental leave, will be substituted for family and medical leave, and any substitution will count against the employee's family and medical leave entitlement under the FMLA.

Employees who have taken birthing parental leave are not eligible for non-birthing parental leave for the same child.

Application for Parental Leave

An application for birthing or non-birthing parental leave shall be filed with the Superintendent 30 days in advance of the requested leave and prior to the birth or placement of the employee’s child, unless otherwise approved by the Superintendent.

Intermittent leave is not available for birthing or non-birthing parental leave without prior approval from the Superintendent.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- DDA, Sick Leave
- DDA-BR, Sick Leave Regulations
- DDAA, Family & Medical Leave Act
- DDAA-AR, Family & Medical Leave Act Regulations
- DDAA-E, Family & Medical Leave Act Law
- DDAE, Parental Leaves
- DKA, Reduction in Force Policy

End of Jamestown Public School District DDAE-AR..... Adopted:7/18/2022

DDAF - Sick Leave Bank

The Jamestown Public School District will maintain a Sick Leave Bank for participating employees. The purpose of the Sick Leave Bank is to cover unexpected catastrophic illness or injury to participants in the Sick Leave Bank and approved FMLA individuals.

a. Catastrophic Illness or Injury

The term catastrophic does not include conditions associated with a normal pregnancy.

Catastrophic is defined as an illness or injury meeting three (3) or more of the following conditions: 1) life-threatening, 2) care requiring travel over 150 miles one way, 3) care requiring medical specialists outside of primary care, 4) debilitating condition or serious injury that significantly impairs ability to perform essential job functions, 5) medically necessary absence from work of 10 or more continuous days, 6) requires invasive surgery or treatment with recovery and/or rehabilitation of 5 or more days.

Applications that meet three (3) or more of these criteria may be submitted to the Sick Leave Bank Committee for consideration.

b. Participation

To participate in the Sick Leave Bank, an employee must be eligible for the district's health insurance plan. The offer to join the Sick Leave Bank shall be available to employees only upon their initial qualifying employment. A new non-contracted employee of the Jamestown School District or James Valley Career and Technology Center (JVCTC) will have thirty (30) days from the hire date to accept or reject membership in the Sick Leave Bank. A new contracted employee of the Jamestown School District or JVCTC will have thirty (30) days from signing their initial contract to accept or reject membership in the Sick Leave Bank.

Each participating employee shall invest two (2) days in the bank. Whenever the balance falls below 180 days, each member shall be assessed one (1) additional day, not to exceed (2) sick leave days in any single contract period. Unused sick leave bank days will accumulate to the next school term.

Any participant of the Sick Leave Bank may withdraw from the Bank at the end of a school year by giving written notice to the Sick Leave Bank Committee. Sick days invested in the bank will not be returned upon leaving the bank. Once a participant withdraws from the Bank, the participant is no longer eligible to rejoin the Bank.

c. Application

A participant must first use all accumulated sick and personal leave days prior to be eligible to apply.

An application must be made on either the district's electronic employment portal or on the approved Sick Leave Bank Application Form. Applications need to include information outlining that the illness or injury meets three (3) or more of the criteria in the definition. Applications must be accompanied by a medical doctor's certificate verifying the conditions outlining the request, including but not limited to, severity, nature and projected duration of the illness or injury. If the illness or injury qualifies for employee disability coverage, the individual must apply for disability coverage. The Business Manager shall verify that an application for disability has been filed.

The application must request a specific number of days, up to twenty (20) per application. A participant may apply multiple times in any single contract period/school year but may be granted no more than 60 days of sick leave from the Sick Leave Bank for that particular illness/injury.

No participant shall be eligible to withdraw more than a lifetime total of one hundred twenty (120) days. Participants may not draw sick leave days from the bank once they receive employer-related disability benefits.

d. Committee

The make-up of the Sick Leave Bank Committee will be: two teacher appointed by the Association, one administrator appointed by the Superintendent, and one member of the Board of Education appointed by the President. The business manager will also serve on the committee, as an ex officio member with no voting rights. Members will serve a three-year term and all terms will begin on July 1.

The committee will meet within ten (10) working days upon receipt of a request and a decision will be made at that time. They will review applications, give written notice of acceptance or rejection, determine the number of days granted to the applicant, provide reasonable assurance the bank is not abused, and prepare quarterly reports for the Superintendent

Decisions of the Committee will be made by majority vote and all decisions are final. The Sick Leave Bank records and accounting will be maintained by the District's Business Manager.

DDB* PAID LEAVES

Descriptor Code: DDBA

DDBA- VACATION LEAVE

Eligible Employees

All twelve-month full-time ancillary employees are eligible for paid vacation leave each school year as determined by the Board and set forth in the board's regulations. Vacation leave may be subject to individual contracts for contracted staff.

Use of Vacation Leave

Vacation leave may be used for the following reasons:

1. Vacation;
2. Rest and relaxation
3. Attendance to personal matters;
4. Absences due to adverse weather conditions;
5. Personal illness when an employee has exhausted their available sick leave; and
6. Time lost for late reporting.

Vacation Pay

Vacation shall be paid at the employee's base rate at the time the leave is taken. Vacation pay does not include overtime or any special forms of compensation such as incentives, commissions, or bonuses. If a holiday falls during the employee's vacation, the day will be charged to holiday pay, if applicable, rather than vacation pay.

Accrued Leave

Unused vacation leave shall be carried over from one year per DDBA-BR

Requesting Vacation Leave

Employees must submit a leave request to their supervisor and receive approval before taking vacation leave. If the employee's absence disrupts district operations, the supervisor may deny a request for vacation leave or limit the time of year the employee may take their vacation leave.

Vacation leave may be taken in fifteen minute or full day increments.

Separation

Eligible employees shall be entitled to monetary reimbursement at their current rate of pay for accrued, unused vacation leave upon separation from district employment, as required by law. If employment is terminated and the vacation balance is in the negative, the employee may be required to reimburse the District for the cost of the vacation advance.

Leave Records

The Business Manager or designee shall record employee leave, verify that the leave record is accurate, and maintain leave records for each employee. If leave balances are not displayed on employee pay stubs, the Business Manager shall notify employees of leave balances at least once a year.

The District shall retain leave records for all separated employees for a period of at least six years from the date of separation.

Complementing Policies:

- DDA, Sick Leave
- DDAA, Family and Medical Leave Act

End of Jamestown Public School District Policy DDBA..... Amended 4/15/2024

DDBA-BR - VACATION ACCURALS FOR ANCILLARY EMPLOYEES

The District provides vacation benefits in order that employees receive time for rest and renewal.

Ancillary Employees:

All twelve month full-time ancillary staff employee shall be eligible for paid vacation benefits as delineated below:

- One day per month accumulating to 12 days for the first five years of employment.
- One and a quarter days per month accumulating to 15 days from the 6th year thru the 10th year of employment, and
- One- and one-half days per month accumulating to 18 days from the 11th year thru the 15th year of employment.

After completing 15 years of employment the employee earns one and three fourths days per month accumulating to 21 days.

Vacation is accumulated July 1 through June 30 and must be used up before the following June 30th.

Teacher Assistants, Para-professionals and Food Service do not have vacation leave.

End of Jamestown Public School District Board Reg. DDBA-BR.....Adopted 5/6/2024

DDBB - HOLIDAY TIME

Twelve-month ancillary employees shall be granted pay for holidays as established by state law (NDCC 15.1-06-02) that fall on a day(s) that they would otherwise be scheduled to work. All other ancillary employees will be paid for the holidays set by state law that fall within the time of their work year and that fall on a day(s) that they would otherwise be scheduled to work.

To earn holiday time, the person must be working either the immediate regular work day before or the immediate regular work day after the holiday. (Being on approved paid leave such as sick or vacation is considered working.)

End of Jamestown Public School District Policy DDBB Amended:4/15/2024

DDBC - BEREAVEMENT LEAVE

1. In the event of the death of any family member/partner or relative, an employee may use up to five (5) days to attend the funeral without salary reduction to make final arrangements.
2. In the event of the death of a non-family member, up to one (1) day per school year funeral leave will be granted. With the Superintendent's approval, additional leave may be allowed to attend the funeral of a non-family member with salary deduction.

End of Jamestown Public School District Policy DBC.....Revised 10-16-2017

DDBD - MILITARY LEAVE

Professional and Support Staff

A leave of absence for up to thirty days will be approved for teachers who are ordered to federal or state active duty, annual active duty for training weekend assemblies or other duty. The pay of such teacher shall not be diminished during the authorized military leave period.

Legal Ref: NDCC 37-01-25; NDCC 37-01-25.1

DDC - UNPAID LEAVE

No leaves shall be granted other than those specified in board policy or the negotiated agreement without specific approval of the Superintendent. Such approval shall be at the sole discretion of the Superintendent.

An employee granted unpaid leave may not be entitled to receive any salary or fringe benefits during this leave period after a period of 10 days. The employee may make arrangements to pay for continuing fringe benefits while on unpaid leave under this policy. Staff on leave for any purpose remain subject to the reduction-in-force policy.

Complementing Policy:

- DKA, Reduction-in-Force Policy

End of Jamestown Public School District Policy DDC

Adopted:7/18/2022

DDCA – LEGISLATIVE/POLITICAL LEAVE

Legislative Leave

When legislative leave is required for meetings other than during a regular legislative session, the employee-legislator shall be responsible for the organization and coordination of their regular school responsibilities and shall receive regular salary payment but shall reimburse the district per diem allowance provided by the state for each day in the attendance of such meeting.

Political Leave

(Professional and Support Staff)

Staff members after having been employed by the School District for four consecutive years or more, upon request may be granted a leave of absence to seek and to hold a political office including that of legislator. This request will be approved upon the hiring of a qualified replacement. No salary or benefits will be paid by the School District during this leave.

Teachers on leave of absence move horizontally, but not vertically on salary schedule. No leave accumulates during this time.

Descriptor Code: DDD

DDD - PROFESSIONAL LEAVE

The District Administrator has exclusive authority to grant professional leave.

DDDB - LEAVE OF ABSENCE

Leaves of absence may be granted to teachers at the sole discretion of the Board. The Board shall establish regulations containing criteria and conditions under which long-term leaves may be granted.

Complementing:

- DDDB-AR, Leave of Absence Regulations

End of Jamestown Public School District Policy DDDB

Adopted: 2/1/2021

DDDB-AR - LEAVE OF ABSENCE REGULATIONS

Criteria for Granting

1. Eligible teachers must apply to the Superintendent by no later than March 1 of the preceding school year of the requested leave. The superintendent may waive the date of March 1 if extenuating circumstances, in the sole discretion of the superintendent, impact a teacher's ability to successfully fulfill the functions of the position, include a reasonable time horizon for return in accordance with board policy, and a qualified substitute can be found. All such leaves shall be subject to approval of the Board.
2. A teacher must have a minimum of 4 years of experience within the District.
3. In order for the Board to approve a leave, a suitable replacement must be available to ensure the curricular program of the school.
4. The number of teachers on long-term leaves of absence (including all leaves, not just educational leave) shall not be in excess of 2% of the teaching staff employed by the District.

Conditions of Approved Leaves

1. A leave of absence shall be for not less than and not more than one school year.
2. A person granted a long-term leave of absence shall not be entitled to receive any salary or fringe benefits during the entire term of the leave of absence.
3. While on leave, a teacher may continue with Cobra eligible insurances provided:
 - a. all costs, premiums, deductibles, etc., are borne by the teacher.
4. Provided that written notice of intent to return is received by the Superintendent, no later than March 1 of the school year in which said leave is being utilized, a teacher on leave will be assured of a position in the school system at the conclusion of the leave, but reassignment to the same school or teaching area is not guaranteed. Failure to submit the written notice of intent to return by this specified date shall be deemed to be a voluntary resignation and waiver of the right to re-employment. The District shall notify the employee on long-term professional leave of this notification deadline and procedure.
5. A teacher on leave of absence is subject to reduction in force, the same as if the teacher had not been on leave.
6. A teacher who returns from career exploration leave within the provisions of this section shall retain all previous experience credit for pay purposes as of the commencement of the leave. The teacher shall not accrue additional experience credit for pay purposes or leave time during the period of absence for career exploration leave.
7. Upon returning to the District, the teacher shall have restored benefits to which s/he was entitled at the time the leave commenced, including unused accumulated sick leave and accumulated personal leave.

DDDE - STAFF LEAVE POLICIES

PERSONAL LEAVE

Professional Staff

No personal leave will be granted unless a qualified substitute teacher can be found to replace the teacher on leave. Teachers receive 3 days of personal leave a year, accumulative to 5. After all appropriate leave is depleted; unpaid leave may be used for emergencies. Unpaid leave shall be granted to a teacher as a result of acts of God, including but not limited to, damage to primary residence, weather conditions, and other conditions over which the teacher has no control. Only the Superintendent may approve unpaid leave.

Support Staff

Staff working less than the 12 months will receive 2 days of personal leave per year. Personal days are not cumulative.

Policy DDDE revised 10-2-2017

DDE* OTHER LEAVES

Descriptor Code: DDEA

DDEA - JURY & WITNESS DUTY

During jury duty or when subpoenaed as a witness, non-exempt employees shall be paid regular wages based on the number of hours typically worked but not to exceed 40 hours {but shall remit any compensation for jury duty to the District. In addition, non-exempt employees shall remit any compensation for witness duty to the District

Exempt Employees

Exempt employees shall be paid regular wages but shall remit any compensation for jury duty to the District. In addition, exempt employees shall remit any compensation for subpoenaed witness duty

Expert Testimony

Employees shall not voluntarily serve as an expert witness when such activity is in conflict of interest with the District.

End of Jamestown Public School District Policy DDEA

Adopted:5/72018

DE - STAFF CODE OF CONDUCT

Purpose

The Board has adopted this policy with the intent of fostering learning and working environments that operate efficiently; are safe, ethical, and equitable for students and staff; and meet community expectations.

Application of Policy

All school district employees, including teachers, administrators, other contracted staff, and ancillary staff, are required to adhere to this policy.

Code of Conduct

All staff members are responsible for becoming familiar with and abiding by the laws of the state as they affect their work, professional codes of ethics associated with their licensure if applicable, the school district's policies and the regulations designed to implement them.

The Board may have adopted or may adopt additional conduct policies applicable to specific categories of employees (e.g., academic freedom standards for teachers). Such policies are also considered part of this code of conduct, and the Superintendent is charged with disseminating such policies using the policy dissemination procedure contained in this policy.

In addition to district policies governing staff conduct, each staff member is required to:

1. Conduct oneself professionally whenever serving in his/her official capacity as a school district employee including maintaining professional decorum and professional boundaries in all interactions with students.
2. Exercise honesty and integrity when executing all duties.
3. Comply with confidentiality laws (e.g., student education records are protected by FERPA).
4. Be faithful and prompt in attendance at work.
5. Support and enforce policies and regulations of the District
6. Diligently execute all duties as assigned by supervisors and as set forth in job descriptions, district policies, or the negotiated agreement; staff members are also required to fulfill the terms of their contracts if applicable.
7. Demonstrate care and conservation of school property and resources.
8. Make job-related decisions in a manner that is fair and consistent with district policy and the district's mission.
9. Not use his/her position with the District for private gain.
10. Treat all staff, students, and community members with dignity and respect.
11. Report suspected violations of this code of conduct, district policy, or workplace violations of law to an immediate supervisor or individual/entity designated by law/policy to receive such reports.

Dissemination of Staff Conduct Standards

The Superintendent or designee shall develop a procedure to ensure that this code of conduct and other policies governing staff conduct are provided to all staff annually. The Board further directs the Superintendent or designee to compile a list of state laws related to staff conduct and disseminate this information to staff annually. The Superintendent or designee also shall provide a copy of the Education Standards and Practices Board Code of Professional Conduct for Educators to teachers and administrators annually. Administration should require staff to acknowledge, in writing, receipt and understanding of all documents provided to them under this policy.

If a staff conduct policy contains specific policy dissemination procedures that are more comprehensive than the policy dissemination requirements contained herein, the more comprehensive policy dissemination procedures should be followed.

Reporting and Investigation

Any staff member who has reason to believe that this policy may have been violated is required to report the alleged violation to an immediate supervisor or individual/entity designated by law/policy to receive such reports as soon as possible. Students and community members who have reason to believe this policy has been violated are encouraged to report this to a building principal.

The reporter may submit a written or oral report of the alleged violation. The supervisor or administrator receiving the report should document the date and time that the report is received, nature of the alleged violation, name of the reporter (if choosing to identify him/herself), and names of any witnesses to the alleged violation if this information is not submitted by the reporter in writing.

The supervisor shall refer the report to the Superintendent as soon as possible for investigation and resolution. The Superintendent shall investigate the alleged violation in a timely manner not to exceed 60 days unless the Superintendent determines additional time is needed. The Superintendent shall issue a summary of the investigation's findings to the employee who is the subject of the investigation.

At any time during the investigation process, the Superintendent or designated investigator may refer the alleged violation to law enforcement if a violation of law is reasonably believed to have occurred and/or ESPB if a violation of the Code of Professional Conduct for Educators is reasonably believed to have occurred. Such referrals do not relieve the District of its responsibility to complete an internal investigation of the alleged violation.

If a staff conduct policy contains an investigation procedure that is in conflict with the investigation procedure contained herein, the most comprehensive investigation protocol of the two in conflict must be used to conduct the investigation.

Alleged Violations by the Superintendent

If the Superintendent is believed to have violated this policy, the alleged violation shall be reported to the Board President who is responsible for conducting the investigation and rendering a final decision on the outcome of the investigation in accordance with this policy. The Board President may retain an attorney or consultant to assist with the investigation process.

Violations

Violations of this policy shall result in appropriate disciplinary action as determined by the Superintendent. The superintendent's decision is final. If the violation is covered by another district policy on staff conduct (e.g., discrimination or harassment), any specific disciplinary consequences contained in that policy shall apply.

Retaliation and Providing False Information Prohibited

The District prohibits retaliation for an individual's participation in an investigation and/or initiation of a report under this policy, including instances when an allegation is not substantiated. The District also prohibits knowingly filing a false report and/or knowingly making false statements during an investigation. Staff and students who violate these prohibitions are subject to appropriate disciplinary action.

DEA* ON-DUTY CONDUCT

Descriptor Code: DEAA

DEAA - DRUG AND ALCOHOL FREE WORKPLACE

Definitions

For purposes of this policy:

- *Alcohol* means any alcoholic beverage as defined in 23 U.S.C. 158 and NDCC 5-01-01.
- *Drug* means any controlled substance as defined in NDCC Sections 19-03.1-05 through 19-03.1-13 and 19-03.1-26 (paraphernalia); schedules I through V of the Controlled Substances Act (21 U.S.C. 812), and as further defined by regulation 21 CFR 1308.11 through 1308.
- *Possession* shall mean:
 - aa. Actual physical possession of the drug or alcohol while on school property;
 - bb. Use or consumption of the drug or alcohol while on school property;
 - cc. Drugs or alcohol in the employee's car, handbag, backpack, or other belongings while on school property; or
 - dd. Appearance by an employee on school property after having consumed or ingested the drug or alcohol that is noticeable by breath odor, speech alterations, unsteadiness of gait or posture, or like symptoms of chemical intoxication.
- *Reasonable suspicion* means a good faith suspicion by a trained district administrator and/or supervisor that an employee, based on objective facts and articulable observations, that an employee has violated the Drug and Alcohol Free Workplace policy and is using, or appears to presently be under the influence of drugs or alcohol.
- *School property* is defined in NDCC 15.1-19-10(6)(b) as all land within the perimeter of the school site, all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.
- *Use* means that an employee is reasonably suspected to have ingested, injected, inhaled or otherwise taken into their body drugs or alcohol, or is reasonably found to be under the influence of drugs or alcohol.

The Jamestown Public School District is committed to a safe, healthy working and learning environment for its employees and students. Therefore, the District enforces the Drug and Alcohol Free Workplace Act by prohibiting employees from the use, manufacturing, possession, distribution, or dispensing of drugs or alcohol while on school property, unless use is at the instruction of a physician, and the physician has advised that use shall not affect the employee's ability to perform duties. Employees are also prohibited from knowingly or intentionally aiding or abetting in any of the above activities.

An employee must inform their immediate supervisor when the employee's ability to perform job duties is impaired due to on- or off-duty drug or alcohol use.

Awareness Program

The Superintendent shall create an Employee Drug-free Awareness Program in accordance with federal law. Information on the effects of drug and alcohol misuse, signs and symptoms of a drug and/or alcohol problem, and available methods of intervention when a misuse problem is detected can be found in the District Office.

Policy Dissemination

The Superintendent shall give a copy of this policy to each employee and maintain documentation of receipt of this information.

Reasonable Suspicion Testing

Employees may be subject to drug and/or alcohol testing when there is reasonable suspicion by the district administrator and/or supervisor that indicates the employee may have violated district policy and is using or appears to presently be under the influence of drugs and/or alcohol in violation of the policy.

Reasonable suspicion testing shall be based on objective facts and articulable observations that are consistent with the signs and symptoms of drug and alcohol abuse; including, but not limited to, appearance, behavior, motor skills, attendance and/or work performance by the employee. The circumstances under which drug and alcohol testing shall be considered, as outlined above, are strictly limited to time and place of employee conduct while on duty, during work hours, and/or on school property.

The District shall take steps to ensure that district administrators and supervisors receive proper training to recognize the signs and symptoms of drug and alcohol misuse prior to making determinations for reasonable suspicion testing.

Reasonable suspicion testing shall be performed in accordance with federal law on Transportation Workplace Drug Testing and testing procedures outlined in administrative regulation. The District shall designate collection sites where employees may provide specimens. This language in no way authorizes the District to conduct pre-employment, random, post-accident, return-to-duty, or follow-up drug testing on employees not subject to the Omnibus Transportation Testing Act or positions not defined by the Board as safety sensitive.

The District shall pay all costs of the employee drug and alcohol testing, unless the test is a retest requested by the employee. District employees will be compensated at their regular rate of pay for the time during which they are undergoing any drug or alcohol testing, including transportation time.

Violation Reporting

As a condition of employment, each employee shall agree to abide by this policy and notify the Superintendent of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. The Superintendent, in accordance with applicable law, shall notify the appropriate federal and/or state agency after receiving any notice of a conviction for a violation occurring in the workplace. Failure of the employee to report the conviction within the time prescribed may lead to disciplinary action up to and including discharge.

Violations

Violations of this policy may result in the following:

11. Mandatory participation in the Employee Assistance Program (EAP) and/or a rehabilitation program.
12. Unpaid leave or suspension;
13. Termination of employment; due process procedures shall be followed prior to termination, if required; or

14. Notification of proper law enforcement authorities.

Assistance

The Board recognizes that drug and/or alcohol addiction is a treatable disease and that early intervention and support improve the success of rehabilitation. The District may offer an Employee Assistance Program (EAP) to assist in rehabilitation and intervention efforts. Use of the EAP will not jeopardize employment or promotion opportunities. Treatment for drug and/or alcohol addiction may be covered by the employee benefit plan; however, the ultimate financial responsibility for this treatment belongs to the employee.

Confidentiality

All information received by the District as a result of this policy is confidential. Access to this information is limited to those who have a legitimate need to know or upon written consent of the employee.

The District shall maintain employee testing records in accordance with federal law on drug and alcohol testing regulations.

Complementing Policies:

- DE, Staff Code of Conduct
- DEAA-AR, Procedure If Drug and/or Alcohol Use is Reasonably Suspected
- DEAA-E, Record of Observable Behavior
- DGB, Employee Assistance Program
- DGB-BR, Employee Assistance Program Procedure

End of Jamestown Public School District Policy DEAA

Adopted:7/17/2023

DEAA-AR - PROCEDURE IF DRUG AND/OR ALCOHOL USE IS REASONABLY SUSPECTED

Description of Tests

1. Alcohol: Alcohol testing may be required when reasonable suspicion exists. Alcohol testing is performed using an evidential breath testing device (EBT) approved by the National Traffic Safety Administration. All alcohol breath tests shall be conducted on an approved EBT by a trained breath alcohol technician (BAT). EBT's shall be able to distinguish alcohol from acetone at the 0.02% alcohol concentration level and shall be capable of testing an air blank prior to each collection of breath and performing an external calibration check. In order to be used in either screening or confirmation alcohol testing, an EBT shall have a quality assurance plan (QAP) developed by the manufacturer.
2. Drug testing: Drug testing may be required when reasonable suspicion exists. Drug testing is conducted by analyzing a urine specimen for the following drugs: marijuana, cocaine, opiates, amphetamines, and phencyclidine. All drug test results are reviewed and interpreted by a medical review officer (MRO) before the results are reported to the District.

When the District reasonably suspects a violation of the district's Drug and Alcohol-Free Workplace policy, the District shall proceed as described below:

1. The employee's supervisor or district administrator shall complete a Record of Observable Behavior form. The supervisor or district administrator shall not attempt to make allegations or diagnose behavior beyond observed and reported behavior.
2. The employee's supervisor and/or district administrator shall solicit an explanation from the employee regarding the employee's observed behavior. All conversations had with the employee shall, whenever possible, involve a witness.
3. The district administrator may require the employee to undergo a drug and/or alcohol test if the employee can't satisfactorily explain their behavior.
4. If an alcohol test is not administered within two hours, or if a drug test is not administered within 32 hours, the District shall prepare and maintain a written record explaining why the test wasn't conducted.
5. A written record of observable behavior of the employee shall be made within 24 hours of reasonably suspecting a violation of district policy or before test results are released (whichever occurs first).
6. **Reasonable suspicion tests shall be conducted by a person other than the person who determines reasonable suspicion exists.**
7. The employee must agree to be tested and complete the district consent form prior to obtaining a drug or alcohol test.
8. If the employee refuses to undergo the test or complete the consent form, they shall be advised that such refusal may subject the employee to disciplinary consequences contained in the Drug and Alcohol-Free Workplace policy. If the employee still refuses to undergo testing or to

complete the consent form, they shall be directed to the Superintendent for disciplinary purposes.

9. The district administrator shall arrange an escort or transport the employee subject to drug and alcohol testing to a designated drug and alcohol testing facility to provide a breath and/or urine specimen.
10. The district administrator shall schedule a date and time to discuss the results of the test(s). This meeting may include the district administrator, human resource officer, union representative (if requested), or others deemed necessary.
11. The employee shall return to their position if a positive drug test is not confirmed.
12. An employee who tests positive for drugs and/or alcohol shall be given an opportunity to discuss and explain the positive test result(s).
13. The employee may be subject to the disciplinary consequences contained in district policy.
14. A formal chemical dependency diagnostic interview (and treatment, if the report of the diagnostician indicates a need for treatment) may be made a condition of continued employment if the employee's job performance is adversely affected.
15. The District shall make every effort to provide supportive assistance to those employees who return after completing a therapeutic regime.

Drug and Alcohol Testing Procedures

The following procedures apply when an employee is subject to reasonable suspicion drug and/or alcohol testing:

1. Alcohol Testing:
 - a. Breath alcohol testing shall be conducted at a location that affords visual and aural privacy to the employee being tested sufficient to prevent unauthorized persons from seeing or hearing the test results. In some unusual circumstances, such as when it is essential to conduct a test at the scene of an accident, a test may be conducted at a location that provides visual and aural privacy only to the extent practicable.
 - b. All necessary equipment, personnel, and materials for breath testing shall be provided at the location where testing is conducted.
 - c. The employee shall complete all required paperwork and be required to properly identify themselves. The test administrator must document refusal to complete required paperwork.
 - d. The employee shall be directed to blow into a breathalyzer and must be shown the results of the test.
 - e. If the test is positive, as defined by federal standards, the employee may be required to submit to a confirmation test. The employee shall be instructed not to eat, drink, or put

any object or substance in their mouth until after the confirmation test. The test administrator shall also explain the test may be conducted even if the employee has disregarded these instructions. Confirmation test results are deemed to be the final results upon which any action under the drug and alcohol testing policy or regulations shall be based.

- f. The test administrator shall transmit all results to the District in a confidential manner.
- g. The test administrator shall also inform the District of any refusal to test.
- h. If the employee attempts and fails to provide an adequate amount of breath, the District shall direct the employee to obtain, as soon as practical after the attempted test, an evaluation from a licensed physician acceptable to the District concerning the employee's medical ability or inability to provide an adequate amount of breath. If the physician determines, in their reasonable medical judgment, that a medical condition has, or could have, precluded the employee from providing an adequate amount of breath, the employee's failure to provide an adequate amount of breath shall not be deemed a refusal to take the test. If a licensed physician is unable to make such a determination, the employee's failure to provide an adequate amount of breath shall be regarded as a refusal.

2. Drug Testing:

To ensure the appropriate chain of custody and specimen control are maintained, the collection of urine specimens shall proceed as follows:

- a. Upon the employee's arrival at the designated collection site, the collector shall request the employee to provide identification and complete required paperwork, including listing prescriptions. The collector shall document refusal to complete paperwork.
- b. The employee shall be required to leave personal belongings including, but not limited to, coats and purses/bags outside the collection area. The employee shall be required to wash and dry their hands before the test is administered. The employee shall then remain in the collection area and not have access to any other material that could be used to adulterate the specimen. Any transfer of the specimen from the collection container to another specimen bottle must be observed by the employee.
- c. If the test result is positive, the employee may request the medical review officer (MRO) direct the split specimen be tested in a different Department of Health and Human Services-certified laboratory. The MRO shall honor such a request if it is made within 72 hours of the employee having been notified of a verified positive test result. The MRO must take all steps necessary to ensure the specimen is clearly identified and document the chain of custody when the specimen is transferred to a different lab. The cost of the split specimen testing shall be paid by the employee.
- d. Upon notification by the collection site that an employee has failed to appear for their scheduled collection, the District shall inquire of the employee the reason(s) for failing to

appear. If the employee provides a legitimate reason for failing to report, no disciplinary action shall be taken against the employee. If the employee does not provide a legitimate reason for failing to report, disciplinary action, in accordance with policy, may be taken. The Superintendent shall determine whether or not legitimate reasons exist.

- e. In the event an employee refuses to provide a specimen, the collection site and/or the District shall advise the employee that refusal to provide a specimen shall result in disciplinary action. In the event the employee still refuses to provide a specimen, the employee shall be subject to disciplinary action in accordance with policy.
- f. In the event an employee fails to provide a sufficient quantity of urine, the collection site and/or the District shall meet with the employee to see if they have a legitimate reason, and they must be required to take the drug test within four hours of the meeting. If the employee does not have a legitimate reason, the failure to provide a sufficient quantity of urine shall be treated as a refusal to provide a specimen.
- g. In the event an employee is unable, or alleges they are unable, to provide a sufficient quantity of urine because of a medical condition, the District shall direct the employee to obtain, as soon as practical after the attempted test, an evaluation from a licensed physician acceptable to the District concerning the employee's medical ability or inability to provide a sufficient quantity of urine. If the physician determines, in their reasonable medical judgment, that a medical condition has, or could have, precluded the employee from providing a sufficient quantity of urine, the employee's failure to provide a sufficient quantity of urine shall not be deemed a refusal to take the test. If a licensed physician is unable to make such a determination, the employee's failure to provide a sufficient quantity of urine shall be regarded as a refusal.

DEAA-E1 - RECORD OF OBSERVABLE BEHAVIOR

Employee Name:			
Observation Time:	Observation Location:		
Reasonable suspicion of current use or impairment by:			
<input type="checkbox"/> Alcohol	<input type="checkbox"/> Drugs	<input type="checkbox"/> Both	
Cause for Suspicion			
Appearance			
<input type="checkbox"/> Normal	<input type="checkbox"/> Flushed	<input type="checkbox"/> Puncture Marks	<input type="checkbox"/> Disheveled, Disordered
<input type="checkbox"/> Tremors	<input type="checkbox"/> Dilated/Constricted Pupils	<input type="checkbox"/> Profuse Sweating	<input type="checkbox"/> Dry mouth
<input type="checkbox"/> Runny Nose/Sniffing	<input type="checkbox"/> Wearing Sunglasses	<input type="checkbox"/> Bloodshot Eyes	<input type="checkbox"/> Deterioration in Dressing
<input type="checkbox"/> Odor of :		<input type="checkbox"/> Other:	
Behavior			
<input type="checkbox"/> Normal	<input type="checkbox"/> Confused/Disoriented	<input type="checkbox"/> Whispering Loud	<input type="checkbox"/> Crying
<input type="checkbox"/> Silent	<input type="checkbox"/> Poor Comprehension	<input type="checkbox"/> Slow	<input type="checkbox"/> Mood Swings
<input type="checkbox"/> Lethargic	<input type="checkbox"/> Paranoid	<input type="checkbox"/> Rambling	<input type="checkbox"/> Aggressive/Violent
	<input type="checkbox"/> Euphoria	<input type="checkbox"/> Slurred	<input type="checkbox"/> Other:
Motor Skills			
<input type="checkbox"/> Normal	<input type="checkbox"/> Jerky	<input type="checkbox"/> Stumbling	<input type="checkbox"/> Arms raised for balance
<input type="checkbox"/> Slow	<input type="checkbox"/> Fumbling	<input type="checkbox"/> Falling	<input type="checkbox"/> Wide based gait
<input type="checkbox"/> Drowsy	<input type="checkbox"/> Rigid	<input type="checkbox"/> Reaching for support	<input type="checkbox"/> Dropping things
<input type="checkbox"/> Hyperactive	<input type="checkbox"/> Swaying	<input type="checkbox"/> Head falling	<input type="checkbox"/> Other:
Attendance			
<input type="checkbox"/> Normal	<input type="checkbox"/> Frequently absent	<input type="checkbox"/> Frequently tardy	<input type="checkbox"/> Unexplained gaps of time (e.g., takes 15 minutes to get from one room to another)
<input type="checkbox"/> Other:			

Work Performance

- Normal Declining quality of work Incomplete work Slowed reaction time
 Perfectionist or workaholic Other:

Did the employee admit to use of drugs or alcohol? Yes: _____ No: _____

When: _____ Substance: _____

How much: _____ Where Taken: _____

WITNESSED BY:

Signature (Supervisor)

Title

Date

Time

Signature (Administration)

Title

Date

Time

SITUATIONAL CATEGORY	IMMEDIATE ACTION	INVESTIGATION	NOTIFICATION OF POLICE	DISCIPLINE REHABILITATION
1. Employee suspected of possible alcohol or other drug use. No violation or physical evidence.	Employee informed of available help and encouraged to seek assistance.	Limited to supervisor contacting counselor or nurse for assistance.	Not applicable	None. Referral to Substance Abuse Professional.
2. Employee contacts supervisor in regard to alcohol or other drug use of another employee.	Employee who contacts supervisor encouraged to get employee with problem to personally seek assistance.	Limited to supervisor, although, counselor or nurse may be contacted for assistance.	Not applicable	None. Referral to Substance Abuse Professional.
3. Employee voluntarily informs supervisor about personal alcohol or other drug use and asks for help.	Employee informed of services available and encouraged to seek assistance.	Supervisor may request advice from counselor or nurse.	Not applicable	None. Referral to Substance Abuse Professional.
4. Employee has alcohol or other drug related medical emergency.	Nurse summoned immediately. Employee transported to medical facility.	Supervisor shall investigate incident. May include search of employee and possessions.	Only where safety of emergency victim or school population is at risk	Referral to Substance Abuse Professional. If further violation, see appropriate situational category.
5. Employee possesses drug related paraphernalia. No evidence of use.	Supervisor summoned; Personnel involved write anecdotal report of incident.	Supervisor shall investigate incident.	At discretion of supervisor	Required meeting with counselor and/or supervisor. If further violation, see appropriate situational category.
6. Employee possesses, uses, or is under influence of alcohol or other drugs on or off school property in official capacity.. 1st offense. Cooperative behavior.	Supervisor summoned. Personnel involved write anecdotal report of incident. Employee relieved of duties for remainder of day if using or under influence and may be required to undergo drug and/or alcohol testing.	Supervisor shall investigate incident and may require employee to undergo drug and/or alcohol testing.	At discretion of supervisor	Notice given that repeated violation may result in recommendation for discharge. Required participation in chemical abuse program.
7. Employee possesses, uses, or is under influence of alcohol or other drugs on or off school property in official capacity.. 1st offense. Uncooperative behavior.	Supervisor summoned. Personnel involved write anecdotal report of incident. Employee relieved of duties for remainder of day if using or under influence and may be required to undergo drug and/or alcohol testing.	Supervisor shall investigate incident and may require employee to undergo drug and/or alcohol testing.	Yes	Notice given that repeated violation will result in recommendation for discharge. Required participation in chemical abuse program.
8. Employee possesses, uses, or is under influence of alcohol or other drugs on or off school property in official capacity. Multiple offenses.	Supervisor will be contacted. Employee relieved of duties for appropriate period of time and may be required to undergo drug and/or alcohol testing.	Supervisor shall investigate incident and may require employee to undergo drug and/or alcohol testing.	At discretion of supervisor	Discipline as provided by appropriate situational category following investigation.
9. Employee distributing alcohol, drugs, or controlled substance during duty time or on school property.	Police summoned. Personnel witnessing write anecdotal report of incident.	Supervisor will investigate and make recommendation.	Yes	Immediate recommendation for discharge.

DEAA-E2 - STEPS TO PERFORMING A REASONABLE SUSPICION TEST

- Identify problem and observe.
- Act on medical concerns immediately. **(Consider possible medical conditions such as diabetes, epilepsy, stroke, etc. If this is a possibility, call 911 immediately.)**
- Document your findings within 24 hours of reasonably suspecting a violation of district policy.
- Meet with the employee in privately to discuss observations and findings. Whenever possible, involve a witness.
- Tell employee what was observed and felt to be abnormal.
- Ask employee why they appear to be behaving abnormally.
- Inform employee that supervisors are required to act when there is reasonable suspicion to believe the District’s drug and/or alcohol prohibitions have been violated.
- Inform employee that District policy permits drug and/or alcohol testing when there is reasonable suspicion that an employee is in violation of the drug and/or alcohol use policy.
- Inform employee of the consequences of refusal to test: An employee who refuses to submit to a drug and/or alcohol test or who violates any aspect of these guidelines may be subject to disciplinary action up to and including termination.
- Have employee agree to be tested and complete the district consent form prior to obtaining drug and/or alcohol test.
- Arrange escort/transport of employee to collection site **(Do not let the employee self-transport.)**
Under no circumstances shall an employee be required to transport an employee exhibiting violent or threatening behavior. In such cases, the responsible employee shall immediately contact the appropriate law enforcement agency.
- Arrange escort/transport of employee to home. **(Do not let the employee self-transport)**
- Discuss the positive test results with employee and any resulting disciplinary action.
- Maintain confidentiality as required throughout process.

Supervisor/Administrator Written Summary of Observation and Screening

Signature (Supervisor/Administrator)

Date

DEAA-E3 - DRUG AND/OR ALCOHOL TESTING CONSENT FORM

I hereby agree, upon a request made under the Jamestown Public School District Drug and Alcohol-Free Workplace policy, to submit to a drug or alcohol test and to furnish a sample of my urine, breath, and/or blood for analysis. I understand and agree that if I at any time refuse to submit to a drug or alcohol test under district policy, or if I otherwise fail to cooperate with the testing procedures, I may be subject to disciplinary action up to and including termination of employment. I further authorize and give full permission to have the District send the specimen(s) collected to a collection site for a screening test for the presence of any prohibited substances under the policy, and for the collection site or other testing facility to release any and all documentation relating to such test to the District and/or to any governmental entity involved in a legal proceeding or investigation connected with the test. Finally, I authorize the District to disclose, to the extent permitted by law, any documentation relating to such test to any governmental entity involved in a legal proceeding or investigation connected with the test.

I understand that only duly-authorized district employees shall have access to information furnished or obtained in connection with the test; that they shall maintain and protect the confidentiality of such information to the greatest extent possible; and that they may share such information only to the extent necessary to make employment decisions and to respond to inquiries or notices from government entities.

I shall hold harmless the District, and any collection site the District might use, meaning that I will not sue or hold responsible such parties for any alleged harm to me that might result from such testing, including loss of employment or any other kind of adverse job action that might arise as a result of the drug or alcohol test, even if a district or collection site representative makes an error in the administration or analysis of the test or the reporting of the results. I shall further hold harmless the District, and any collection site the District might use for any alleged harm to me that might result from the release or use of information or documentation relating to the drug or alcohol test, as long as the release or use of the information is within the scope of this policy and the procedures as explained in the paragraph above.

This policy and authorization have been explained to me in a language I understand, and I have been told that if I have any questions about the test or the policy, they will be answered.

Signature (Employee) Date

Signature (Supervisor/Administrator) Date

DEAC - STAFF DRESS CODE

As role models, staff should always be conscious of how their dress and grooming affects students. All staff shall wear attire appropriate to their profession and the occasion, which provides protection and safety as necessary.

End of Jamestown Public School Policy DEAC.....Adopted: 7-18-2016

DEAG - WEAPONS PROHIBITION ON SCHOOL PROPERTY—EMPLOYEES

Definitions

This policy defines the following:

- Armed first responder* as defined by NDCC 62.1-02.
- Dangerous weapon* as defined by NDCC 62.1-01-01(1).
- Firearm* as defined by 18 U.S.C. 921 and NDCC 62.1-01-01(3).
- School property* is defined in NDCC 15.1-19-10 (6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by the District, and the site of any school-sponsored event or activity.

Prohibitions

District employees, district contractors and/or their employees, and district volunteers are prohibited from possessing on school property a firearm, dangerous weapon, or any object that is used, attempted to be used, or threatened to be used, to intimidate or cause bodily harm, including those individuals who may otherwise be permitted by law to carry such weapons.

This prohibition does not apply to law enforcement personnel including the school resource officer or authorized ambulance and firefighter crew while on duty. Firearms and dangerous weapons under the control of law enforcement personnel, including the school resource officer or authorized ambulance and firefighter crew while on duty are permitted on school property in accordance with law.

Firearms and/or Dangerous Weapons Stored in Vehicles

Employees are prohibited from possessing firearms and/or dangerous weapons in their vehicles while on school property, except as permitted by law. Permitted employees must ensure that all firearms are secured in or on their vehicle while on school property.

Exceptions

The prohibitions in this policy do not apply when the Superintendent or designee has authorized the following:

- Use of a blank firearm cartridge, or any object that can reasonably be considered a dangerous weapon in a sporting, memorial, or theatrical event;
- Participation in educational, training, cultural, or competitive events that requires use of a firearm or dangerous weapon;
- For purposes of a hunter's safety course; or

Notice

The Superintendent shall ensure notice of this policy is provided to district employees, district contractors, and district volunteers.

Violations

Employees in violation of this policy shall be subject to discipline up to and including dismissal in accordance with any applicable law. Individuals contracting with the District and volunteers shall be subject to appropriate sanctions. A referral to law enforcement may be made by appropriate school officials.

Complementing Policy

- DE, Staff Code of Conduct

End of Jamestown Public School District Policy DEAG Adopted:10-4-2021

DEB* ON & OFF DUTY CONDUCT

Descriptor Code: DEBA

DEBA - CONFIDENTIALITY

Any person working for or providing services to the District has a responsibility to protect the privacy of students and their parents. This responsibility applies to time spent at school as well as away from school. Questions from the general public concerning students or staff should be referred to an administrator.

Federal Requirements

District employees and service providers must follow confidentiality requirements under the Family Education Rights and Privacy Act (FERPA), Pupil Protection and Rights Amendment (PPRA), Children's Online Privacy Protection Act (COPPA), and the Individuals with Disabilities Education Act (IDEA).

Information Release

Information concerning students shall only be released in accordance with the district's policy on student education records and privacy (FGA). Information concerning district employees, activities, and operations shall be released in accordance with the district's policy on employee speech (DEBF).

Violations

Employees that violate this policy may be subject to disciplinary action up to and including dismissal in accordance with law and district policy.

Complementing Policies

- DEBF, Employee Speech
- DI, Personnel Records
- FGA, Student Education Records and Privacy

End of Jamestown Public Schools Policy DEBA

Adopted:2-6-2017

DEBD - STAFF-STUDENT RELATIONS (NON-FRATERNIZATION POLICY)

The Board requires employees, volunteers, and students to treat one another with respect and professionalism. All employees and volunteers are expected to exercise good judgment and maintain professional boundaries when interacting with students at all times, on and off school property.

Prohibited Behavior

Any inappropriate behavior towards students is strictly prohibited. Such behavior includes but is not limited to the following:

1. Insults, disparaging remarks/names, and/or sarcasm, used to force compliance with an employee's or volunteer's requirements or expectations.
2. Any conduct that would amount to sexual harassment, discrimination, or retaliation under Title IX of federal education amendments.
3. Any activity that may lead to a relationship such as dating, sending intimate correspondence, and/or engaging in non-appropriate dialogue.
4. Any inappropriate relationship between an employee or volunteer and a current student, regardless of his/her age, or a former student under the age of 18.
5. Any conduct by an employee or volunteer that would constitute a sexual offense as defined in state law.

Individuals aware of any of these prohibited behaviors are expected to report such action to a building administrator or the Superintendent.

All reported prohibited behavior shall be investigated. If disciplinary action is deemed warranted at the completion of the investigation, the District shall take appropriate action up to and including termination of employment in accordance with law and/or reporting such activity to appropriate state licensing and law enforcement officials.

Complementing Policies

- AAC, Nondiscrimination & Anti-Harassment Policy
- AAC-BR, Discrimination & Harassment Grievance Procedure
- AAC-E, Filing a State or Federal Discrimination & Harassment Complaint

End of Jamestown Public School District Policy DEBD..... Adopted:5-18-2020

DEBF - EMPLOYEE SPEECH

For the purposes of this policy, *speech* includes statements made orally, in writing/print, electronically (e.g., online, through video, text message, etc.) and/or visual mediums (e.g., photographs, videos, etc.).

Speech Made as an Employee

Speech made as a school district employee is not constitutionally protected. The District requires that when staff are acting in their official capacity as school district employees, they shall use sound judgment when making statements pursuant to their official responsibilities and only to the extent that they possess accurate information. Speech made by staff in their official capacity as school district employees shall furthermore be in keeping with the district's mission statement.

Speech made pursuant to official district responsibilities that is knowingly false or inaccurate; made with reckless disregard for the truth; that violates the district's mission statement; that causes or leads to substantial disruption of the educational environment; poses a safety threat to district students, staff, or operations; violates district policies; or impedes on the school district's interest, including, but not limited to, delivery of public services, may be grounds for disciplinary action in accordance with law, district policy, and, if applicable, the negotiated agreement.

Speech Made as a Private Citizen

When school district employees make statements as a private citizen about matters of public concern, the District may take disciplinary action if such statements substantially disrupt the educational environment. Prior to taking disciplinary action, the District should document the manner in which the speech at issue disrupted the educational environment and may consult with legal counsel to determine if the speech is indeed a matter of public concern and meets the substantial disruption standard.

When school district employees make statements as a private citizen about matters that are not of public concern, the District may take disciplinary action for reasons such as, but not limited to, the speech substantially disrupts the educational environment; poses a safety threat to district students, staff, or operations; violates district policies on off-duty conduct; contains content unbecoming to a teacher; or impedes on the school district's interest, including, but not limited to, delivery of public services. Prior to taking disciplinary action, the District may consult with legal counsel to determine if the speech is unprotected (i.e., does not address a matter of public concern).

Other Provisions

In addition to the requirements established by this policy, the District has a policy on confidentiality that governs on- and off-duty speech of district employees. The District also prohibits use of district owned or created material such as, but not limited to, the district's logo or copy trademark without first obtaining the permission of the Superintendent. Failure to obtain such permission may result in disciplinary action in accordance with the district's copyright policy.

Complementing Policies

- ABCA, Copyrighted Material & Intellectual Property
- DEBA, Confidentiality
- DEBD, Student-Staff Relations
- GBA, Academic Freedom
- KBA, Relations with the News Media

End of Jamestown Public Schools Policy DEBF

Adopted:2-6-2017

DEBJ - UNAUTHORIZED PURCHASES

All purchases must be made in a manner consistent with policy (HCAA) and accompanying regulations and only with properly delegated authority. Purchases that are unauthorized shall become the financial responsibility of the purchaser. Purchases made in violation of the purchasing policy or rules may become the financial responsibility of the purchaser subject to an investigation of the alleged violation conducted by the Superintendent or Board President when the alleged violation relates to the Business Manager or Superintendent. District employees may be subject to additional disciplinary consequences for making unauthorized purchases, including, but not limited to, revocation of purchasing authority.

Complementing Policy

- HCAA, Purchasing

End of Jamestown District Policy DEBJ

Adopted:2/5/2018

DF* EVALUATION, PROMOTION, & TRANSFERS

Descriptor Code: DFA

DFA - SUPERVISION & EVALUATION

The Board shall exercise administrative oversight over the Superintendent including evaluation of performance. The Board delegates to the Superintendent administrative oversight of the Business Manager and supervisory responsibility over the business manager's daily operations.

The building principal shall assign each classified employee a direct supervisor. Teachers shall be under the direct supervision of the administrator assigned responsibility for their department.

Each supervisor shall evaluate the work of each employee under his/her supervision. The Superintendent shall establish evaluation procedures in accordance with any applicable laws and shall assess evaluations submitted by supervisory personnel.

End of Jamestown Public School District PolicyAdopted 2-4-2019

DFAA - TEACHER EVALUATION

Immediate supervisors shall evaluate the professional staff by use of instruments adopted by the Board. The evaluation process will be based on the supervisory process. These evaluations shall be conducted in conformance with North Dakota law, including the dates specified in the law. The evaluation shall become a part of the employee's personnel file. The employee shall have the right to review the evaluation and may attach a statement of disagreement if he/she so wishes.

Complementing Policies:

- DFA, Supervision & Evaluation
- DFAA-AR, Teacher Evaluation Procedure
- DFAB, Teacher Supervision
- DIB, Review of Contested Material in Personnel Files

End of Jamestown Public School District Policy DFAA

Adopted: 12/18/2017

DFAA-AR - TEACHER EVALUATION PROCEDURE

Purpose & Scope

The goal of evaluation is to document and strengthen teaching performance and instructional programs.

Evaluator

Each building principal shall be responsible for evaluating teachers under his/her jurisdiction. Principals should be well acquainted with all the factors related to teachers' classroom assignment(s), class composition(s), environmental elements, and other contributing factors.

Procedure

Each teacher's performance should be observed and evaluated under as widely varying circumstances as may prevail in an assignment. Formal classroom observations should be made periodically. Activities of teachers that benefit the school in addition to classroom work may be included in the evaluation report.

Each principal shall maintain a written record of formal classroom observations and other relevant information. Evaluation shall be analytic and shall seek to establish the degree to which a teacher is meeting established criteria for professional performance. Follow-up observations should be noted when indicated.

Following the completion of each formal observation, the evaluator and teacher should meet. The teacher and the evaluator should sign the evaluation and certify any alterations according to the format of the report itself. The signature of a teacher on an evaluation does indicate agreement and/or disagreement with the evaluation, only that it has been received and read.

A teacher may attach a written response to the evaluation placed in the personnel file.

End of Jamestown Public School District Administrative Regulation DFAA-AR

DFAB - TEACHER SUPERVISION

Supervision is a continuing process in which the teacher and supervisor cooperatively identify major strengths and weaknesses in the teacher's effectiveness as a professional educator.

The objectives of supervision are to observe teaching performance, improve teaching performance, encourage professional growth, promote positive behavior, and to facilitate attainment of district goals and objectives in order to benefit the students of the District. Each staff member will be observed and evaluated according to board policy and state law. Administrators will visit classrooms on an announced and also on an unannounced basis. The length of time will vary from a few minutes to an entire class period. When doing something particularly interesting, teachers are encouraged to invite administrators into the classroom.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- DFAA, Teacher Evaluation
- DFAA-AR, Teacher Evaluation Procedure

End of Jamestown Public School District Policy DFAB

Adopted:8/18/2017

DFC - REASSIGNMENT AND TRANSFERS

The assignment, transfer, and promotion of personnel is a management function vested exclusively in the Board. The Board shall not negotiate away this authority.

The Board grants to the district administrator authority to assign and/or transfer teaching personnel.

Teachers may apply for voluntary reassignment and/or transfer. Such requests will be made in writing to the district administrator, stating the grade and/or subject desired and the school or schools to which transfer is requested. Such requests will be considered when scheduling is made but this consideration is not intended to limit the flexibility of the administration.

Declining enrollments, or other factors, such as but not limited to, program changes or reductions, funding provisions, or program improvement may require considering transfers which are not initiated by the certificated contracted employee.

Whenever possible staffing plans should be completed by April 15th and individuals shall be notified by the principal and/or program director of intended reassignment. ("Intended reassignment" does not designate the new assignment - it simply says a new assignment may be made.)

Certificated contracted employees considered for reassignment may request a meeting with the district administrator, at which time the employee will be able to state concerns relative to reassignment.

Concerns of the certificated contracted employee will be give consideration in reassignment; however, the overriding consideration shall be establishing staffing patterns to best serve the students of the district.

Within an individual school, a principal will have the right to reassign classes and courses, provided this is done with full regard to the teacher's area of certification.

DG - EMPLOYEE SUPPORT PROGRAMS & PROCEDURES

Descriptor Code: DGA

DGA – GRIEVANCE

The School Board has developed the following policy. It is not part of the negotiated agreement and the Board reserves exclusive right to interpret or modify its grievance policy, subject only to provisions that the Board has agreed to through the negotiations process.

Section I:

A "Grievance" shall mean an allegation by a teacher that there has been to him a personal loss, injury, or inconvenience because of a violation, misinterpretation, or inequitable application of the negotiated agreement.

A grievance, to be considered under this procedure, must be initiated by the teacher within ten (10) school days from the time when the teacher knew, or should have known, of its occurrence.

Procedure

A. Failure at any step of this procedure to communicate the decision on a grievance within the specified time limits permits the aggrieved teacher to proceed to the next step.

Failure at any step of the procedure to appeal a grievance to the next step within the specified time limits shall be deemed to be acceptance of the decision rendered at that step.

B. It is understood that the grievant shall, during and notwithstanding the pendency of any grievance, continue to observe all assignments and applicable rules and regulations of the Board until such grievances and any effect thereof have been determined.

C. Any teacher who has a grievance shall generally discuss it first with his/her principal, or immediate superior, in an attempt to resolve the matter informally at that level.

If, as a result of the discussion, the matter is not resolved to the satisfaction of the teacher, within five (5) school days, he/she may set forth his/her grievance in writing to the principal specifying:

1. The nature of the grievance,

2. The nature of extent of the injury, loss or inconvenience,
3. The results of previous discussions,
4. His/her dissatisfaction with decisions previously rendered, and
5. The desired remedy.

The principal or director should communicate his/her decision to the teacher in writing within five (5) school days of receipt of the written grievance.

The teacher, no later than five (5) school days after receipt of the principal's or director's decision, may appeal the principal's or director's decision to the district administrator or appropriate designee.

If the grievance is not resolved to the teacher's satisfaction, he/she, no later than five (5) school days after receipt of the district administrator's decision, may request a review by the School Board.

The request shall be submitted in writing through the district administrator who must attach all related papers and forward the request to the School Board. The Board, or a committee thereof, will review the grievance and may, at the option of the Board, hold a hearing with the teacher. A decision should be rendered within five weeks of receipt of the grievance by the Board. The teacher and the supervisor have the right to have a representative present if they so desire.

School Board members, administrators, or teachers shall not discriminate against one another because of the exercise of their rights under this grievance procedure.

Neither the grievance nor the decision shall become a part of the teacher's personnel file.

Legal Ref: Section VI. E. Page 7 of the Salary Schedule Provision

DGB - EMPLOYEE ASSISTANCE PLAN

The policy of Jamestown Public Schools will be to assist, in a strictly confidential manner, employees who are experiencing problems of physical illness, mental or emotional illness, finances, marital or family distress, alcoholism, drug abuse, legal problems, or other concerns that are adversely affecting the employee's job performance. Other than coverage provided under health insurance or approved leave policy to qualified staff, the financial costs are the responsibility of the staff person.

Legal Ref: NDCC 44-04-18.1

DGG* PROFESSIONAL DEVELOPMENT

Descriptor Code DGGA

DGGA - PROFESSIONAL DEVELOPMENT PLAN

The Board requires all licensed and ancillary personnel to participate in professional development contained in law and required by the District.

The Superintendent shall recommend professional development content areas appropriate for school staff to the Board. The Board will designate professional development for the District. Professional development must include the training required under NDCC 15.1-21-12.1, but may also include other content areas, including behavioral, physical, or mental health.

Professional Development Plan

The Superintendent shall develop a professional development plan that is based on professional development requirements and a district needs assessment, which will be conducted through methods such as, but not limited to, review of performance evaluations, surveys and/or input from instructional staff. The Superintendent shall establish professional development goals based on the professional development requirements and findings of the needs assessment. Professional development activities will be aligned with these goals and may include inservice workshops, a professional library, short-term professional leave, and assistance from consultants. All professional development activities shall be within district budgetary parameters.

The professional development plan shall be evaluated based on specific plan evaluation criteria developed by the Superintendent.

End of Jamestown Public School District Policy DGGAAccepted:12/18/20017
Amended 10/16/2023

DH* INSTRUCTIONAL STAFF DUTIES & REQUIREMENTS

Descriptor Code: DHA

DHA – LICENSURE

Every licensed employee shall hold a valid license, issued by the Education Standards and Practices Board, or a valid temporary or provisional license.

All licensed personnel shall have their teaching license duly recorded with the Business Manager who will record the number and kind of license and date of expiration in the teacher's individual file.

Renewal

Employees are required to meet licensure renewal requirements, renew before the date of expiration, and file renewal with the Business Manager.

End of Jamestown Public School District Policy DHA

Adopted: 11-6-2017

Descriptor Code: DHAB

DHAB - TITLE I QUALIFICATIONS NOTIFICATION REQUIREMENT

In accordance with federal law, the Superintendent or designee shall annually notify parents of each student attending a school that receives these funds that they may request and the District shall provide the professional qualifications of their child's classroom teacher and/or teachers and the qualifications of paraprofessionals providing services to their child.

Complementing Policy

- DI, Personnel Records

End of Jamestown Public School District Policy DHAB

Adopted: 4/16/2018

DI -PERSONNEL RECORDS

The Superintendent or designee shall keep a personnel folder for each employee, licensed and classified. The folder shall contain such information as is required by law and shall include performance evaluations, the business manager's record of the license held for all licensed personnel, an itemized list of all documents in the file, and a record of access including the date of review and identity of persons reviewing the file if they choose to identify themselves.

Location

Personnel records shall be maintained in the following areas:

- The Business Manager or designee shall maintain records:
 1. Required for payroll purposes, for record keeping under the Fair Labor Standards Act and the Family Medical Leave Act, and any other laws pertaining to payroll or leave recordkeeping.
 2. Containing all personal information as defined by law, including but not limited to records of medical treatment and use of employee assistance programs.
- The Superintendent or designee shall seal and mark as confidential all state and federal criminal history records and, if applicable, credit history records and motor vehicle records. These records shall be stored in a secure area.
- Records relating to alcohol and controlled substance use/testing shall be maintained in accordance with federal regulations. Statistical records and reports shall be maintained and made available to the Federal Highway Administration for inspection or audit in accordance with federal regulations.
- The superintendent's office shall maintain all other personnel records, excluding the superintendent's file.
- The business manager or designee shall maintain the Superintendent's personnel record.

Only employees who have a need to know in order to perform their duties shall have access to information listed in section one, two, and three above.

Former Employees

A file shall be kept for all resigned, terminated, or retired employees, including such essential information as shall seem appropriate to the administration, for at least six years following separation of employment.

Transcripts used in the process of hiring may be returned to the employee. Licensed staff may be required to have them available for accreditation purposes as needed.

Record Review

The Board shall establish and approve a procedure for handling requests to review personnel records. The Superintendent and Business Manager may seek legal advice on matters pertaining to review requests but access to open public records will not be unreasonably delayed by such requests.

Complementing NDSBA Policies

- DI-BR, Personnel Records Review Procedure
- DI-E1, Personnel File Records Checklist
- DI-E2, Notice of Confidential Record on File
- DIB, Review of Material in Teacher Personnel Files
- DHAB, Title I Qualification Notification Requirements

**End of Jamestown Public School District Policy DI.....Adopted:4/16/2018 Amended
8/19/2024**

DI-BR - PERSONNEL RECORDS REVIEW PROCEDURE

Personnel records subject to open records laws shall be available during school hours for review by members of the public under the following procedures:

1. The request to view an employee's record may be made in writing, in person, or by phone. Written requests shall become a part of the file. The district shall not ask why the records are requested or ask for identification.
2. The district must respond to the request within a reasonable time, by either providing the record or explaining the legal authority for denying all or part of the request. What is reasonable will vary from request to request and depends on a number of factors, including the scope and type of records requested. The district may only deny access to or a copy of a record for which there is a specific statute closing all or part of the information.
3. The file may be viewed in the administrative office or a copy may be mailed to the person requesting to view the file if that person so chooses. A school district employee other than the employee whose file is being reviewed shall be present during the review of the file to maintain the security of the file's contents.
4. Copies of any documents in the file shall be made available upon request and at reasonable charge in accordance with law to the person requesting them. The charge may include the cost of materials, use of equipment, labor for making the copies, and time spent in locating, reviewing, and/or excising confidential or exempt information from the file as allowed by law. The cost of mailing may also be included in the charge if the copy is to be mailed.
5. The employee may be notified that the file will be reviewed or has been reviewed.

Review of the superintendent's folder shall follow the same procedures. The Board President may serve as the school employee who is present during the viewing of the file.

DI-E1 - PERSONNEL FILE RECORDS CHECKLIST

Personnel Files Maintained by Administrators or Human Resources

Record	Open, closed, or exempt	Notes
Absence records	Open, NDCC 15.1-07-25 (1)	
Current contact information	Exempt, NDCC 44-04-18.1 (2)	
Disciplinary notices and documents	Open, During an investigation all evidence gathered is closed for 60 days or until the investigation is complete (whichever is first) NDCC 15.1-07-25 (2)	Evidence gathered during an investigation may be retained in a separate file. The investigation outcome letter or a notice of investigation form (KACB-E4) may be placed in the administrator's copy of the personnel file
Employee bonds	Open, NDCC 15.1-07-25 (1)	
Intent to hire letter, intent to rehire letter, and contracts	Open, NDCC 15.1-07-25 (1)	
Job descriptions	Open, NDCC 15.1-07-25 (1)	
Letters of recognition	Open, NDCC 15.1-07-25 (1)	
Licenses and/or required certifications	Open, NDCC 15.1-07-25 (1)	Driver's license id numbers are exempt, NDCC 44-04-18.1 (2)

Record	Open, closed, or exempt	Notes
Notice of confidential records on file form (DI-E2)	Open, NDCC 15.1-07-25 (1)	
Observation and evaluations records	Open, NDCC 15.1-07-25 (1)	
Policy acknowledgment and agreement forms (BDA-E)	Open, NDCC 15.1-07-25 (1)	
Records relating to job offers, promotion, demotion, and transfers	Open, NDCC 15.1-07-25 (1)	
Reasonable accommodation requests (AAC-E4)	Closed, NDCC 44-04-18.1	
Termination and resignation records, including nonrenewal or discharge notices for teachers and administrators	Open, NDCC 15.1-07-25 (1)	Nonrenewal and discharge hearing executive session tapes and exhibits are closed record and must be retained in a sealed envelope in a secured area
Veteran's Preference verification	Open, NDCC 15.1-07-25 (1)	

Records to be Retained in Payroll Files

Record	Open, closed, or exempt	Notes
Attendance and absence records	Open, NDCC 15.1-07-25 (1)	
Benefit applications and waivers (e.g., health insurance, cafeteria plans, and 403bs)	Open, NDCC 15.1-07-25 (1)	Before providing under an open records request, redact any medical information and account numbers from these forms NDCC 44-04-18.10
Current contact information	Exempt, NDCC 44-04-18.1 (2)	
Direct deposit forms	Closed, NDCC 44-04-18.9	
I-9 form	Closed, NDCC 44-04-28	
Intent to hire letter, intent to rehire letter, and contracts	Open, NDCC 15.1-07-25 (1)	
Leave request forms, including bereavement, FMLA, personal, and sick	Open, NDCC 15.1-07-25 (1)	Before providing under an open records request, redact any medical information from these forms NDCC 44-04-18.10
Licenses and/or required certifications	Open, NDCC 15.1-07-25 (1)	
Time sheets	Open, NDCC 15.1-07-25 (1)	

Record	Open, closed, or exempt	Notes
Unemployment claim forms	Open, NDCC 15.1-07-25 (1)	
Union dues withholding form	Open, NDCC 15.1-07-25 (1)	
W-4 form	Closed, NDCC 44-04-28	
Wage garnishment documents	Open, NDCC 15.1-07-25 (1)	Before providing under an open records request, redact exempt and confidential information from these documents
Workforce Safety and Insurance claim forms	Closed, NDCC 65-05-32	

Confidential Records (Retain in a secured area, place form DI-E2 in personnel file maintained by administrators)

Record	Legal Reference	Notes
Criminal history records	NDCC 12-60-24 and NDCC 12-60-16.1 through 12-60-16.10	
Drug testing records	49 CFR 40.321	
Executive session tapes	NDCC 44-04-19.2 (5)	
Medical and treatment records	NDCC 44-04-18.1	Includes records requested for purposes

End of Jamestown Public School District Exhibit DI-E1

DI-E2 - NOTICE OF CONFIDENTIAL RECORD ON FILE

Employee's name: _____

Criminal history record, date: _____

Drug testing record, date: _____

Executive Session

On _____ (date) the **[Name of District]** School Board held an executive session involving _____ (employee's name). The reason for the executive session was (check one):

Motion to suspend during discharge proceedings, NDCC 15.1-15-10

Discussion of confidential medical record, NDCC 44-04-18.1 and NDCC 44-04-19.2 (1)

A contemplated nonrenewal hearing, NDCC 15.1-15-06

A contemplated discharge for cause hearing, NDCC 15.1-15-08

All documents resulting from and recording(s) of this executive session are in a secured file in the superintendent's office. These items will be retained and released in accordance with law and board policy.

Medical or treatment record, date: _____

End of Jamestown Public School District Exhibit DI-E2

DIB - REVIEW OF CONTESTED MATERIAL IN PERSONNEL FILES

Teachers may, upon written request to a district administrator, review any material in their personnel files. Teachers may be required to pay any copying costs in accordance with state law.

Teachers have the right to request an administrative review of any material in their files that they consider to be inaccurate or inappropriate, other than performance evaluations.

If the teacher is dissatisfied with the initial review, the teacher may have the file reviewed, upon written request, by the Superintendent. If the teacher is dissatisfied with the outcome of the Superintendent's review, the teacher may have the file reviewed, by the school board. This review shall be conducted at an open public meeting of the board.

A teacher may provide the Superintendent with a written response to any document in their personnel. The Superintendent receiving a written response shall attach the written response to the appropriate document and return both the teacher's file.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- DI, Personnel Files
- DI-BR, Personnel Records Review Procedure

End of Jamestown Public School District Policy DIB.....
12/18/2017 Amended 4/20/2023

Adopted:

DJ* PERSONNEL POSITIONS

Descriptor Code: DJA

DJA - SUBSTITUTE TEACHERS

Definition

This policy defines the following:

- A *substitute teacher* is defined as a temporary fill-in for a teacher absent from school. Substitute teachers are subject to all applicable district policies governing staff conduct and teaching requirements, and are excluded from any continuing contract and nonrenewal rights for a teacher as outlined in state law.

Qualifications

Substitute teachers must be qualified to teach in North Dakota schools and must possess a valid teacher's license unless an exception under state law or administrative rules applies. Retired teachers may be employed as substitutes.

The Superintendent and/or designee shall maintain a list of qualified substitutes and develop protocols for contacting and securing substitutes services.

Salary

The Board shall determine the rate of pay for substitute teachers annually. Substitute teachers may not participate in the health and welfare plans or other fringe benefits of the District except as may be required by law. All legal deductions must be made from substitute pay in accordance with law. Substitute teachers shall refer to state statute and the North Dakota Retirement and Investment Office for pension eligibility.

Supervision and Evaluation

Substitute teachers shall be evaluated and supervised in accordance with the district's policy on teacher evaluation and supervision.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- DFAA, Teacher Evaluation
- DFAA-AR, Teacher Evaluation Procedure
- DJA-AR, Procedure for Selecting Substitute Teachers

End of Jamestown Public School District Policy DJA

Adopted: 11-19-2018

DJA-AR - PROCEDURE FOR SELECTING SUBSTITUTE TEACHERS

The Superintendent and/or designee shall maintain a list of qualified substitute teachers who may be called on to replace regular teachers who are absent. Such a list shall include the qualifications of each substitute

End of Jamestown Public School District Administrative Regulation DJA-AR

DJB - PART-TIME TEACHERS

Definitions

These definitions shall apply except when superseded by the negotiated agreement or law. For purposes of this policy:

- *Full time teacher* is a certified staff member working an average of 40 hours per week.
- *Part time teacher* means a certified staff member that does not meet or exceed the hours required to be considered a full-time teacher.

Part time teachers shall be subject to all the district's personnel policies and regulations.

Salaries and Fringe Benefits

Salaries and benefits shall be pro-rated according to the proportion of full-time load.

End of Jamestown Public School District Policy DJB Adopted:3-12-2018

Descriptor Code: DJC

DJC - POLICY FOR REQUESTING TEACHER AIDES

A teacher who deems an aide necessary shall address his/her request to the principal in writing, setting forth such facts he/she believes justifies the need for the aide. Such request shall be forwarded to the district administrator forthwith, who shall either grant or reject such request as expeditiously as reasonably possible.

DK* SEPARATION

Descriptor Code: DKA

DKA - REDUCTION-IN-FORCE POLICY

The Board shall have the sole right to determine the necessity for and scope of a reduction in force for reasons including, but not limited to, lack of funds, uncertainty of funds, declining enrollment, or other reasons of necessity.

Teaching staff on leave for any purpose remain subject to the district's reduction-in-force policy.

Criteria

The Superintendent shall recommend teacher(s) for reduction in force in accordance with the following criteria:

1. Attrition, including retirements and resignations.
2. When attrition is not sufficient to alleviate the necessity for reduction in force, the Board shall retain teachers with the greatest adaptability to meet present and future district staffing and educational needs, both curricular and extracurricular.
3. When teachers within the same area of licensure are deemed to be of equal adaptability, the Board shall retain the teacher with superior academic and professional preparation beyond minimum licensure requirements in his/her teaching field.
4. When teachers are deemed to be of equal adaptability and have equal academic and professional preparation within their teaching fields, the Board shall retain the teacher who has taught in the District for the greater period of time.

If a reduction in force is necessary, only teachers directly impacted (e.g., those employed under a Title program) will be considered for reduction in force based on the criteria for RIF above.

Notices & Hearing

If a decision is made to reduce the teaching staff, any teacher affected thereby shall be given such notice and hearing as may be required by law.

End of Jamestown Public School District Policy DKA

Adopted:9/5/2023

DKB* SEPERATION

Descriptor Code: DKBA

DKBA - SEPARATION OF AT-WILL EMPLOYEES

Whenever possible, support personnel are requested to give notice of intention to terminate employment two weeks prior to resignation. Written notice of resignation should be addressed to the Superintendent and presented to the employee's immediate supervisor.

The Superintendent is authorized to discharge ancillary employees.¹⁶ The employee may be suspended during any investigation of which the employee is the subject. The Board shall be notified of any suspension and/or discharge.

The Superintendent may terminate at-will employees at any time, with or without cause.

End of Jamestown Public School District Policy DKBA

Reviewed 10/2/2017

¹⁶ This is only one option. The Board can also designate itself as the body responsible for terminating the employment of classified staff.

DKBB - CONTRACTED STAFF RESIGNATIONS & REQUEST FOR RELEASE FROM CONTRACT

All staff under contract with the District are expected to fulfill the entire term of the contract.

Request for Release from Contract

When a member of the staff requests a release from contract, the Board may exercise one of three options:

1. Grant an unconditional release from contract.
2. Deny temporarily or table the request with the understanding that the administration will be directed to facilitate the granting of the request by seeking an adequately qualified replacement.
3. Deny the request.

No release from contract shall be deemed granted until the Board has unconditionally approved it.

Any teacher or administrator who has not been granted a release by the Board and who fails to fulfill a teaching or administrative contract with the District will be reported to the Education Standards and Practices Board.

Resignation

Contracted staff members who decide to leave the employment of the District at the end of their current contract are requested to submit a written resignation to the Superintendent immediately upon making the decision. The resignation shall indicate clearly the date upon which it is intended to be effective. No resignation shall be deemed effective until the Board has approved it except as follows. District staff subject to continuing contract law who fail to return their contracts within the statutory timeframe shall be deemed to have resigned. Board approval of such resignations is unnecessary.

While this policy requests that contracted personnel submit notice of resignation, it in no way requires the Board to renew contracts for positions not covered by continuing contract law (e.g., coaching).

End of Jamestown Public School Policy DKBB Adopted: 10-16-2017

DKEA - EXIT INTERVIEW

The District recognizes the importance of promoting and maintaining personnel practices that foster constructive employee feedback and suggestions. To further the above goal, the Superintendent will develop and implement a procedure to conduct exit interviews with employees who leave the employment of the District. The Superintendent or designee will initiate the exit interview and completed interviews will be placed in the personnel file of the person leaving the District. The Superintendent will also develop and implement an Exit Interview Questionnaire that will be administered to the employee. The completed survey will also be saved in the personnel file of the employee. Exit interviews involving employees who are involuntarily terminated by the district shall be not be conducted.

Purpose

The purpose of this policy is to identify workplace, organizational or human resources factors that have contributed to an employee's decision to leave employment; to enable the District to identify any trends requiring attention or any opportunities for improving the District's ability to respond to employee issues; and to allow the District to improve and continue to develop recruitment and retention strategies aimed at addressing these issues.

Scope

This policy applies to all employees including employees taking early retirement and voluntary severance. Exceptions include temporary or contract employees and employees discharged for cause.

Human Resources or designee shall conduct exit interviews with employees, once the employee-confirmed departure date has been received.

Exit Interview Procedures

The designated human resources representative or designee shall contact the employee in writing, inviting them to attend an exit interview at a mutually convenient time. The exit interview should take place face-to-face and as soon as reasonably possible after the confirmed leaving date has been received. The employee will be provided an Exit Interview Questionnaire to complete in advance of the exit interview. If an employee chooses not to participate in an exit interview, they will be encouraged to still complete an Exit Interview Questionnaire.

Voluntary Participation and Confidentiality

Employees are responsible for participating in the exit interview process on a voluntary basis. If an employee chooses to participate in an exit interview, they will be encouraged to be honest, candid, and constructive in their responses.

The information received through Exit Interviews is generally not confidential and may be considered open records subject to open records requests under North Dakota law. The District shall be thoughtful and discreet in collecting and sharing data and information from an employee's exit interview.

Reporting

The information will be analyzed regularly by administration to identify areas or determine trends that may need to be addressed. The Superintendent or designee shall share their analysis and recommendations with the Board at least annually.

The analysis and review will include:

1. Appropriate statistical information regarding the number and distribution of employee departures during the preceding year and their reasons for leaving;
2. An analysis and discussion of any trends or common themes which are suggested by the exit interview feedback;
3. A summary of any actions or interventions taken during the year on the basis of exit interview information; and
4. Any actions the District feels are required in order to address any concerns or opportunities which are identified through exit interview feedback.

Complementing Policies:

- DKBA, Separation of At-Will Employees
- DKBB, Contracted Staff Resignation & Request for Release from Contract

End of Jamestown Public School District Policy DKEA

Adopted:10-17-2022

DKEA-E - EXIT INTERVIEW QUESTIONNAIRE

This optional questionnaire is designed to provide departing employees with an opportunity to express their opinions about various aspects of their employment with the Jamestown Public School. The information you provide will help the District make improvements which will benefit our employees. Upon completion, please return this form to the Superintendent.

Employee Name: _____ Building/Department: _____

Employee Title: _____ Supervisor's Name: _____

Length of Employment at District: _____ Date: _____

- 1. Please check the reason for leaving the District.

<input type="checkbox"/> Resignation	<input type="checkbox"/> New Employment
<input type="checkbox"/> Retirement	<input type="checkbox"/> Other: _____

2. What is the District doing right? _____

_____ Moderately right?

_____ Poorly?

_____ Very poorly?

3. How could conditions be improved? _____

4. What would you do to improve the situation that is causing you to leave? _____

5. How do other employees feel about the situation? _____

The District in general? _____

6. What isn't the District currently doing, that if it started to do, would improve things?

7. Please describe your general feelings about working here. _____
8. What were three things you enjoyed most about working here? _____
9. If you could change three things, what would they be? _____
10. Are there ideas that you have that you wish you could have implemented while you were here? _____
11. Please describe the three best things about working with your supervisor. _____

Check the box that best describes your employment with the District in each stated category.

Categories to Rank	Very Satisfied	Satisfied	Dissatisfied	Very Dissatisfied
Nature of job	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Performance appraisals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Availability of training/development programs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Opportunities for advancement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Salary	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Benefits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Immediate supervisor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Immediate supervisor provided fair & equal treatment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Categories to Rank	Very Satisfied	Satisfied	Dissatisfied	Very Dissatisfied
Immediate supervisor provided recognition on the job	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Communication within your department/building	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Communication within the District	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Co-workers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Morale in your department/building	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
School/District management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Work load	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Climate in your building	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Climate in the District	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overall, as a place to work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The District lives up to its mission/vision statement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

12. If you marked any of the categories as "Dissatisfied" or "Very Dissatisfied," please write your explanation below. _____

End of Jamestown Public School District Exhibit DKEA-E

F STUDENT

FA* ADMISSION

Descriptor Code: FAAA

FAAA - OPEN ENROLLMENT

Open enrollment applications received from residents of other North Dakota school districts will be acted upon by the Board at a regular or special meeting prior to the deadline established by law. A parent who wishes to open enroll a student in the District shall file an application for approval with the Board. All applications will be reviewed and acted upon in the same chronological order as they were received.

Criteria for acceptance or rejection may be based upon the capacity of a program, grade level, school building or other criteria deemed appropriate by the Superintendent. The Board shall not deny an application on the basis of previous academic achievement, participation in extracurricular activities, disabilities, English language proficiency or previous disciplinary proceedings.

The District shall not give or offer to give remuneration or directly or indirectly exert influence upon the student or the student's family, in order to encourage participation in the open enrollment program. This does not include providing informational materials about the program.

The Business Manager or designee shall notify the parent or guardian and the resident district of the Board's acceptance or rejection of an application.

The District reserves the right for the Superintendent to assign a building and to determine the class schedule for students who are accepted under this policy.

The District shall not be responsible for transportation of resident students who have enrolled in other districts through the open enrollment process or for students from other districts admitted through open enrollment.

Complementing Policies:

- FAAA-E, Open Enrollment and Tuition Agreement Comparison Guide

End of Jamestown Public School District Policy FAAA Adopted:1/15/2018 Amended 8/21/23

FAAA-E - OPEN ENROLLMENT AND TUITION AGREEMENT COMPARISON GUIDE		
Key Questions	Open Enrollment	Tuition Agreements
Where is the law located in NDCC?	NDCC Ch. 15.1-31	NDCC Ch. 15.1-29
Is my district required to participate in this agreement?	<p>No. Districts have the option of forgoing participation in open enrollment. A board decision not to participate will bar a district from accepting any open enrollment applications.</p> <p>Each board's decision on whether or not to participate should be placed in policy. This policy may be amended if a board decides to change its position on this matter. To ensure fairness, such a policy amendment should go into effect at the onset of the subsequent school year.</p>	<p>It depends. A board should accept an agreement if the following conditions are met:</p> <p>The admission does not create overcrowding AND</p> <p>a. The board of the sending district has entered into a contract with the board of the admitting district regarding the student's attendance;</p> <p>b. Tuition will be paid by the parents of the students from the sending district; OR</p> <p>c. The grade level required by the students is not offered by the sending district.</p>
What are reasons for denying an application?	<p>Reasons for denial of applications may be related to: capacity of a program, class, grade level, or school building, or other criteria deemed appropriate by the Superintendent. A board may not deny an open enrollment application based on previous academic achievement, participation in extracurricular activities, disabilities, English language proficiency, or previous disciplinary proceedings.</p> <p>NDCC 15.1-31-06</p>	<p>If your district receives a tuition agreement under condition "a" above, your board may accept or reject the contract offer. Your district may wish to develop a policy with denial criteria to guide decision-making. The policy must not include criteria that is discriminatory (e.g., denial based on a student's disability) and should not limit decision-making to only the criteria listed in the policy. Include language in the policy such as: "Reasons for denying tuition</p>

	<p>If your board feels that the reasons for denying an open enrollment application are too restrictive under law (i.e., the board has other legitimate, nondiscriminatory reasons for denying applications), it should strongly consider not participating in open enrollment.</p>	<p>agreements include, but are not limited to, the following.”</p>
<p>When may a student apply for consideration under these laws?</p>	<p>A parent must submit an application to the district in which they wish to enroll by March 1. The school board must act on the application by April 1.</p> <p>The application deadline is waived if a student moves into your school district with their parent and wishes to enroll in a school district other than the district to which the student moved. NDCC 15.1-31-01 (7-8)</p>	<p>Anytime</p>
<p>Who pays tuition?</p>	<p>No tuition is paid unless the student has a disability in which case the sending district pays for special education with DPI paying excess costs. NDCC 15.1-31-04</p>	<p>Either the school district of residence or the student’s parent pays. However, sending and receiving districts may enter into a written agreement waiving tuition. NDCC 15.1-29-13</p>

<p>How do the laws apply to students whose resident districts that do not offer certain grade levels?</p>	<p>These students may not participate in open enrollment. NDCC 15.1-31-01 (5)</p>	<p>Students may attend a public school of their choice outside their district of residence. The board of the students' school district of residence shall pay for the students' tuition and transportation. NDCC 15.1-29-03 (2)</p>
<p>Should my district provide transportation ?</p>	<p>Transportation is allowed but not required.</p> <p>A school district of residence may provide transportation to a student participating in open enrollment. If a district of residence does not provide transportation to a student participating in open enrollment, transportation may be provided by the admitting district. NDCC 15.1-31-05</p>	<p>If your district enters into tuition agreements because it does not offer a certain grade(s) level(s), it is required to pay for transportation services. NDCC 15.1-29-03</p> <p>If a tuition waiver agreement is developed, the contract must specify whether transportation is to be provided and, if so, by which district. If a school district of residence does not provide transportation to the student, it may be provided by the admitting district and the admitting district is then entitled to state payments for the transportation of the student. NDCC 15.1-29-13</p>

End of Jamestown Public School District Exhibit FAAA-E.....Reviewed 7-17-2023

FAAB - EARLY ENTRANCE REQUIREMENTS

A parent/guardian may apply for early admission of his/her child to the Jamestown Public School District if the child meets early entrance age requirements established by law. The Superintendent shall develop a procedure for testing and evaluating early entrance applicants in accordance with law. The procedure shall, at a minimum:

1. Require that applicants be evaluated using developmental and readiness tools developed by the Superintendent of Public Instruction.
2. Contain a prohibition disallowing an applicant from applying for early admission more than once during a 12-month period.
3. Require a mandatory nine-week probationary period for all approved applicants at the end of which reassessment shall be made.
4. Contain a notice that application denial decisions are binding for a 12-month period.

Fees

The Board will assess the costs of early admission evaluations for students residing in the District. Out-of-district applicants will be charged a fee as determined by the Board and such monies will revert to the District.

Transfer Students

The District will honor early admission evaluation decisions made by other North Dakota school districts. The District shall also honor early admission decisions made by other U.S. school districts for military children governed by 15.1-04.1-01 and worldwide for military children governed by 15.1-04.1-01. Despite these exceptions, the District will still require a nine-week probationary period for any student who transfers into the District and is younger than the state minimum age of attendance for kindergarten or first grade.

FAAF - CLASS SIZE

The following guidelines will be used when scheduling the District's courses of study, except for required courses of study which are offered to meet minimum legal curriculum and/or graduation requirements:

- A. Minimum class size for non-reimbursable vocational education is 18 students.
- B. Minimum class size for reimbursable vocational education courses for 9-12 students will depend on the rate of state reimbursement.
- C. Special Education will be determined on a needs basis
- D. Summer school courses will be self supporting
- E. Interactive TV courses will be self supporting

The District Administrator has final authorization to approve the course offerings and/or grade level sections. The Administrator may waive minimum enrollment standards.

End of Jamestown Public School Policy FAAF.....Adopted 1/15/2018

FAAE - PART-TIME STUDENTS

Jamestown Public Schools accepts part-time students under twenty-one years of age who are attending other schools in this School District and whose parents reside regularly in this district. Such students must register at least one week prior to the first day of school each semester. Further, a written request from the administrator of the student's school, setting forth the subject or subjects desired and the availability of the student, will be necessary before registration.

Permission will be granted to attend Jamestown Schools as a part-time student providing classroom space is available.

All students registering for courses requiring consumable materials must pay the regular fees as collected by the classroom teacher and a deposit for books borrowed from the district's bookstore.

Part-time students must expect to learn and follow all rules and regulations of their host school. Serious deviation will mean suspension of the student's part-time privileges

End of Jamestown Public School District Policy FAAE.....Adopted 4/16/2018

FAB - SCHOOL ASSIGNMENT & CHOICE

The Superintendent shall establish, and the Board shall approve, attendance boundaries for each district school.

Students shall attend the school to which they are assigned; however, the Board authorizes the Superintendent to grant or deny requests for individuals to attend schools outside of their designated attendance areas after consideration of the following criteria:

1. The change appears to be in the best interests of the student and the District.
2. No bus route will be extended beyond its normal run.
3. The transfer will not create overcrowding.

The Board reserves the authority to transfer students from the assigned school to a different school when enrollment must be balanced because of classroom space requirements or class size. Transfer decisions shall comply with 20 U.S.C. 1703.

Complementing:

- FAB-E, Student Rights Under the Equal Opportunities Act

End of Jamestown School District Policy FABAdopted: 11/16/2020

FAB-E - STUDENT RIGHTS UNDER THE EQUAL OPPORTUNITIES ACT 20 U.S.C. 1703

No State shall deny equal educational opportunity to an individual on account of his or her race, color, sex, or national origin, by—

- (a) The deliberate segregation by an educational agency of students on the basis of race, color, or national origin among or within schools;
- (b) The failure of an educational agency which has formerly practiced such deliberate segregation to take affirmative steps, consistent with part 4 of this subchapter, to remove the vestiges of a dual school system;
- (c) The assignment by an educational agency of a student to a school, other than the one closest to his or her place of residence within the school district in which he or she resides, if the assignment results in a greater degree of segregation of students on the basis of race, color, sex, or national origin among the schools of such agency than would result if such student were assigned to the school closest to his or her place of residence within the school district of such agency providing the appropriate grade level and type of education for such student;
- (d) Discrimination by an educational agency on the basis of race, color, or national origin in the employment, employment conditions, or assignment to schools of its faculty or staff, except to fulfill the purposes of subsection (f) below;
- (e) The transfer by an educational agency, whether voluntary or otherwise, of a student from one school to another if the purpose and effect of such transfer is to increase segregation of students on the basis of race, color, or national origin among the schools of such agency; or
- (f) The failure by an educational agency to take appropriate action to overcome language barriers that impede equal participation by its students in its instructional programs.

End of Jamestown Public School District Exhibit FAB-E

FAB-E2 - REQUEST FOR WAIVER TO THE DISTRICT ATTENDANCE POLICY

JAMESTOWN PUBLIC SCHOOL DISTRICT'S SCHOOL ASSIGNMENT & CHOICE POLICY

Students shall attend the school to which they are assigned; however, the Board authorizes the Superintendent to grant or deny requests for individuals to attend schools outside of their designated attendance areas after consideration of the following criteria:

1. The change appears to be in the best interests of the student and the District.
2. No bus route will be extended beyond its normal run.
3. The transfer will not create overcrowding.

The Board reserves the authority to transfer students from the assigned school to a different school when enrollment must be balanced because of classroom space requirements or class size. Transfer decisions shall comply with 20 U.S.C. 1703.

Name of Parent/Guardian: _____

Current Address: _____ Phone: _____

School currently attending: _____

New Address: _____

School in neighborhood of new address: _____

Name of child/children	Grade
------------------------	-------

Currently riding a school bus? Yes ____ No ____ If yes, Bus # _____

Requesting to attend _____ School

Reason for making the request (see policy on reverse side)

Signature: _____ Date: _____

For District Office Use Only

Past attendance area: _____ New attendance area: _____

Approved/Disapproved

Comment:

Signature of Elementary Director: _____ Date: _____

FACA - PLACEMENT AND ADJUSTMENT OF TRANSFER STUDENTS

Students new to the District shall be required to produce records required of students for admission in accordance with state law. Students who are unable to produce transcripts within a reasonable time shall be subject to testing for placement purposes. Students whose transcripts or educational records do not indicate proper placement shall also be subject to testing. The Superintendent shall develop testing procedures and standards for determining placement.

The Superintendent may also adjust a transfer student's placement and shall develop procedures and standards for making adjustment determinations.

Students believed to have a disability impairing learning shall be tested and placed in accordance with law and applicable policy.

The Compact on Educational Opportunity for Military Children, which contains requirements related to the enrollment and placement of qualifying military children, supersedes this policy; however, this law does not preclude the District from performing subsequent placement evaluations after initially honoring a sending school's placement decision.

Policy FACA adopted 2-20-2012

FACB - RELEASE OF STUDENT RECORDS

Student records shall be made available to an outside person or agency only under the following conditions:

- A. A "Release of Information" request is received by school officials duly signed by a parent of the student, or legal guardian, or by a student of legal age (18 years or older).
- B. A "Request for Information" is received by school officials in the form of a specific request from the court, a court order, or a subpoena duces tecum. Only information requested shall be provided and the parents and/or students shall be notified of all such orders in advance of compliance with the order.
- C. A "Request for Transcript" is received by school officials from receiving school. Only information such as grades, attendance records, and group test scores should be included. Transcripts may also be sent to prospective employers at the request of the student or parents. Psychological reports and health records cannot be released without having been specified in the signed "Release of Information" request as per #1 above.
- D. In instances where requests for information might come from an outside agency such as the VA, working for the welfare of a student, the agency will file a release from the student (if of legal age) or parent or guardian. In lieu of such a release, a form signed by a judge (not necessarily in the form of a subpoena) would suffice, provided the parent, student, or guardian is notified that such a form has been received.
- E. Instances where requests for information come from the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency or State educational authorities in connection with the audit and evaluation of federal programs or for the enforcement of federal legal requirement which relate to such programs, only that data which does not include information (including social security numbers) which would permit the personal identification of such students or their parents shall be released. The only exception shall be when the collections of a personally identifiable data are specifically authorized by federal law.

A student of legal age or the parent or legal guardian of a minor student shall have access to a student's records at any time during the school day upon reasonable

notice to the principal. Absent a court order to the contrary, divorced parents of a student shall have equal access to their child's educational records.

Legal Ref: 20 USC 1232g(b)(4)(A) Family Educational Rights and Privacy Act.

PL 93-380 Family Educational Rights and Privacy Act of 1974.

45 CFR 99.30 and 99.31 Regulations 45 CFR 99.2

Definition of "Parent"

FB* GENERAL STUDENT POLICIES

Descriptor Code: FBA

FBA - STUDENT FEES

The Board will establish and reassess student fees in accordance with law on an as needed basis at least annually. The Superintendent shall establish school fine amounts as permitted by law

When a parent/guardian is unable to pay a fee in full, the Superintendent is authorized to waive or reduce this fee.

The Board has adopted the following specific policies with relation to student fees:

1. Students will be prohibited from charging hot lunch.
2. Fees for driver's education and for courses that generate products that become the personal property of the student must be paid prior to the start of the course.

The District will vigorously pursue the collection of any outstanding bills, including use of a collections agency and/or filing a claim in small claims court. The Superintendent, in accordance with law, may impose further penalties on students for failure to pay fees/fines.

Complementing policy;

- IB-BR, Lunch Charging

End of Jamestown Public School District Policy FBA

Adopted: 4/16/2018

FCA* MEDICAL & HEALTH SAFEGUARDS

Descriptor Code: FCAA

FCAA - ACCOMMODATING STUDENTS WITH ALLERGIES & SPECIAL DIETARY NEEDS

Each building principal shall implement procedures for identifying students with life-threatening allergies and shall develop general exposure avoidance measures.

The Board recognizes that students with medically documented life-threatening allergies are considered disabled and are covered by the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. A clearly defined 504 Accommodation Plan will be developed and implemented for all such identified students. Appropriate staff, the parent/guardian of the student, and the student's physician shall sign these plans.

Relevant staff shall be made aware of 504 plans, the measures needed to implement them, methods to reduce risk of exposure, and emergency response procedures in the event of exposure.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FCAA-AR, General Guidelines for Reducing Risk of Exposure to Allergens
- FFF, Field & Other School-Sponsored Trips

End of Jamestown Public School District Policy FCAA

Adopted: May 7, 2018

FCAA-AR - GENERAL GUIDELINES FOR REDUCING RISK OF EXPOSURE TO ALLERGENS

District staff shall be charged with implementing the following procedures to reduce student risk of exposure to allergens:

1. At-risk students shall carry/wear some means of medical identification, such as a medical alert bracelet.
2. Designated staff shall receive appropriate training in first aid, epinephrine administration, and shall receive regular updates on allergy-prone students' status and needs.
3. Parents shall be encouraged to instruct their children in how to avoid contact with substances to which they are allergic.
4. Each school shall develop a means of disseminating school menus to parents in advance. All parents will be encouraged to review/preview menus in order to select safe foods their child may eat.
5. Food-allergic children shall be encouraged bring their lunch from home. However, guidelines established by the USDA Child Nutrition Division require school food service programs to provide substitute meals to allergic students if the physician of the student sends written instructions certifying the child's allergy, what foods are to be avoided, and safe substitutions.
6. Food personnel shall be instructed about necessary measures required to prevent cross contamination during food handling, preparation, and serving of food.
7. A no-food trading/sharing policy will be enforced. Students will also be prohibited from sharing eating utensils.
8. Surfaces, toys, and equipment shall be washed clean of allergy containing foods/substances in a timely manner.
9. Teachers and custodial staff shall check district purchased classroom and cleaning materials to ensure that these products do not contain peanut oil or other substances harmful to students with identified allergies.

End of Jamestown Public School District Administrative Regulation FCAA-AR

FCAC - HEAD LICE

School district personnel may not prohibit a student infected with head lice from attending school.

School district personnel shall make an effort to assist in the prevention and management of head lice.

1. Annually, the Superintendent or designee shall issue guidance to parents on the prevention, diagnosis and treatment of head lice.
2. The Superintendent or designee shall develop material and a protocol for informing the parent of a student infected with lice of the infestation and available treatment methods.
3. The Superintendent or designee shall develop a procedure for alerting the parents of students who were exposed to the infected student. This procedure shall prohibit release of the infected student's personally identifiable information unless an exception applies under FERPA (e.g., release to educational officials with a legitimate need to know.)

Management of Head Lice

School district personnel may perform a head lice screening on any student exhibiting symptoms of a lice infestation and on any student who has had head-to-head contact with a student believed to have head lice.

1. A student found to be infected with head lice must be reported to the building principal immediately.
2. The building principal shall work with teachers and other personnel to implement a plan to reduce head-to-head contact among students.
3. School district personnel shall notify the student's parent of a suspected infestation.

Nothing in this policy prohibits school district personnel from reporting the suspected abuse or neglect of a student as required by law.

FCAC-E1 – Jamestown Public School District HEAD LICE TREATMENT VERIFICATION FORM

Please complete the information below and the checklist on the back of this form and return it to school.

Child's Name: _____
Parent/Guardian Name: _____
Date: _____ Daytime Telephone Number: _____
Name of lice treatment product used: _____
Date lice treatment product was last used: _____
Number of treatments completed: _____
Name of other school-aged children residing in home and the name of their schools

Comments: _____

** Remember, be proactive and check your child's hair often to prevent the exchange of live louse and nits. Educate your child about sharing hair accessories, clothes, uniforms, costumes, coats, etc. Please be honest and have open communication with the school and other parents regarding exposure to live louse and nits.

Parent/Guardian Signature

For Office Staff Only:
Treatment Information Offered: Yes (Date) _____ / No
Treatment Verification Form Returned: Yes (Date) _____ / No

FCAC-E2 - STEPS TO FOLLOW FOR TREATMENT AND CONTROL OF HEAD LICE

Check off each step as completed. This needs to be done for each member of the household with live lice or nits that are ¼ inch close to the scalp or for anyone who shares a bed with someone who is infected. Detailed instructions for removing lice can be found in Pages 8-20; 33-34 of ND Department of Health “Head Lice: A Lousy Problem” Booklet:

https://www.health.nd.gov/sites/www/files/documents/Files/HSC/SHS/Head_Lice/headlicebooklet.pdf

Checklist	Yes	No	Comments
Necessary Items for Household Cleaning Process:			
Do you have?			
Vacuum (with attachments)			
Hair Dryer			
Washing Machine			
Clothes Dryer			
Did you vacuum:			
Carpet and Furniture			
Mattresses			
Car			
Pillows			
All Upholstered Chairs			
Discard the vacuum cleaner bag immediately after vacuuming is complete, tape shut and take outside to the garbage.			
Wash: Clothing and jackets of the affected person. Dryer: All washed clothing, jackets, bedding and pillows of the affected person for at least 20 minutes. NOTE: Wash bedding, towels, clothing, caps and headwear worn in the past 3 days. Water should be 140 degrees F.			
Wash with hot soapy water: Toys, Metal and Wooden Furniture			

<p>Place the following items in a SEALED BAG for 14 Days: Leathers, Stuffed Animals, Dolls, Clothing that cannot be washed</p>			
<p>Clean all combs, brushes, barrettes, and hair clips. Remove all hair from the items first. Use one of these 3 methods:</p> <ol style="list-style-type: none"> 1. Soak in hot water at least 10 minutes. 2. Soak in rubbing alcohol for 1 hour then wash thoroughly in hot soapy water. 3. Soak in lice killing shampoo for 1 hour, then wash in hot soapy water. <p>NOTE: Heat may melt some personal items.</p>			
<p>Make sure everyone in the household is checked daily for at least 1 week. Treat if nits or live lice are discovered.</p>			
<p>Notify day care, other schools, and other persons with whom you have been in recent contact with so they can begin treatment if necessary</p>			
<p>Be Persistent-this is a labor intensive process. You Can Do It!!!!</p>			

FCAC-E3 – HEAD LICE MANAGEMENT

Background

- Head lice are not a health hazard and nor are they responsible for the spread of disease. Infestation is a nuisance rather than a major threat to the student's well-being.
- For complete information regarding head lice treatment and eradication please refer to "Head Lice - A Lousy Problem" available at https://www.health.nd.gov/sites/www/files/documents/Files/HSC/SHS/Head_Lice/headlicebooklet.pdf

Definition

- Head lice (**Pediculus humanus capitis**) are parasitic insects that feed on blood from the human scalp. The adult louse is very small (about the size of a sesame seed), has six legs, a diamond-shaped head, and an elongated body, is flat, wingless, and crawls. It cannot fly or jump. Lice are often hard to see; they range in color from red, brown, black to gray-white. Lice eggs, called "nits," attach to the hair shaft until they hatch into live lice.
- Head lice outbreaks are common in the United States among all socioeconomic groups of children between the ages of three to 12 years. Head lice are not a sign of poor hygiene or unclean homes or schools. Lice and nits may be found on the human head, eyebrows, or eyelashes, but usually locate on the scalp, particularly around and behind ears and near the neckline at the back of the head.

Mode of Transportation

- Transmission occurs most commonly by direct contact with the head of an already infested person. Contact is common during play (slumber parties, bed sharing, sport activities or games). The most rapid spread of head lice occurs through the home because of the close proximity of family members. The risk of transmission at school is low (AAP Clinical Report, 2015).
- It is uncommon for lice to be spread from inanimate objects such as hats, combs, brushes, helmets, headphones, or movie theatre seats. Head lice are not able to hold onto these materials or survive without the warmth and blood source of a human scalp. Head lice cannot survive away from the scalp for more than 2-3 days at room temperature. Nits are not easily transmitted because they are glued to the hair shaft.

Incubation Period

- Head lice eggs (nits) normally hatch in seven to 12 days. Mature head lice are capable of laying eggs nine to 12 days after hatching. The adult life span is about 1 month.

Infectious Period

- Head lice can be transmitted as long as the lice (not nits) live. By removing nits, the possibility of hatching new lice is minimized. Nits need warmth from the scalp to remain viable; nits found more than a quarter inch away from the scalp have already hatched or will never hatch. Successful treatment should kill live lice. All family members should be checked and treated at the same time.

Symptoms

1. Itching on the head and scalp;
2. A tickling feeling on the head or in the hair;
3. Live lice;
4. Nits (lice eggs) attached to hairs;
5. Irritated spots on the head caused by the child scratching;
6. Irritability and trouble sleeping.

Protocol for Identification and Exclusion of Students with Active Infestations

- Immediate or long-term exclusion of students with head lice is no longer recommended as best practice from the American Academy of Pediatrics and the North Dakota Department of Health. Students with an active infestation are referred to parents. However, if students are not picked up by parents, they will be removed from the classroom but may remain in the school and return to the classroom the next day after the appropriate treatment has been completed and no live lice are present.
1. If a student is identified as having symptoms of head lice as defined above, a trained staff member will proceed with a head-lice check.
 2. If a live louse is found on the head of a student, the student will remain in a designated area outside of the classroom to prevent head-to-head contact with other students. If nits are found but no live lice are detected, the student may return to the classroom.
 3. School personnel will notify the parents/guardians of the child when a live louse is identified and may call if nits within $\frac{1}{4}$ inch of the scalp have been identified.
 4. If the parent is unable to pick up a child with live lice, they are able to remain in the school until the end of the school day, but will not return to their classroom. They may remain in the classroom if only nits were found.
 5. The first-time live lice or nits within $\frac{1}{4}$ inch of scalp are identified, the parent will be provided with treatment directions and a treatment verification form. For additional identifications, treatment directions will be offered to the family.
 6. In order for the child who had live lice to return to the classroom a trained staff member will complete a head-lice check to ensure no live lice are present. The treatment verification form is expected to be returned to the school office when the student returns. If no treatment verification form is returned, school personnel will contact family.
 7. Future head lice checks may be completed any time a child shows symptoms of head lice or after the student returns to school following an active infestation.
 8. If live lice or nits within $\frac{1}{4}$ of the scalp are found on the child, siblings or other children suspected of having head-to-head contact with the child may also be checked.
 9. Whenever live lice are found on an elementary student, notification letters will be sent to the students in the same classroom as needed.

Chronic Cases

- The principal, school counselor, school social worker, and/or school nurse shall work with the parent/guardian of any student who has been deemed to be a chronic case to help minimize the student's absences from school.

- A case may be considered chronic if live lice have been identified 3 or more times per semester.
- Parents may be required to be present for the head-lice checks at the request of the administrator or if treatment verification forms are not returned.
- Nothing in this policy prohibits school district personnel from reporting the suspected abuse or neglect of a student as required by law.
- SARB (Student Attendance Review Board) procedures will still be followed.

FCAD - STUDENT ACCIDENTS

The District shall follow its medical emergency response procedure if a student is injured while at school or during a school-sponsored event. The District shall develop a protocol for notifying a student's parent/guardian in the event of an injury. This protocol shall contain notification procedures for injuries that occur on school property during school hours, on school-sponsored trips, and during extracurricular activities.

In the event of a severe injury, an ambulance shall be called. When an ambulance is unavailable, a medical or school official will transport the student to a medical facility.

Exception to this Policy

The district's policy and regulations on concussion management shall supersede any district emergency response policies/regulations when the concussion management policy/regulations are applicable.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- ACAB, Emergency Plans & Drills
- FCAF, Concussion Management
- FCAF-AR, Concussion Management Plan

End of Jamestown Public School District Policy FCAD

Adopted: 4/16/2018

FCAF - CONCUSSION MANAGEMENT

The District shall comply with the concussion management program requirements contained in law. The District has placed concussion signs and symptoms; removal from practice, training, and/or game requirements; return-to-play requirements, and staff, student, and parental training requirements in administrative regulations (FCAF-AR). These regulations shall be published in staff and student handbooks.

The Board has also established the following definitions and requirements for the purpose of implementing the concussion management program law.

Definitions

Law requires that all school-sponsored and sanctioned athletic training, practices, and competitions be governed by a concussion management program. The District has developed the following definitions for purposes of determining what constitutes athletic sponsorship and sanctioning:

- *School-sanctioned athletic activity* is a sport that:
 8. Is not part of the district's curricular or extracurricular program;
 9. Is established by a sponsor to serve in the absence of a district program;
 10. Receives district support in multiple ways (i.e., not school facility use alone);
 11. Requires participating students to regularly practice or train and compete.
 12. The District has officially recognized through board action as a school-sanctioned activity.

The Board shall make all sanctioning decisions on a case-by-case basis, based on the criteria in this paragraph. As a condition of receiving school sanctioning, sponsors of the athletic activity shall agree to comply with this policy and the concussion management law. This includes agreeing to provide appropriate training and providing appropriate information to parents and students as required by law. The sponsor shall provide to the District documentation certifying that this training has occurred, and students/parents have viewed required informational material on concussions prior to beginning the activity.

- *School-sponsored athletic activity* is a sport that the District has approved through policy or other board action for inclusion in the district's extracurricular program, is controlled and funded primarily by the District, and requires participating students to regularly practice, train, and compete.

Removal Decisions

Under the concussion management law, the District is authorized to designate removal-from-play authority to individuals who have direct responsibility for student athletes during

practice, training, and/or competitions if a student reports or exhibits a sign or symptom of a concussion. The Athletic Director shall make this determination, and the Director shall ensure that such designees are aware of this responsibility and have undergone appropriate training in accordance with law before commencing duties.

Law also authorizes licensed, registered, or certified healthcare providers whose scope of practice includes recognition of concussion signs and symptoms to make removal decisions. The Athletic Director may consult with medical personnel to determine who has such credentials and who would be willing to assist in this regard. The District must compile a list of such individuals, which may be provided to all coaches. This measure in no way guarantees that a healthcare provider trained and credentialed in accordance with law will be present at athletic training, practices, and/or events nor shall the voluntary creation of this safety precaution be construed to create or assume any potential liability under local, state, or federal law or regulation.

High school students and minors who serve as coaches or officials are encouraged to work with an adult who has removal-from-play authority prior to removing a student from play.

If two or more individuals with removal-from-play authority disagree on whether or not a student must be removed, the determination must be made in the interest of the student's safety, meaning that the student shall be required to sit out and comply with return-to-play requirements contained in law.

Return to Play

The Board designates the Athletic Director to receive return-to-play documentation from a healthcare provider. This designee shall review the documentation, determine if the healthcare provider has placed any conditions on return to play, contact the healthcare provider for any necessary clarification on the authorization document, and communicate such information to applicable coach(es) and assistant coach(es). This designee shall also file return-to-play authorization documents in the student's educational record. This documentation must be retained for seven years after the student's enrollment or six years after a student turns eighteen, whichever is later.

Complementing Policies:

- FCAF-AR, Concussion Management Program
- FCAF-E1, Concussion Management Removal From Play Authority
- FCAF-E2, Return to Play Acknowledgement Form

End of Jamestown Public School District Policy FCAF Adopted:3/20/2017 Amended 6/3/2024

FCAF-AR - CONCUSSION MANAGEMENT PROGRAM

Concussion Signs & Symptoms

The signs and symptoms of a concussion include, but are not limited to, the following:

Signs	Symptoms
Seems confused	Headache
Forgets an instruction or is unsure of the game, position, score, or opponent	Nausea or vomiting
Move clumsily	Dizziness or balance problems
Answers questions slowly or repeats questions	Bothered by light or noise
Can't remember events before or after the hit, bump, or fall	Feeling foggy or groggy
Loses consciousness (even for a moment)	Trouble concentrating or problems with short-or long-term memory
Has behavior or personality changes	Does not "feel right"

Requirements when Signs & Symptoms are Observed/Reported

1. Removal

- a. An official district designee with direct responsibility for a student athlete during practice, training, or competition shall remove a student from practice, training, or competition if the student:
 - i. Reports any sign or symptom of a concussion; or
 - ii. Exhibits any sign or symptom of a concussion
- b. High school students and minors who serve as coaches or officials are encouraged to work with an adult who has removal-from-play authority prior to removing a student from play.
- c. A licensed, registered, or certified healthcare provider whose scope of practice includes the recognition of concussion signs and symptoms has removal-from-play authority if they determine, after observing the student, that the student may have a concussion.
- d. If two or more individuals with removal-from-play authority disagree on whether or not a student must be removed, the determination must be made in the interest of the student's safety, meaning that the student shall be required to sit out and comply with return-to-play requirements contained in law.

2. When to Call for Emergency Assistance*

A district employee, sports authority (e.g., coach, assistant coach, trainer, referee), or designee must call 911 for emergency medical assistance if an athlete exhibits:

- a. Unequal pupils;
- b. Bleeding or fluid leakage from the nose or ears;
- c. Signs or symptoms of a fractured skull and/or spine;

- d. Changes in level of consciousness for more than a few seconds;
- e. Deteriorating neurological function or changes in mental status (lethargic, confused, agitated, difficulty maintaining focus);
- f. Decreasing or irregular respiration;
- g. Persistent vomiting; or
- h. Seizure activity.

3. Transportation when Emergency Assistance is NOT Activated

A student with a suspected head injury may not be sent home or allowed to drive. A student removed from play in accordance with this procedure whose condition appears stable (i.e., not worsening) should be transported by his/her parent to a medical facility as soon as possible. If the student's parent is unavailable, the coach shall make arrangements to have the student transported to a medical facility by a school employee as soon as possible. The coach or designee shall make a continued effort to notify the student's parent of the student's possible injury, transportation arrangements, and destination.

4. Examination

A student removed from practice, training, or competition must be examined as soon as practical by a licensed healthcare provider who is acting within their scope of practice and trained in evaluation and management of concussions, as determined by the provider's licensing board.

5. Return-to-Play Requirements

A student who is removed from play in accordance with this procedure may not be allowed to return to practice, training, or competition until the student or the student's parent obtains written authorization from a licensed healthcare provider who is acting within their scope of practice and trained in evaluation and management of concussions as determined by the provider's licensing board. This written authorization must be given to the Athletic Director and retained in accordance with policy.

Training

Upon initial employment (or selection, in the case of volunteers) and every two years thereafter, each district coach, official, and other individuals designated by the District who have removal-from-play authority must receive training regarding the nature and risk of concussions. The Athletic Director shall determine the method most suitable for carrying out this training requirement and place in each applicable personnel file, documentation of the date(s) the staff member/district designee completed concussion training.

The District shall develop information on concussions incurred by students participating in athletic activities and disseminate this information to student athletes and their parents. The student athlete and their parent must submit written or electronic documentation

verifying that they have viewed the concussion management information disseminated by the school district prior to participating in any athletic activity.

End of Jamestown Public School District Administrative Regulation FCAF-AR...Adopted 3/20/2017
Amended 6/3/2024

FCAF-E1 - CONCUSSION MANAGEMENT REMOVAL FROM PLAY AUTHORITIES

The District has designated the following individuals as having authority to remove a student from practice, training, or competition when the student reports or exhibits signs or symptoms of a concussion. These individuals have direct responsibility for student athletes during practice, training, or competition and have undergone necessary concussion training under law.

Name	Title	Date of Training

Healthcare Providers

The District has identified the following individuals as licensed, registered, or certified healthcare providers whose scope of practice includes the recognition of concussion signs and symptoms. These individuals have agreed to observe a student for possible signs or symptoms of a concussion if in attendance at athletic practice, training, or competition.

Name	Phone Number	License/ Registration/ Certificate	Events Regularly Attended
Name	Phone Number	License/ Registration/ Certificate	Events Regularly Attended

End of Jamestown Public School District Exhibit FCAF-E1 3/20/2017

FCAF-E2 - RETURN TO PLAY ACKNOWLEDGEMENT FORM

I acknowledge that I have been informed by _____ (name, title) of the return to play restrictions following a concussion or injury of the student athlete named below. I agree to comply with these restrictions while this student athlete is participating in practice, training, or competition.

Coach's signature

Coach's name

Date

Athlete's name _____
(please print)

Sport _____

Instructions: Attach to healthcare provider's return-to-play authorization and file in student's educational record.

FCB* SUPERVISION

Descriptor Code: FCBA

FCBA - EXCUSING STUDENTS FROM THE BUILDING

The ability to set the procedures to excuse students from the building rests entirely with the principals/activity director, career and technology director and district administrator. The authority to excuse students from the building may be delegated to a building facilitator or designee. No teacher has the right to send students on errands off the premises or to excuse students from the building. (See Administrative Guidelines of Procedures used in Excusing Students from Schools K-12)

Policy FCBA revised 5-15-2006

Descriptor Code: FCBB

FCBB - STUDENT TRANSPORTATION SAFETY & SUPERVISION

Although the District provides transportation to and from school, parents are responsible for supervision of their children until students board the bus and after students leave the bus at the end of the school day. The responsibility for district supervision of a student begins upon a student boarding a district vehicle at the beginning of the school day and ends when the student exits the vehicle.

Complementing Policies:

- FFC, Bus Conduct
- FFC-AR, Bus Conduct Regulations

End of Jamestown Public School District Policy FCBB

Adopted: 2-18-2019

FCC - RESTRAINT OR SECLUSION POLICY

Restraint and seclusion shall be implemented in a nondiscriminatory manner. Interventions authorized by this policy may be applied to any student enrolled in the Jamestown Public School District Public Schools so long as such interventions are implemented in compliance with this policy.

Definitions

For the purposes of this policy:

- *Behavioral intervention strategies* are methods used to identify students who exhibited past incidents of dangerous behavior or exhibit the potential to engage in such behavior in the future. Behavioral intervention strategies shall not be construed to mean a name-brand method of identifying and assessing students potentially in need of a behavioral intervention plan. The Superintendent shall determine the appropriate scope and method of conducting a needs assessment for implementation of behavioral intervention strategies under this policy and should document completion of this assessment.
- *Chemical restraint* is medication used to control behavior or restrict freedom of movement that is not a standard treatment for the student's medical or psychological condition.
- *Dangerous behavior* is violent, disturbed, or depressed behavior which may immediately result, or has resulted, in harm to the student or others.
- *Mechanical restraint* is the use of any device or equipment to restrict a student's freedom of movement. Mechanical restraints are prohibited in Jamestown Public School District Public Schools. This term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional and are used for the specific and approved purposes for which such devices were designed, such as:
 - Adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports;
 - Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle;
 - Restraints for medical immobilization; or
 - Orthopedically prescribed devices that permit a student to participate in activities without risk of harm.
- *Physical escort* means a temporary touching or holding of the hand, wrist, arm, shoulder or back for the purpose of inducing a student who is acting out to walk to a safe location.

Physical restraint is the use of physical intervention intended to hold a student immobile or limit a student's movement by using body contact as the only source of restraint to deescalate dangerous behavior. This definition excludes physical prompts and physically escorting a student so long as the physical prompt/escort does not render a student immobile.

- *Seclusion* is placing a student alone in a monitored room or area to deescalate dangerous behavior. This definition excludes timeouts, disciplinary sanctions designed to penalize students by separating them from the student population (such as, but not limited to, detention and in-school suspension), and alternative placement (which is often used to separate the student from the student population for safety reasons).
- *Timeout* is a behavior intervention strategy that involves the monitored separation of the student in a non-locked setting, and is implemented for the purpose of calming the student. Timeout may be inclusionary (where the student remains in sight and sound of others in the classroom) or exclusionary (where the student leaves the learning environment and goes to another location but is not isolated and prevented from leaving). Timeouts are not a form of seclusion.

Behavioral Intervention Strategies

To minimize the need for physical restraint or seclusion and to respond to dangerous behavior, the District shall use behavioral intervention strategies to the extent possible. To implement behavioral intervention strategies, the District shall, at a minimum, take the following steps:

5. Conduct a school-wide search of students in need of behavioral intervention strategies because of past incident(s) of dangerous behavior or the potential to engage in such behavior in the future;
6. Train staff on identifying the need for behavioral intervention strategies and on implementing these interventions once established;
7. Develop a behavioral intervention plan (BIP) for identified students. This plan should at least identify environmental triggers that cause the student to engage in dangerous behavior, include procedures for diminishing or removing such environmental factors, list interventions that will be used to maintain appropriate behavior and respond to inappropriate behavior, and contain an overview of self-regulating techniques on which the student will be trained; and
8. Involve parents in the development of the BIP and receive their consent on the document. For students in special education services, behavior intervention strategies, if necessary, should be addressed in the student's Individualized Education Program (IEP) or 504 Plan.

Prohibitions

The District prohibits district employees, contractors, volunteers, and other individuals serving or working in any capacity for the District (hereafter district staff) from using of any form of restraint and/or seclusion on students except when the student is engaging in dangerous behavior towards self or others.

The District further prohibits district staff from the following:

1. Using restraint and seclusion interventions simultaneously except when necessary, temporary measure (e.g., to evacuate a classroom or restrain a secluded student who is exhibiting self-destructive behavior);
2. Using restraint or seclusion to discipline a student;
3. Using restraint or seclusion as a behavioral intervention when behavior does not pose an immediate risk of harm or has not resulted in harm to the student or others;
4. Using mechanical restraints;
5. Using chemical restraints;
6. Using a physical restraint or seclusion technique that restricts breathing or ability to communicate (e.g., requiring a student to lie down or covering a student's face);
7. Using a restraint or seclusion technique that will knowingly cause harm to a student. An exception to this provision may be warranted if a district staff member is attempting to obtain possession of a weapon or other dangerous object within the control of a student, is attempting to stop a physical altercation between the student and another individual, or is acting in self-defense and inadvertently causes harm to the student in the process. Administration shall investigate anytime a student was harmed during restraint or seclusion to determine the appropriateness of the intervention technique under the circumstances; and
8. Using physical restraint or seclusion for longer than when the dangerous behavior has subsided.

Determining Appropriate Interventions When Need for Physical Restraint or Seclusion is Foreseeable

When the District identifies a foreseeable need for physical restraint or seclusion, it shall determine the appropriate physical restraint or seclusion intervention based on at least the following criteria:

1. Behavior at issue;
2. Age of the student;
3. If a proposed intervention would violate restraint or seclusion interventions prohibited by policy. Such interventions shall not be used;
4. The student's needs;
5. Terms of the student's BIP, IEP, and/or 504 Plan;
6. If staff has received appropriate training in the intervention proposed;
7. Number of staff needed to administer the intervention. At a minimum, two staff members should be on hand when physical restraint or seclusion is used – one to witness implementation of interventions;
8. If a staff member will be available to continually monitor a student who is restrained or placed in seclusion. The District requires continuous monitoring of a student placed in seclusion;

9. If seclusion is the recommended intervention, whether or not the school has a seclusion area free from any objects that the student could use to harm themselves. If the District does not have such a room or area, alternative interventions must be used;
10. Whether or not the proposed interventions have been reviewed and approved by a qualified licensed or education specialist such as, but not limited to, a therapist, an individual certified in special education, or psychologist. The District recommends receiving this approval to ensure that proposed physical restraint or seclusion intervention does not substantially depart from accepted professional judgment, practice, or standards; and
11. A review of physical restraint or seclusion interventions used to respond to the student in the past. Any interventions that were ineffective should be modified using the above criteria.

Determining Appropriate Interventions When Need for Physical Restraint or Seclusion is Unforeseeable

When a student engages in unforeseen dangerous behavior (i.e., dangerous behavior not covered by the BIP, IEP, or 504 Plan), trained staff members shall implement physical restraint or seclusion interventions in compliance with all prohibitions contained in this policy, should respond in at least a team of two, should consider the age of the student and their needs when determining the appropriate intervention method, and shall take necessary measures to ensure the safety of the student including continuously monitoring a student placed in restraint or seclusion. Staff administering restraint or seclusion under these circumstances are subject to administrator notification and reporting requirements contained in this policy.

Students engaged in unforeseen dangerous behavior shall be reviewed to determine the need for a BIP, IEP, or 504 Plan.

Staff Training

The District shall provide training to appropriate staff in physical restraint and seclusion and shall at least provide a copy of this policy to all district staff. Only trained staff members should implement physical restraint or seclusion interventions.

If a trained staff member is unavailable in situation necessitating use of restraint or seclusion as defined by this policy, the untrained staff member should contact a trained staff member to seek assistance. If the urgency of the situation prohibits contacting a trained staff member for assistance, the untrained staff member shall implement physical restraint or seclusion interventions in compliance with all prohibitions contained in this policy and in the BIP/IEP/504 Plan (if the staff member is aware of the contents of such plan, if such plan exists). Staff administering restraint or seclusion under these circumstances are subject to administrator notification and reporting requirements contained in this policy. The Superintendent shall ensure that the staff member is debriefed after the incident and arrange for the staff member to receive training on physical restraint and seclusion if deemed appropriate.

Documentation, Notification, & Re-Evaluation

Whenever any student is restrained or secluded, the intervening staff member shall contact the building principal or designee as soon as practical. The building principal or designee shall determine if the restraint or seclusion is necessary and compliant with this policy; determine the appropriate duration of the physical restraint or seclusion, not to exceed the length of the school day; and shall at least issue their decision in writing.

Anytime restraint or seclusion is used, the school staff member administering the intervention should document it using the district's restraint or seclusion reporting form (FCC-E) and submit it to administration as soon as practical. An administrator or designee shall attempt to contact the student's parent as soon as practical to inform them of the restraint or seclusion intervention used. If parents cannot be reached, the administrator should document a description of their notification attempts.

This notification requirement may only be waived if the parent agreed in writing to this waiver in the student's BIP, IEP, or 504 Plan and if the restraint or seclusion intervention used was part of the student's BIP, IEP, or 504 Plan.

School administration shall monitor the number and content of restraint and seclusion reporting forms received. If restraint or seclusion is repeatedly used, used multiple times within the same classroom, or used multiple times by the same individual, the District shall review the student's BIP/504 Plan/IEP to determine the effectiveness of current intervention strategies and shall assess any implicated staff member's need for more training.

Policy Violations

District staff who violate this policy may be subject to disciplinary action up to and including termination in accordance with law, district policy, and, if applicable, the negotiated agreement.

Policy Adoption & Review

The Board should seek input from district parents prior to adoption of this policy and should form a committee to review this policy and implementation of restraint and seclusion interventions at least annually. As part of the policy review, the committee should examine the following:

1. Frequency of use of restraint or seclusion;
2. Outcomes of restraint or seclusion interventions;
3. Demographics of students subject to restraint or seclusion, programs/settings in which such interventions are used, and frequency of each staff member's use of these interventions to determine if policy is applied consistently;
4. Whether or not use of restraint or seclusion is reported accurately and consistently;
5. Whether or not data collected on restraint and seclusion are used to plan behavioral intervention strategies and staff development;
6. Whether or not policy continues to protect students and staff; and
7. Whether or not policy is still aligned with any applicable law.

Complementing Policies:

- FCC-E, Restraint or Seclusion Reporting Form
- FFK, Suspension and Expulsion
- FFK-BR, Suspension and Expulsion Regulations

End of Jamestown Public School District Policy FCC Adopted:5/20/2013 Amended 12/19/2022

FCC-E - RESTRAINT OR SECLUSION REPORTING FORM

FD* SPECIAL CATEGORIES OF STUDENTS

This form must be completed and returned to the building principal or designee as soon as practical after a restraint or seclusion incident occurs, preferably the same day of the incident.

Name of student: _____

Name of staff member completing this report: _____

Location of incident: _____

Did the student's behavior pose an immediate threat of harm or cause harm to themselves or others? _____

- Yes No

Please describe the behavior, indicating specifically how it posed an immediate threat of harm to the student or others:

Describe the student's activities leading up to the incident:

Were there factors (environmental or otherwise) that caused or contributed to the dangerous behavior?

- Yes No

If yes, please list:

Were prevention, redirection, and/or pre-correction strategies attempted prior to using restraint or seclusion?

- Yes No

If yes, please describe. If no, please explain why they weren't used:

Describe restraint or seclusion intervention used:

Was the restraint or seclusion intervention used part of the students BIP, 504 Plan, or IEP?

- Yes No Unsure No BIP, 504 Plan or IEP on file

Was administration contacted as soon as practical to determine appropriateness and proper duration of restraint or seclusion (required by law for developmentally disabled and required by policy for all students)?

- Yes No

Start time of restraint or seclusion: _____ am pm

End time of restraint or seclusion: _____ am pm

List school staff involved in the restraint or seclusion intervention:

_____	<input type="checkbox"/> Administered	<input type="checkbox"/> Witnessed
_____	<input type="checkbox"/> Administered	<input type="checkbox"/> Witnessed
_____	<input type="checkbox"/> Administered	<input type="checkbox"/> Witnessed
_____	<input type="checkbox"/> Administered	<input type="checkbox"/> Witnessed

Describe student's reaction to/behavior during the restraint or seclusion:

Describe how the student was monitored during and after the incident:

Did any injuries to the student, staff, or others occur during the incident?

- Yes No

If yes, please list:

Was medical assistance sought?

- Yes No N/A

Did any damage to property occur?

- Yes No

If yes, please list:

Was law enforcement contacted?

- Yes No

How restraint ended (check all that apply):

- Determination by administrator or staff member that student was no longer a risk to themselves or others
- Intervention by administrator(s) to facilitate de-escalation
- Arrival of law enforcement
- Arrival of medical assistance
- Other (describe):

FOR SCHOOL ADMINISTRATION TO COMPLETE:

Name of administrator: _____

Date and time this report form was received:

_____ am pm

Date and time that school administrator contacted the student's parent (ideally same day as incident occurred):

_____ am pm

- Mother Father Guardian

The parent/guardian has waived notification for the form of restraint or seclusion intervention described above and documented in the

BIP 504 Plan IEP approved on: _____

Attempts to contact parents were unsuccessful

If attempts to contact parent were unsuccessful, describe attempts (time, manner, number, etc.):

If a school staff member other than an administrator contacted parents, please list:

Describe any post-incident debriefing with staff and list date and time of this meeting:

Was a BIP created for the student post-incident?

Yes No Student already has one on file

If no, explain:

Was the student referred for a 504/IDEA assessment?

Yes No

Was the student's BIP, 504 Plan, or IEP reviewed and reassessed post-incident?

Yes No N/A

Explain why or why not:

List any other measures taken by district as a result of this incident:

Additional notes:

End of Jamestown Public School District Exhibit FCC-E Reviewed 12/19/2022

FDA - EDUCATION OF HOME SCHOOLED STUDENTS

The Jamestown Public School District acknowledges the right of a parent to provide their own child's education in a home-based setting. The Superintendent will accept as correct the information on the statement of intent filed with the District in accordance with North Dakota law.

Resident homeschooled students are eligible to transfer into Jamestown Public School District schools and/or participate in individual district classes and/or extracurricular activities on the same basis as students already enrolled.

Transfers

Homeschooled students transferring into district schools will be required to produce documentation containing a list of courses taken, grades earned, and the results of standardized achievement tests unless the student is exempt from such testing under law. Placement will be determined in accordance with district placement standards.

Students without records or whose records do not indicate proper placement shall be subject to placement testing.

Students believed to have a disability impairing learning shall be tested and placed in accordance with law and applicable policy.

Diplomas

Jamestown Public School District shall not award diplomas to homeschooled students. Students must enroll full-time in the regular Jamestown Public School District educational program and complete all the necessary requirements to be eligible for a diploma.

Complementing policies:

- FACA, Placement & Adjustment of Transfer Students
- FACB, Transfer & Withdrawal Records
- FFE, Extracurricular Participation Requirements

End of Jamestown Public School District Policy FDA

Adopted: 7/16/2018

FDA-AR - Students Educated in Home Schools

Grade placement and eligibility for credits toward high school graduation of a child transferring credits from a home-education program to the Jamestown Public School District will be made by the High School Principal in accordance with the State Home Education Law, Chapter 15.1-23-17, through the following process:

1. For students otherwise enrolled primarily in Jamestown Public Schools, approval for home education credit to be counted toward meeting District graduation requirements must be obtained prior to commencing home education courses.
2. The Principal will establish reasonable deadlines for parents to submit documentation for consideration of home education credits.
3. The Principal will establish guidelines for the following items which must be submitted by the parents when requesting Jamestown Public Schools high school credit for home education courses:
 - A description of the course material covered or to be covered in the home education course.
 - A description of the course objectives
 - A description of how the objectives were or will be met.
4. In determining whether to award credit toward high school graduation for a home education course, the Principal will evaluate the home education student's current achievement and competency for each home education course and weigh those results against the achievement and competency of students in the comparable course offered in Jamestown Public Schools.
5. The Principal will determine grade placement at the high school level based on credits approved and credits earned.

FDB - EDUCATION OF THE HOMELESS STUDENT

Definitions

This policy defines the following:

- *Enrollment* means attending classes and full participation in school activities.
- *Full participation* means student participation in extracurricular activities, which offers additional opportunities for student engagement and greater motivation for retention. Further, extracurricular participation can open doors to higher education opportunities and scholarships, and build skills and relationships that carry over into students' adult lives.
- *Homeless student or unaccompanied youth* means an individual who lacks a fixed, regular, and adequate nighttime residence due to loss of housing, economic hardship, or similar reason. It includes students and youths (preschool-grade 12) who are:
 - u. Living in an emergency shelter or transitional housing;
 - v. Living in motels, hotels, trailer parks, or campgrounds due to lack of alternative adequate accommodations;
 - w. Living in cars, parks, public or private spaces not designed for humans to live, abandoned buildings, substandard housing, bus stations, train stations, or similar settings;
 - x. "Doubled up" by living with friends or family; or
 - y. Living in unsuitable conditions, such as lack of utilities, mold, infestations, or dangers.

Migratory students and unaccompanied youth (youth not in the physical custody of a parent/guardian) may be considered homeless if they meet the above definition.

Homeless status is determined in cooperation with the parent/guardian, or in the case of unaccompanied youth, the homeless student liaison.

- *Immediate enrollment* means within twenty-four hours of the best interest determination. Enrollment must not be denied or delayed because documents normally required for enrollment have not been provided. The enrolling school must immediately contact a student's school of origin to obtain the relevant records, and the school of origin should immediately transfer those records.
- *School of origin* means the school the student attended when permanently housed or the school in which the student was last enrolled, including a preschool.

Homeless Student Liaison

The Board designates Jennifer Jung as the Homeless Student Liaison. This individual must perform all duties required by law to ensure the educational stability of a homeless student.

Best Interest Determination

The District must comply with the McKinney-Vento Homeless Education Assistance Improvements Act. The District shall seek to eliminate barriers to school attendance for

homeless students as defined by law. When feasible and consistent with a parent, guardian, or unaccompanied youth's wishes, the homeless student must be immediately enrolled in their school of origin and transportation must be provided in accordance with law.

When not feasible for a homeless student to attend their school of origin, as determined by the Superintendent in consultation with the parent, guardian, or student, the student must be placed in a school that is in the "best interest of the student." The Superintendent must submit such placement decisions to the parent or guardian in writing, along with notice of the right to appeal and a dispute resolution procedure.

Dispute Resolution

To the extent feasible and appropriate, when a dispute arises as to the best interest determination, the District must ensure that a homeless student be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parent, guardian, or student wishing to file an appeal of a determination shall notify the Homeless Student Liaison. The liaison shall follow the dispute resolution procedure created in regulation FDB-BR. The District shall make reasonable efforts to collaborate with aggrieved parties to resolve the dispute at the local level as expeditiously as possible.

Complementing Policies:

- FDB-BR, Education of the Homeless Dispute Resolution Procedure
- FDB-E1, Caregiver Authorization Form
- FDB-E2, Jamestown Public School District-Level Dispute Resolution Form

End of Jamestown Public School Policy FDB

Adopted:12/9/2009 Amended 2/6/2023

FDB-BR - EDUCATION OF THE HOMELESS DISPUTE RESOLUTION PROCEDURE

District Resolution Procedure

The Board has adopted the following dispute resolution procedure for disputes related to the inner-district placement of homeless students:

1. A parent/guardian/unaccompanied student wishing to dispute the superintendent's school placement decision to the Board shall contact the Homeless Student Liaison to file an appeal within 15 days from receipt of the placement decision.
2. The Homeless Student Liaison shall notify the Superintendent of the appeal. The Superintendent shall take measures necessary to immediately enroll the homeless student in the school in which s/he is seeking enrollment, pending resolution of the dispute.
3. The Homeless Student Liaison shall present the appeal to the Board in a timely manner.
4. The Board will make an independent school placement determination based on feasibility and the student's best interest. When making this determination, the Board shall at least consider the following criteria:
 - a. The age of the student;
 - b. The distance of the commute;
 - c. The impact of the commute on a student's education;
 - d. The student's safety;
 - e. If the student has special needs, and which school best serves those needs; and
 - f. The amount of time left in the school year.
5. The Board shall issue a placement determination within 15 days of receiving the appeal request. The determination shall be made in writing and issued to the parent/guardian/unaccompanied student who initiated the appeal, along with notice of the rights of the parent/guardian/unaccompanied student to appeal the decision to the State Homeless Program Administrator at the North Dakota Department of Public Instruction.
6. The Homeless Student Liaison shall send a copy of the written placement determination decision to the State Homeless Program Administrator at the North Dakota Department of Public Instruction.

State Resolution Procedure

The Board has adopted the following dispute resolution procedure for individuals who have exhausted the district-level appeals process and/or for disputes that involve more than one school district:

1. A parent/guardian/unaccompanied youth shall inform the Homeless Student Liaison in the district of residence of their intent to file a state level placement appeal.
2. The Homeless Student Liaison shall assist the parent/guardian /unaccompanied youth with filing the appeal and notify the State Homeless Program Administrator of the appeal.

3. The Homeless Student Liaison shall notify the affected Superintendent(s) of the appeal, and the Superintendent(s) shall take measures necessary to immediately enroll the homeless student in the school in which s/he is seeking enrollment, pending resolution of the dispute.
4. The Homeless Student Liaison in the affected district(s), the enrollment officer in the affected district(s), parents of the student, homeless service providers, and the state homeless program administrator shall meet at the direction of the State Homeless Program Administrator to resolve the issue.
5. The State Homeless Program Administrator shall be considered the final decision-maker. The District must comply with the State Homeless Program Administrator's placement determination.

End of Jamestown Public School District Board Reg. FDB-BR

Approved: 2-6-2023

FDB-E1 - CAREGIVER AUTHORIZATION FORM

This form is intended to address the McKinney-Vento Homeless Education Assistance Improvements Act requirement that a homeless student have access to education and other services for which they are eligible. McKinney-Vento Homeless Education Assistance Improvements Act states that barriers to enrollment must be removed. In some cases, a student who is homeless may not be able to reside with their parent or guardian. However, this fact does not nullify the student’s right to receive a free, appropriate education.

Instructions:

Complete this form for a student seeking enrollment while **NOT** in the physical custody of a parent or guardian.

- To authorize the enrollment in school of a minor, complete items 1 through 4 and sign the form.
- To authorize the enrollment and school-related medical care of a minor, complete all items and sign the form.

I am 18 years of age or older and have agreed to fulfill the role of caregiver for the minor named below.

1. Name of minor (first, middle, last): _____
2. Minor’s date of birth: _____
3. My name (adult giving authorization): _____
4. My home address: _____

Check one:

_____ I have advised the parents(s) or other person(s) having legal custody of the minor of my intent to authorize medical care and have received no objection.

_____ I am unable to contact the parent(s) or legal guardians(s) at this time to notify them of my intended authorization.

5. My date of birth: _____
6. My state driver's license or identification card number: _____

I declare under penalty of perjury under the laws of this state that the foregoing information is true and correct.

Signature of Caregiver Date

FDB-E2 - JAMESTOWN PUBLIC SCHOOL DISTRICT-LEVEL DISPUTE RESOLUTION FORM

This form is to be completed by a parent, guardian, or unaccompanied student when a dispute arises over school enrollment or transportation assistance. The homeless liaison shall assist the parent, guardian, or unaccompanied student in completing the form.

Complainant name: _____

Complainant contact information: _____

Relation to student: _____

Student's name: _____

Student's grade: _____

Date of decision being appealed: _____

Please provide a written explanation to support your appeal:

I have been provided with (please check all that apply):

- A written explanation of the district's decision
- District dispute resolution procedure
- Contact information for the State Homeless Education Program Administrator

Complainant signature **Date**

Please return completed form to the Homeless Student Liaison.

The Homeless Student Liaison shall maintain original form at the school, and provide a copy to the parent, guardian, or unaccompanied youth and the state homeless program administrator at the ND Department of Public Instruction.

Please contact the Homeless Student Liaison, Jada Anderson, at 615 6 AVE SE, Jamestown, ND, 58401, Jada.J.Anderson@k12.nd.us and 701-252-1679 if you have questions when completing the form.

FDC - EDUCATION OF MIGRANT STUDENTS

The Superintendent will develop and implement a program to ensure that migratory students receive appropriate services in the same manner as other students selected to receive services. The program shall contain a means to:

1. Identify migrant students and assess their educational and related health and social needs.
2. Provide a full range of services to migrant students including applicable Title I programs, special education, gifted education, vocational education, language programs, counseling programs, and elective classes.
3. Provide migrant children with the opportunity to meet the same statewide assessment standards that all children are expected to meet.
4. Provide advocacy and outreach programs to migrant children and their families and professional development for district staff.
5. Provide parent/guardians an opportunity for meaningful participation in the program.

Parent Involvement in the Migrant Education Program (MEP)

The District in conjunction with parents/guardians of migrant students shall develop a parental involvement plan and compact, which shall be adopted by the Board. The MEP parental involvement plan shall contain procedures for consulting and communicating with parent(s)/guardian(s) about student achievement and the migrant program's development, implementation, operation, and evaluation.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- KAB, Parental Involvement
- KAB-E, School-Parent Compact

End of Jamestown Public School District Policy FDC...Adopted:12/7/2009, Reviewed 2/18/2016

FDD - EDUCATION OF PREGNANT AND PARENTING STUDENTS

Pregnant and parenting students shall be entitled to all protections contained in the district's nondiscrimination and anti-harassment policy and should report any violations of these protections using the district's discrimination and harassment grievance procedure. These students shall be allowed to participate in all school programs and activities on the same basis as any other student enrolled in Jamestown Public Schools.

Attendance Standards for Pregnancy and Post-Pregnancy Conditions

Absences due to pregnancy and post-pregnancy related conditions shall be excused and approved so long as the student and/or her parent/guardian complies with any district documentation requirements associated with the absence as stated in the attendance policy. Documentation requirements for pregnancy and post-pregnancy related absences shall be no more stringent than documentation requirements the District has instituted for student absences due to illness.

Students shall not be disciplined or their status as a student otherwise demoted due to absences resulting from pregnancy or a post-pregnancy condition. Furthermore, students absent due pregnancy/a post-pregnancy condition shall not be barred from participating in district programs and activities except when absences result in ineligibility to participate in activities covered under North Dakota High School Activities Association bylaws. Students will be given a reasonable time to make up missed work or participate in a credit recovery program. Failure by the student to complete any make up work requirements or credit recovery program(s) may result in a demotion in grades, retention, extracurricular ineligibility, or other appropriate recourse as determined by district administration in accordance with applicable district policy.

Accommodations for Pregnant Students

The District shall provide reasonable accommodations to pregnant students and students recovering from pregnancy upon request by the student, her parent/guardian, or her medical provider.

Alternative Curricular Participation

The District shall encourage pregnant and parenting students to remain enrolled in the regular school program; however, the District will provide educational options to those students who are unable or who elect not to remain in their regular schools. Those options may include homebound tutoring, an alternative day school program, and/or attendance at adult evening classes. Pregnant and parenting students electing one of these options shall be permitted reenter the regular education program upon request. If a request to re-enroll is made near the end a semester, the District may elect to re-enroll

the student in the regular education program at the beginning of the subsequent semester.

Medical Documentation Requests and Participation in Physical Activities

Pregnant students involved in programs involving physical activity will be required to provide medical documentation certifying fitness for participation **only** on the same basis as the District requires such documentation from other students. Any medical documentation required for a pregnant student to participate in physical activities shall be no more stringent than when medical documentation is required to be provided by any other student as a condition of participation in physical activities.

Disclosure

If a student discloses her pregnancy status to a district employee, the employee will refer the student to a school counselor. The school counselor shall encourage the student to inform her parent(s)/guardian of the pregnancy if such advice is in the best safety interest of the student.

If a student refuses to inform her parent(s)/guardian of her pregnancy within a reasonable time, the counselor, in conjunction with the Superintendent, shall make a decision about whether or not to inform the student's parent(s)/guardian. The decision shall be made on a case-by-case basis, taking into account the student's age and safety. Before acting on the decision, the counselor shall contact the student and provide her with an opportunity to appeal the decision to the Superintendent.

Complementary Documents

AAC, Nondiscrimination & Anti-Harassment Policy

AAC-BR, Discrimination & Harassment Grievance Procedures

FFB, Attendance & Absence

End of Jamestown Public School District School Board Policy FDD.....Adopted: 11/2/2015

FDE - EDUCATION OF SPECIAL EDUCATION STUDENTS/STUDENTS WITH DISABILITIES

The Jamestown Public School assures that all students with disabilities, ages 3 through 21, have the right to a free and appropriate public education in accordance with the Individuals with Disabilities Education Act (IDEA) and North Dakota law. In addition, the District complies with Section 504 of the Rehabilitation Act requirements. For the purpose of compliance with state and federal laws concerning special education/disabled students and providing this assurance, the Jamestown Public School District operates the Jamestown Special Education Unit and subscribes to its policies and procedures. These policies and procedures include those required to comply with IDEA and Section 504, such as but not limited to child find and procedural safeguards. For students eligible for services under IDEA, the District will follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities.

Complementing

- FDE-E, Section 504 Eligibility Determination Form
- ACBC, Use of Animals in District Schools & Curricular Programs

End of Jamestown Public School District Policy FDEAdopted:2/6/2017 Amended1/20/2025

FDF - FOREIGN EXCHANGE STUDENTS

In order to promote cultural awareness and understanding and to provide diverse experiences to district students, the Board may admit foreign exchange students in to the schools of the District.

The Board may accept only foreign exchange students who meet the established guidelines for admission to District schools.

The Board may accept exchange students on a J-1 Visa who reside within the District as participants in group-sponsored exchange programs approved by the Board. The Board may waive tuition for five students on a J-1 Visa, with a target goal of a maximum of one student per country.

The Board may accept privately sponsored exchange students on a F-1 Visa for attendance only in secondary schools upon payment of tuition at the established district rate; tuition payments may not be waived. The period of attendance shall not exceed twelve months.

The Board shall not be responsible for health insurance or health benefits for exchange students. Exchange students on a F-1 Visa shall provide proof of a valid health insurance plan that includes benefits to cover repatriation and medical evacuation. The health plan must be on file in the district administrator's office before the exchange student is enrolled.

The Board reserves the right to limit the number of foreign exchange students admitted to the schools. The Superintendent or designee shall be responsible for determining the visa status and eligibility of foreign exchange students applying for admission to District schools.

All potential organizations or individuals applying for admissions shall forward the request to the Superintendent or designee by July 1 proceeding the school year of attendance.

Foreign exchange students shall comply with all immunization requirements for students. Once admitted, all exchange students shall be subject to all district policies and regulations governing students.

Admission of foreign exchange students shall be subject to the following guidelines:

A. Students shall be at least sixteen years and no more than eighteen years of age at the time of enrollment and shall be sufficiently fluent in English.

- B. Students may not be a graduate of their native school system.
- C. Students will be considered for admittance only when space is available.
- D. Resident host families shall submit a statement accepting responsibility for the student and verifying they are serving as a volunteer host without personal profit.
- E. Students shall be encouraged to participate in all student activities and athletics, provided all eligibility criteria are met.
- F. Exchange students have the rights and privileges of a resident student during the period of enrollment.

Legal Ref:8 U.S.C. § 1101 Illegal Immigration Reform and Immigration Responsibility Act of 1997 4-98

Policy FDF Amended 10-16-06

FDG – DROPOUTS

The Board affirms that even though law requires attendance of a student only between the ages of seven through sixteen, it is in the best interests of both students and the community that students complete the educational program that will equip them with required skills and increase their chances for a successful life beyond school.

The Board directs that whenever a student is identified as at-risk of dropping out of school, reasonable efforts shall be made to determine the underlying reason for such risk. District resources and staff shall be utilized to retain the student and/or assist the student in pursuing educational and career goals.

No student of compulsory school age will be permitted to withdraw without the written consent of a parent/guardian and supporting justification.

At-Risk Coordinator

The Board shall designate one at-risk coordinator to collect and disseminate data regarding drop-outs in the District and to coordinate the District's program for students who are at high risk of dropping out of school.

Each school year, the at-risk coordinator will prepare a dropout reduction plan that identifies:

1. The number of District students who dropped out in the preceding regular school term;
2. The number of students in grades 1-12 who are at risk of dropping out;
3. The District's dropout rate goal for the next school year; and
4. The dropout reduction programs, resources, and strategies to be used during the school year,

The Board shall review and approve the plan annually.

At-Risk Students

In determining whether a student is at high risk of dropping out of school, the District will consider the student academic and attendance performance as well as whether the student is adjudged delinquent; abuses drugs or alcohol; is a student of limited English proficiency; receives compensatory or remedial education; is sexually, physically or psychologically abused; is pregnant or a parent; is an emancipated youth; is a previous drop-out, is a court or agency referral; stops attending school before the end of the school year; is an underachiever; is unmotivated; or exhibits other characteristics that indicate the student is at high risk of dropping out of school.

Programs and District Plan

The District shall provide a remedial and support program for any student who is at risk of dropping out of school. The District will have a plan designed to retain students in a school setting. The District plan will be the responsibility of the Superintendent or the designated at-risk coordinator and will:

1. Emphasize a comprehensive team approach that includes the Superintendent, principal, parent/guardian, teacher, student, or others;
2. Include objectives designed to meet the identified needs of at-risk students and to retain those students in school;
3. Be designed to use community resources that are available to serve at-risk youth;
4. Provide for parental involvement, such as participation in developing student academic plans and training programs for parents; and
5. Provide for review of individual profiles for at-risk students

The District plan may also:

1. Include alternatives; and
2. Provide for the referral of students who drop out to other programs.

Alternatives to regular attendance should be used in so far as they are effective and in accordance with state law in an effort to maintain and further the education of students who find it impossible to attend the regular school session.

Complementing:

- FDG-E, Withdrawal/Dropout Form

End of Jamestown Public School District Policy FDG.....Adopted:5/2/2022

FDG-E – JHS School Withdrawal/Transfer Form

Jamestown High School Withdrawal/Transfer Form				
Date:	_____			
Student's Name:	_____			
Withdrawal/Transfer				
Period	Class	Grade to date	Book Returned	Teacher Signature
1	_____	_____	_____	_____
2	_____	_____	_____	_____
3	_____	_____	_____	_____
4	_____	_____	_____	_____
5	_____	_____	_____	_____
6	_____	_____	_____	_____
7	_____	_____	_____	_____
ADV	_____	N/A	N/A	_____
Device Asset Tag # _____				
<p>Note: All teachers must sign above to verify grades and return of textbooks. Advisory teacher must sign to verify locker is cleaned out & lock is on the locker. No records will be sent until all signatures are recorded and this form is returned to the office.</p>				
Counselor Name _____		Counselor Signature _____		
Transfer:				
At the time of withdrawal/transfer student was OR was not eligible for activity/athletic participation by our school standards.				
Activities Director _____				
Reason for Withdrawal/Transfer: _____				

Effective Date of Withdrawal/Transfer: _____				

I agree that I am by choice dropping out of Jamestown High School. I understand that special education services are available to me if I have an identified handicap. At this time, I do not desire to complete my education at Jamestown High School; however, I also understand I may re-enroll at a later date but prior to my 21st birthday.				

Student Signature				

Parent's Signature				

FDH - STUDENTS IN FOSTER CARE

Definitions

This policy defines the following:

- *Foster care* as defined in 45 U.S.C. 1355.20 and NDCC 50-11-0.1(7).
- *School of origin* means the school in which a student is enrolled at the time of placement in foster care. If a student's foster care placement changes, the school of origin would then be considered the school in which the student is enrolled at the time of the placement change. Districts must ensure a student in foster care remains in the school of origin unless it is not in the student's best interest as determined as set forth herein.
- *Best interest determination* shall take into account all relevant factors, including, but not limited to, length of placement, student and/or student's parent(s) or guardian preference, safety issues, and the proximity to the school in which the student is enrolled at the time of foster care placement. Transportation costs must never be considered when determining best interest determination.
- *Immediate enrollment* means within twenty-four hours of the best interest determination. Enrollment must not be denied or delayed because documents normally required for enrollment have not been provided. The enrolling school must immediately contact a student's school of origin to obtain the relevant records, and the school of origin should immediately transfer those records.

Foster Care Student Point of Contact

The Board designates Jennifer Jung as the District Foster Care Point of Contact. This individual must perform all duties required by law to ensure the educational stability of a student in foster care.

Best Interest Determination

The District shall collaborate with state, local and tribal child welfare agencies, as applicable, and seek to eliminate barriers to school attendance for a student in foster care as defined by law¹⁷. When feasible and in the best interest of the student, as determined by the local child welfare agency (CWA), in collaboration with the District Foster Care Point of Contact and other key partners, as applicable, the student in foster care must immediately be enrolled in their school of origin and transportation must be provided in accordance with law.

When not feasible for a student in foster care to attend their school of origin, as determined by the local CWA, in collaboration with the District Foster Care Point of Contact and other key partners, as applicable, the student must be placed in a school

¹⁷ <https://www2.ed.gov/about/inits/ed/foster-care/index.html>

that is in the best interest of the student. The local CWA shall submit such placement decisions to the foster parent or designated caregiver in writing.

If there is a difference of opinion regarding school placement between the District and CWA, the CWA shall be considered the final decision-maker.

Transportation

The District shall collaborate with state, local and tribal child welfare agencies, as appropriate, to implement a written transportation procedure by which prompt, cost-effective transportation will be provided, arranged and funded for a student to remain in their school of origin, when in their best interest, for the duration of their time in foster care.

Dispute Resolution

To the extent feasible and appropriate, when a dispute arises as to the best interest determination, the District must ensure that a student in foster care remains in their school of origin and promptly receives transportation in a cost-effective manner, pending resolution of the dispute. The District shall make reasonable efforts to collaborate with appropriate agencies and aggrieved parties to resolve the dispute at the local level as expeditiously as possible. The aggrieved party wishing to file an appeal of a determination shall notify the district's Foster Care Point of Contact and follow the dispute resolution procedure created by the state.

Foster Care Student Records

The District Foster Care Point of Contact shall maintain all best interest determination and transportation documents in the foster care student's educational record until there is a change in the student's situation, such as custodial care or new foster parents, or until permanent placement has been established.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FDH-BR1, Foster Care Student Transportation Plan
- FDH-BR2, Foster Care Student Transportation Dispute Resolution Procedure
- FDH-E1, Foster Care Student Best Interest Determination Form
- FDH-E2, Foster Care Student Transportation Plan

End of Jamestown Public School Policy FDH..... Adopted:10/1/2018 Amended 2/6/2023

FDH-BR1 - FOSTER CARE STUDENT TRANSPORTATION PROCEDURE

The Board has adopted the following transportation procedures to ensure collaboration with the state or the local child welfare agency (CWA) to ensure the educational stability of a student in foster care, including assurances that:

1. Foster care students remain in their school of origin, unless a determination is made that it is not in their best interest; and
2. When a determination is made that it is not in the best interest to remain in the school of origin, the child must be immediately enrolled in a new school.

Transportation Plan Process

1. A representative of the relevant CWA shall give clear notice to the District, as soon as practical, that a student in foster care needs, or may need, transportation to a district school that is the student's school of origin. Such notice may be given in writing or verbally directly to the district's Foster Care Point of Contact.

When a student's placement is outside of the boundary of their school of origin, the local CWA shall promptly notify and collaborate with the District to convene a best interest determination meeting.

2. When the District is notified that a student in foster care needs, or may need, transportation to a district school serving as the student's school of origin, the district's Foster Care Point of Contact, in consultation with others, will promptly¹⁸ take steps to determine best interest decision and establish an individualized transportation plan that addresses how transportation will be arranged, provided, and funded for the duration of time that the student is in foster care and attending the school of origin.

In the interim, the District and the local CWA must jointly develop and implement a plan to provide temporary transportation to ensure the student's educational stability.

The District must ensure that transportation is provided to a student in foster care even if transportation is not offered to non-foster care students.

- a. The District Foster Care Point of Contact shall establish and develop a transportation plan for the student in consultation with a representative of the local CWA, appropriate district staff (e.g., Superintendent, Title I coordinator, school of origin transportation designee, coordinator for special education, McKinney-Vento liaison), representatives from another school district (if applicable), and may also include obtaining input from others who may be involved in education or other decision-making for the student, such as the foster parent or designated caregiver.

¹⁸ No more than five days from when notice was given to the District that a student in foster care needs transportation is recommended.

- b. Multiple factors will be considered and addressed in the best interest determination when determining transportation options for a student in foster care, including, but not limited to: safety of the foster care student and other students being transported; student age; length of commute; and distance. The cost of transportation must never be a factor when determining best interest determination. Information from the school of origin transportation designee about these factors will be provided so that the best interest determination will be comprehensive and will include consideration of cost-effective measures.

The following options must be considered to provide school of origin transportation:

- i. An existing bus route can be used;
 - ii. An existing bus route can be modified slightly to accommodate the new address;
 - iii. Specialized transportation offered to other students can be accessed, such as special education (IEP) or McKinney-Vento transportation;
 - iv. Existing special education transportation can be modified slightly to accommodate the new address;
 - v. Arranging transportation by the foster parent/designated caregiver to the school of origin or to a bus stop on a route to the school of origin;
 - vi. Coordinating with the district in which the student is living to provide transportation to the District boundaries or an existing bus stop within the District;
 - vii. Public transportation; and
 - viii. Walking within a reasonable walk zone (based on safety, disability, age, etc.)
- c. The transportation plan for the student must be in writing and include the following information (see FDH-E1):
 - i. Student name;
 - ii. Contact information (address, phone and/or email)
 - iii. Current school district;
 - iv. A transportation strategy for providing transportation to and from the school of origin on school days, inclusive of identifying the method(s) of transportation, the person or entity responsible for providing the transportation, and if applicable, the person or entity who is responsible for making any specific arrangements that are necessary to the implementation of any mode of transportation;
 - v. To the extent applicable, a description of how the student's school-related transportation will be funded, particularly when the planned transportation involves additional costs as defined under applicable laws and regulations; and

- vi. A communication protocol that the District, CWA, and other relevant persons, such as the student's foster parent or designated caregiver, may use in order to address any questions or concerns that arise with the transportation plan, including considering possible adjustments to the student's transportation plan, and any relevant changes in the student's placement or foster care status that are relevant to the transportation plan.
3. A student needing transportation to the school of origin must promptly receive transportation in a cost-effective manner and in accordance with the local CWA's authority to use child welfare funding for school of origin transportation.

If there are additional costs incurred in providing transportation to maintain children in foster care in their schools of origin, the District will provide transportation to the school of origin if:

 - a. The local CWA agrees to reimburse the District for the cost of such transportation;
 - b. The District and local CWA agree to share the cost;
 - c. The District agrees to pay for the cost of such transportation; or
 - d. The school of origin, local CWA, school of residence and/or placing CWA share the cost of such transportation.
4. The CWA in consultation with the District Foster Care Point of Contact and key partners, as applicable, shall make the best interest transportation determination for the student in foster care.
5. The CWA and/or the District Foster Care Point of Contact shall notify the foster parent or designated caregiver of the decision. If transportation to the school of origin is in the best interest of the student, the District Foster Care Point of Contact shall contact the school of origin transportation designee to make the necessary arrangements.

Transportation must be provided for the duration of the student's time in foster care as long as it continues to be in the student's best interest to remain in their school of origin. If a student exits foster care before the end of a school year, the transportation arrangement shall be maintained through the end of the school year to maintain the student's educational stability if possible.

Dispute Resolution

The District and local CWA shall make every effort to expeditiously reach an agreement regarding the method of transportation and/or the funding of any additional costs associated with providing such transportation to the school of origin for a student in foster care at the local level. If the District and local CWA cannot resolve a dispute about transportation method or cost, the aggrieved parties shall notify the district's Foster Care Point of Contact and follow the dispute resolution procedure adopted by the District (see FDH-BR2). End of Jamestown Public School District Board Reg. FDH-BR1 Approved: 10-1-2018

FDH-BR2 - FOSTER CARE STUDENT TRANSPORTATION DISPUTE RESOLUTION
PROCEDURE

Dispute Resolution Procedure

When there is disagreement between the District and the local CWA in determining the method of transportation and/or the funding of any additional costs associated with providing such transportation to the school of origin, the District will attempt to pursue the following dispute resolution procedures:

1. A meeting will be scheduled that involves the child welfare agency, District Foster Care Point of Contact and other key partners, as applicable, with each applicable school district. The parties shall attempt to self-mediate and resolve the dispute at the local level. By mutual agreement, the parties may involve a third party to act as neutral mediator in this process.
2. If the attempt to self-mediate and resolve the dispute is unsuccessful, or if all relevant parties mutually agree to proceed directly to this step, the aggrieved parties shall notify the District Foster Care Point of Contact and follow the dispute-resolution procedure created by the North Dakota Department of Public Instruction (NDDPI). The NDDPI shall be considered the final decision-maker. All agencies must comply with the final determination decision.

Interim Funding of Transportation

The District and the local CWA shall attempt to define a mutually-agreed-upon, interim funding arrangement that shall be implemented for a defined period of time so that the student can promptly receive transportation to the school of origin. In the absence of a voluntary interim funding arrangement, and in order to promptly provide transportation while a dispute is pending, the District will attempt to pursue an interim funding arrangement under which the District and the CWA that is responsible for the placement and care of the child shall each pay an equal share of the disputed additional costs of transportation on an interim basis until the funding dispute is resolved.

The final resolution of a funding dispute may require the full or partial reimbursement of funds that were expended under an interim arrangement for the costs of additional transportation during the intervening period of a funding dispute.

End of Jamestown Public School District Board Reg. FDH-BR2 Approved:10/1/2018

FDH-E1 - FOSTER CARE STUDENT best interest determination FORM

Student's Name			State ID	
Gender		DOB	Grade	
Current School			Phone	
Case Manager			Phone	
Date of Meeting			Location	

Check all factors considered for ensuring school stability:

- | | |
|---|--|
| <input type="checkbox"/> Student's preference | <input type="checkbox"/> Individualized education plan |
| <input type="checkbox"/> Academic programs | <input type="checkbox"/> Academic growth/progress |
| <input type="checkbox"/> History of school transfers | <input type="checkbox"/> Length/distance of commute |
| <input type="checkbox"/> Attendance | <input type="checkbox"/> Peer relations |
| <input type="checkbox"/> Specialized instruction | <input type="checkbox"/> Sibling placements |
| <input type="checkbox"/> Permanency goals | <input type="checkbox"/> Safety concerns |
| <input type="checkbox"/> Program/activities of interest | <input type="checkbox"/> Section 504 |
| <input type="checkbox"/> Extra-curricular activities | <input type="checkbox"/> Language services |
| <input type="checkbox"/> History of foster placement | <input type="checkbox"/> Caretaker preference |

Determination:

The student shall remain in the school of origin unless a detailed explanation of the above factors suggests a change of placement is in the child's best interest.

- | | |
|--|---|
| <input type="checkbox"/> History of foster placement | <input type="checkbox"/> A change in school placement is needed |
|--|---|

If applicable, describe in detail why a change in placement was determined:

Supporting Documentation:

- | | |
|---|---|
| <input type="checkbox"/> Report cards | <input type="checkbox"/> Discipline referrals |
| <input type="checkbox"/> 504 | <input type="checkbox"/> Health records/reports |
| <input type="checkbox"/> Extra-curricular | <input type="checkbox"/> IEP |
| <input type="checkbox"/> Progress report | <input type="checkbox"/> Attendance Date |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Other |
| <input type="checkbox"/> Achievement data | |

Authorized Signatures:

Descriptor Code: FDH-E1

Best Interest Determination Plan Attendance (Print Name)	Title or Relationship to Foster Child	Signature	Agree with Determination? (Circle)
			Yes No
			Yes No
			Yes No
			Yes No
			Yes No
			Yes No
			Yes No
			Yes No
			Yes No
			Yes No
			Yes No

Descriptor Code: FDH-E2

FDH-E2 - FOSTER CARE STUDENT Transportation Plan

Student's Name				State ID	
Gender		DOB		Grade	
Current School				Phone	
Case Manager				Phone	
Date of Meeting				Location	

Check all determined transportation options:

- | | |
|---|---|
| <input type="checkbox"/> Existing bus route | <input type="checkbox"/> Contracted transportation |
| <input type="checkbox"/> Modified bus route | <input type="checkbox"/> Public transportation |
| <input type="checkbox"/> Specialized transportation | <input type="checkbox"/> Foster parent/designated caregiver |
| <input type="checkbox"/> County car | <input type="checkbox"/> Agency vehicle |
| <input type="checkbox"/> District vehicle | <input type="checkbox"/> Other |

Transportation for the student will be provided in the following manner:

Check how all determined transportation is funded:

- | | |
|---|---|
| <input type="checkbox"/> CWA agrees to pay | <input type="checkbox"/> LEA and CWA agree to share the costs |
| <input type="checkbox"/> LEA agrees to pay | <input type="checkbox"/> School of origin and other district agree to share costs |
| <input type="checkbox"/> Eligible under Title IV-E | <input type="checkbox"/> Other |
| <input type="checkbox"/> CWA agrees to reimburse foster parents | |

If applicable, describe in detail the cost sharing arrangement:

- Dispute resolution: The local CWA and District cannot resolve transportation mode or cost.**
- This transportation arrangement will be maintained through the end of the school year in order to maintain the student's educational stability.**

All questions or changes to the plan must be directed to Jada Anderson, the District Foster Care Point of Contact, at 615 6th Avenue SE, Jamestown, North Dakota, 58401, 701-252-1679 or Jada.J.Anderson@k12.nd.us.

Authorized Signatures:

Descriptor Code: FDH-E2

Transportation Plan Attendance (Print Name)	Title or Relationship to Foster Child	Signature	Agree with Determination? (Circle)
			Yes No
			Yes No
			Yes No
			Yes No
			Yes No
			Yes No
			Yes No
			Yes No
			Yes No
			Yes No
			Yes No

End of Jamestown Public School District Exhibit FDH-E2

FE* SPECIAL PROGRAMS FOR STUDENTS

Descriptor Code: FEA

FEA - ADULT EDUCATION

The Superintendent of Schools has final authority to approve or disapprove all adult education courses offered by the District or the James Valley Multi-District Career and Technology Center.

FEB - GUIDANCE PROGRAM

Guidance is an important, personalized aspect of the educational program. To ensure that this service is provided to all students, a guidance program will be established in each school. The goal of each program will be to provide activities and experiences that will help all students work toward a realization of their potential.

While counselors will continue to have primary responsibility for the delivery of guidance services, others will share in this task. Teachers, other staff members, and parents and community personnel should work as a team to serve the guidance needs of the student body. In the process of applying this team effort, the priorities of students and their parents must receive primary consideration.

Included in the guidance program will be individual and group activities that will help students develop positive relationships with others, improve their understanding of self in terms of interests, abilities, achievements, and values, and formulate educational and career plans. Learning decision-making skills and becoming proficient in their use are essential to the student and should be a component of the guidance program.

The principal and/or vocational director will be responsible for the development, implementation, and evaluation of the guidance program.

Legal Ref: NDCC 31-01-06.1

FEE - STUDENT ORGANIZATIONS

Recognition of Curriculum Clubs and Non-Curriculum Clubs function to enhance the participants' educational experience and supplement the course materials within the educational program of the schools. The activities of these organizations should bear a clear relationship to the regular curriculum.

CURRICULAR CLUBS:

CRITERIA:

Curricular clubs are defined as clubs whose activities meet one (1) or more of the following criteria:

- The subject matter of the club is or will be taught as a primary topic in a regularly offered course;
- The subject matter relates to the District's composite courses of study;
- Participation is required for a particular course; or
- Participation results in academic credit.

Curricular club activities may be conducted on or off school premises under the supervision and guidance of a staff advisor.

Participation curriculum clubs cannot be denied on the basis of a student's race, color, religion, sex, sexual orientation, national origin, age, mental or physical disability, gender expression/identity, genetic information or status with respect to marriage or public assistance or status in any group protected by federal, state or local law.

Membership in school-sponsored student organizations shall be voluntary and shall be open to and limited to all students currently enrolled in the school and home-schooled students living in the District. Membership shall be granted in a nondiscriminatory manner, consistent with the district's nondiscrimination policy; however, organizations may establish qualifications based on gender only where necessary to preserve the health, safety, or welfare of students, or where gender is a bona fide and integral qualification for the activities of the organization. These organizations may also establish academic qualifications for membership where necessarily related to the purposes of the organization.

Curriculum Clubs shall comply with the purchasing policy of the District and may not extend the credit of the District. Failure to comply with these provisions shall be grounds for revocation of recognition.

NON-CURRICULAR STUDENT CLUBS:

Non- Curricular student clubs are defined as clubs whose activities do not meet the criteria listed above for curricular clubs.

The Jamestown Public Schools allows non-curriculum students clubs to meet on school premises during non-instructional time. These clubs may use the name of the school when it is required or necessary to distinguish it from other such clubs in relation to competitions or other types of events. The use of the school name is not intended to show the club falls under the control, supervision, direction, guidance or sponsorship of the Jamestown Public Schools. Fiscal accounts of non-curriculum clubs are not controlled or accounted for by the District.

The Jamestown Public Schools allows non-curriculum student clubs to use District facilities for meetings in accordance with Rental of School Facilities Policy (ABBB)

CRITERIA:

- The proposed club is initiated by students;
- Attendance at meetings is voluntary;
- No agent or employee of the District will attend meetings (except those assigned to attend in a custodial capacity), or participate in club meetings or activities during their normal working hours, or during the hours s/he is functioning as a staff member.
 - a) The school principal may assign a staff member to attend and supervise a non-curriculum student club in a custodial capacity as necessary.
 - b) District employees or agents of the District may participate in non-curriculum student clubs, but may only do so before or after their normal working hours. At no time shall District employees or agents represent, either expressly or impliedly, that the non-curricular club is sponsored by the Jamestown Public Schools. If a district employee or agent attends a non-curriculum club meeting during non-working hours, the employee or agent may not act as the custodial supervisor for the club. In such cases the Principal shall assign another staff member to act as the custodial supervisor during meeting or activities on campus.

OPERATING GUIDELINES:

- Meetings may not materially or substantially interfere with the orderly conduct of instructional activities in the school.
- Activities or conduct that are illegal or pose a risk of harm to persons or property are expressly prohibited and will result in a denial of access to school district facilities.

- The principal may take such actions as may be necessary to maintain order and discipline on school premises and to protect the safety and well-being of students and staff members.
- Schools retain the right to exclude groups that are directed, conducted, controlled, or regularly attended by non-school persons.
- Non-curricular clubs may advertise meetings and activities in the following ways;
 - a) Posters: Non-curricular students clubs will be allowed post meeting notifications on the academic floor and office bulletin board with prior approval from the principal that may include the name of the club and the time, date, and location of club meetings on a poster no larger than 8 1/2" x 11" (text only, no picture or illustrations)/ Posters shall be given to the building principal or designee for posting.
 - b) Daily Announcements: Non-curricular student clubs will be allowed to announce dates and times of club meetings three(3) items within a week before the next meeting.
 - c) Distribution of Materials: Non-curriculum student clubs will be allowed to distribute materials only at their meetings to students who are in attendance.
 - d) School sponsored Social Media: Each school shall maintain and post on the building's website a list of curriculum and non-curriculum clubs.

CLUB RULES:

An approved non-curriculum club meeting on school premises shall be provided the same rights and access and shall be subject to the same administrative procedures that govern the meetings of student organizations sponsored by Jamestown Public Schools, except as provided by this policy.

Participation in a student-initiated non-curriculum club must be available to all students who wish to attend and cannot be denied on the basis of a student's race, color, religion, sex, sexual orientation, national origin, age, mental or physical disability, gender expression/identity, genetic information, or status with respect to marriage or public assistance, or status in any group protected by federal, state or local law.

The Jamestown Public Schools will not permit the use of school facilities by non-curriculum students clubs during instructional hours. During non-instructional time, however, no group of students, regardless of the size of the group, will be denied an

opportunity to meet on the basis of the religious, political, philosophical, or other content of the activity.

Non-curriculum club fiscal accounts are not controlled or accounted for by the District.

Staff members acting in a custodial supervisory role shall not participate in the activity, but may be compensated for their time. No instructional staff member shall be assigned to supervise a non-curriculum club if such assignment is contrary to his/her beliefs. For the purposes of this policy, "custodial capacity" means the assigned staff member is present to protect District property, during student-initiated non-curriculum club meetings. Custodial supervision shall only be provided for meetings on District-owned property. The District is not responsible for custodial supervision when the activities of a non-curriculum club takes place off school property.

PRINCIPAL DETERMINATION:

Each School will provide an application form for club formation. The school principal will review each request to establish a club. After review, the principal shall designate the club as either "curricular or "non-curricular".

Activities regulated by NDHSAA together with intramural activities are not subject to this policy.

End of Jamestown Public School District Policy FEE.....Adopted: 3/21/2016

FEE-E - CLUB APPLICATION

- 1. Information about the individual completing the application.
Name: _____
Email Address: _____ Phone Number: _____

- 2. Name of the proposed club: _____

- 3. Name of the individual(s) who will coordinate and run the proposed club.
Name: _____
Name: _____

- 4. General description/activities of the proposed club.

- 5. Goals of the proposed club.

- 6. Description of area(s) students need to meet in (classroom, gym, etc.)

- 7. Description of when and how often the club intends to meet.

- 8. Description of any fundraising activities planned for the proposed club.

FF - STUDENT CONDUCT AND DISCIPLINE¹⁹

Conduct Standards

Students will be expected to conduct themselves in a manner fitting their age level and maturity, in a manner that will not impede on the orderly conduct of district schools, and will be expected to respect the rights of others on district property, including, but not limited to, district owned/leased/chartered vehicles, at school-sponsored events, on field trips, and in other off-campus settings when student conduct has or is reasonably predicted to have a substantially disruptive effect on district operations and/or the educational environment.

Disciplinary Standards

Consequences for misconduct will be fair and developmentally appropriate in light of the circumstances. The Superintendent shall develop age-appropriate disciplinary standards in consultation with building principals and other appropriate district personnel. In addition, the Superintendent shall develop administrative regulations to assist administrators/their designees with investigating potential conduct violations.

Disciplinary policies, procedures, and guidelines need not be identical in content district-wide but must:

- Be identical in content for all district elementary schools;
- Be identical in content for all district middle schools;
- Be identical in content for all district high schools with the exemption of alternative high school programs.

Disciplinary Standards for Special Education Students

District employees are required to comply with the Individuals with Disabilities Education Act (IDEA) when responding to violations of student conduct standards by special education students.

Prohibited Disciplinary Actions

The Board recognizes that reasonable physical force may occasionally be necessary to guard the safety and well-being of students or employees; however, the use of corporal punishment, defined as the willful infliction of physical pain on a student, is not allowed in the Jamestown Public School District. Corporal punishment does not include action taken by an employee for self-defense, protection of persons or property, obtaining possession

¹⁹ Policy FF is required by NDCC §12.1-05-05, Use of Force by Persons with Parental, Custodial, or Similar Responsibilities.

of a weapon or other dangerous object, to quell a verbal disturbance, for the preservation of order, or pain or discomfort caused by athletic competition or recreational activities voluntarily engaged in by a student.

Complaints alleging that a district employee inflicted corporal punishment will be dealt with in accordance with school board policy on personnel complaints.

Disciplinary Authority

Regulations on disciplinary standards and investigation procedures shall delineate the degree of disciplinary authority that the District shall grant to teachers and principals.

Other school personnel shall be granted disciplinary authority by the Superintendent on a case-by-case basis based on the nature and scope of the employee's duties. Personnel granted such authority shall be required to comply with this policy and any disciplinary authority limits established by regulations. Employees unauthorized to administer student discipline shall report student misconduct to the appropriate school authority.

Any district employee who acts outside the scope of his/her assigned level of disciplinary authority may be subject to disciplinary action, including but not limited to, discharge from/termination of employment in accordance with law and/or the negotiated agreement.

Complementing Policies:

- DE, Staff Code of Conduct
- FF-AR, Student Conduct Standards and Disciplinary Procedures
- FF-E, Examples of Student Conduct Violations
- KACB, Complaints About Personnel

End of Jamestown Public School District Policy FF..... Adopted:5/20/2019 Amended 5/20/2024

FF-AR - STUDENT CONDUCT STANDARDS & DISCIPLINARY PROCEDURES

NOTE: This administrative regulation is meant to serve only as a sample disciplinary investigation and response procedure. The regulation may need modification in order to ensure it is applicable to each grade level serviced by your district. Districts may wish to develop three sets of disciplinary investigation and response procedures: a set for the elementary, middle school, and high school level. Districts that take this approach must apply regulations uniformly at 1) each elementary school in the district; 2) each middle school in the district; 3) each high school in the district.

Student misconduct shall be classified as a minor, moderate, or major violation of conduct standards. Definitions of these terms and disciplinary investigation and response procedures shall be included in student handbooks.

When determining the level of a conduct violation, a teacher, principal, or other school official with disciplinary authority shall take into account the totality of circumstances associated with the misconduct, such as, but not limited to:

1. The degree to which the misconduct disrupted the educational environment;
2. The degree to which the misconduct infringed on the rights of others;
3. The frequency and proximity of the incidents of prior misconduct.

When a school official is unsure of how to appropriately classify a student conduct violation, s/he shall consult with the building principal or, in the case of a building principal, the Superintendent before responding to the misconduct. Neither this requirement nor the disciplinary procedure below shall supersede district policies and procedures containing emergency response and safety measures.

Investigation & Disciplinary Procedures

Minor conduct violations: Minor conduct violations shall be handled by the student's classroom teacher or by a school official with disciplinary authority when the student is not under the supervision of a classroom teacher. If the teacher/school official did not witness the misconduct, s/he will investigate to determine if the student was in violation of conduct standards. When the teacher/school official determines that a minor conduct standard was violated, s/he shall report to the building principal, which may be placed in the student's educational record at the principal's discretion in accordance with applicable policy and law. In addition, teachers/school officials with disciplinary authority are authorized to respond to minor conduct violations by invoking one or more (if permitted by this regulation) of the following options:

Minor offenses:

1. Require the student to attend detention;

2. Withdraw student privileges;
3. Contact the student's parents;
4. Develop a behavior adjustment plan;
5. Hold a conference with the student's parent/guardian;
6. Other options, as approved for the violation

Options three through five are not considered disciplinary sanctions and may therefore be administered on their own or in combination with any disciplinary sanction listed above.

Moderate and major conduct violations: Such offenses shall be referred to the building principal for investigation and response. A teacher or school official referring a student to the building principal as a result of a potential conduct violation shall complete appropriate documentation for the principal to review. The principal shall conduct further investigation as deemed necessary and shall include his/her findings. This documentation may be placed in the student's educational record at the principal's discretion in accordance with applicable policy and law. If a moderate or major conduct violation is substantiated, the principal is authorized to respond by invoking one or more (if permitted by this regulation) of the following options:

Moderate offenses

1. Require the student to attend detention;
2. Impose in or out of school suspension. The action shall only be taken in accordance with due process procedures contained in the district's suspension and expulsion policy;
3. Recommend alternative placement. This recommendation shall be submitted to the Superintendent for approval or denial. The Superintendent may approve such recommendations only if the student has been given notice of the charges against him/her and an opportunity to respond;
4. Refer the student to a school counselor;
5. Create a behavioral adjustment plan;
6. Hold a conference with the student's parent/guardian and classroom teacher;
7. Other options as appropriate to the violation.

Options four through six are not considered disciplinary sanctions and may therefore be administered on their own or in combination with any disciplinary sanction listed above.

Major offenses: The building principal may respond to major student conduct violations using any of the measures listed above for moderate conduct violations or may recommend more severe penalties, which may include expulsion, in accordance with district policy.

End of Jamestown Public School District Administrative Regulation FF-AR

FF-E - EXAMPLES OF STUDENT CONDUCT VIOLATIONS

NOTE: This exhibit is meant to provide sample definitions of student conduct violations. The exhibit may need modification in order to ensure it is applicable to each grade level serviced by your district. Districts may wish to develop three distinct sets of definitions for the elementary, middle school, and high school level. Districts that take this approach must apply these definitions uniformly at 1) each elementary school in the district; 2) each middle school in the district; 3) each high school in the district.

Below are examples of minor, moderate, and major conduct violations. The examples are organized categorically based on their general degree of severity but shall serve as guidelines only. In accordance with student disciplinary regulations, school officials with disciplinary authority must take into account the totality circumstances associated with student misconduct before classifying and responding to it.

1. Minor student conduct violations may include, but are not limited to: tardiness, cheating, behavior that creates a slight disruption of classroom operations, and failure to complete an assignment.
2. Moderate student conduct violations may include, but are not limited to: use of profane or abusive language, excessive tardiness, plagiarism, cutting class, intermediate forms of insubordination, intermediate forms of disorderly conduct, and habitual indolence.
3. Major student conduct violations may include, but are not limited to: violations of state or federal law, violating drug/alcohol/tobacco policies, bullying, hazing, violent or threatening behavior as defined in policy, violating district prohibitions on weapons in school, violating district policy on discrimination/harassment, vandalizing school property, extreme forms of disorderly conduct, extreme forms of insubordination, and extreme habitual indolence.

End of Jamestown Public School District Exhibit FF-E

FFA - STUDENT ALCOHOL AND OTHER DRUG USE/ABUSE²⁰

This policy pertains to alcohol and other drug use/abuse. Tobacco use is addressed in a separate policy (see policy ABBA).

Philosophy

The Jamestown Public School District shall strive to provide a learning environment that is safe, drug and alcohol free, and conducive to learning. This policy is designed to help eradicate the influence of drugs and alcohol within the school environment, promote awareness and health, and protect students in the school environment by imposing consequences for drug and alcohol related violations.

Definitions

This policy defines the following terms:

- Possession* shall mean:
 13. Actual physical possession of the prohibited substance while on school property;
 14. Use or consumption of the prohibited substance while on school property;
 15. In the student's locker, car, handbag, backpack, or other belongings while on school property; or
 16. Appearance by a student on school property after having consumed or ingested a prohibited substance that is noticeable by breath odor, speech alterations, unsteadiness of gait or posture, or like symptoms of chemical intoxication.
- Use* shall mean that a student is reasonably known to have ingested, injected, inhaled or otherwise taken into the body a prohibited substance, or is reasonably found to be under the influence of such a substance.
- School property* is defined in NDCC 15.1-19-10(6)(c) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.

Prohibited Substances

Prohibited substances include, but are not limited to:

- Alcohol, powdered alcohol, or any alcoholic beverage as defined in NDCC 5-01-01;
- Any controlled substance or dangerous drug as defined by NDCC Sections 19-03.1-05 through 19-03.1-13 and 19-03.1-26 (paraphernalia) or as defined by Section 812, Schedules I-V, of Title 21, United States Code, Section 801, et seq.,

²⁰ Policy FFA is required by N.D.C.C. § 15.1-24, Chemical Abuse Prevention.

including but not limited to marijuana, any narcotic drug, any hallucinogen, any stimulant or depressant, and all other illicit drugs;

- Any glue, aerosol paint, or any other chemical substance used for inhalation;
- Any prescription or non-prescription drug, medicine, vitamin or other chemical including, but not limited to aspirin, other pain relievers, stimulants, diet pills, multiple or other type vitamins, pep pills, "no-doze" pills, cough medicines and syrups, cold medicines, laxatives, stomach or digestive remedies, depressants, sports or muscle-building supplements, and sleeping pills not administered and/or taken with appropriate consent and authorization from parents, school administration, and, if applicable, a health care provider.

Prohibited Activities

It shall be against school policy for any student to:

Sell, deliver, give, or attempt to sell, deliver, or give to any person any prohibited substance or sell, deliver, give, or attempt to sell, deliver, or give to any person substances the student represents or believes to be a prohibited substance.

Possess, procure, purchase, receive, or to attempt to possess, procure, purchase, or receive the substances listed in this policy, or what is represented by or to the student to be a prohibited substance, or what the student believes is a prohibited substance.

Be under the influence of (legal intoxication not required), use, consume, or attempt to use or consume a prohibited substance or what is represented by or to the student to be a prohibited substance or what the student believes is a prohibited substance.

Knowingly or intentionally aiding or abetting in any of the above activities.

This policy applies to any student who is on school property, or whose off-campus conduct is reasonably predicted to substantially disrupt the operations of the District, district safety, or welfare of students or employees.

Reporting Violations

A student or staff member who has reason to believe that a student has violated this policy shall notify a school official (i.e., a teacher or administrator if the reporter is a student; a school administrator if the reporter is a district staff member). Except in limited circumstances under law,²¹ a teacher is required to report known or suspected violations of this policy to the school principal.

Violation

²¹ When a teacher/principal participates in a juvenile court program and receives confidential information about a student.

When a principal/the Superintendent has reasonable suspicion that a student has violated this policy, they may search the student in accordance with the district's policy on searches of students' person or personal property.

Disciplinary sanctions will be imposed on, and additional actions may be taken (as listed below) in response to, any violation of this policy. These sanctions may include suspension or expulsion, intervention (as described below), and notification of proper authorities for prosecution. Prohibited substances will be confiscated and illegal substances will be turned over to law enforcement authorities.

Intervention

It is acknowledged that the District has neither the authority nor the responsibility to make medical or health determinations regarding chemical dependency; however, when observed behavior indicates that a problem exists that may affect the student's ability to learn or the educational climate of the school, the District may refer the student for a formal chemical dependency diagnosis. The Superintendent shall develop a procedure for chemical dependency identification and referral for treatment.

Referral for treatment shall be a constructive, not punitive action; however, use of the treatment program shall not override or prohibit the District from taking disciplinary action for violations of this policy.

The District will make a reasonable effort to cooperate with a therapy program if one is recommended for the student. The Board believes that if a student is involved in a chemical dependency program and is successfully addressing their harmful involvement with chemicals, they may be allowed to continue in the regular school setting and continue to participate in any extracurricular program unless participation is in conflict with rules and regulations set forth by the Board, the [North Dakota High School Activities Association](#), and/or the student has been suspended or expelled as a result of a district policy violation.

The school may, through the use of available resources, provide follow-up counseling and supportive assistance to those students who return after successfully completing a therapeutic regimen, realizing that the student may need assistance in dealing with other environmental factors beyond the school's control which may remain unchanged.

Confidentiality

The District shall maintain the confidentiality of students referred for counseling and chemical dependency treatment in accordance with the district's policy on counseling records and other applicable law.

Education

The District will teach about drugs and alcohol in an age appropriate, developmentally based education and prevention program in every grade in accordance with law. This program will include information about drug and alcohol counseling and rehabilitation programs available to the students.

In addition, the District will conduct staff orientation and training on drug and alcohol prevention, including a periodic overview of this policy and its procedures for implementation. The District will also provide parent and community education on the topic of drug and alcohol prevention.

Policy Implementation

Student handbooks shall contain a statement of sanctions required concerning the possession, use, or distribution of prohibited substances.

The Jamestown Public School District will review this policy and its implementation periodically to ensure that disciplinary sanctions are consistently applied and to determine the effectiveness of the program for the prevention of alcohol and other drug use/abuse.

Complementing Policies:

- ABBA, North Dakota’s Comprehensive Model School Policy for Tobacco Use
- FFA-AR, Alcohol and Other Drug Intervention Procedure
- FFE, Extracurricular Participation Requirements
- FFK, Suspension and Expulsion
- FFK-BR, Suspension and Expulsion Regulations
- FGCB, Searches of Students and Students’ Personal Property
- FGDB, Student Handbooks

End of Jamestown Public School District Policy FFAAmended 5/20/2024

FFA-AR - ALCOHOL & OTHER DRUG INTERVENTION PROCEDURE

The District encourages faculty members to be observant of student behavior and to participate in a program of intervention. Faculty members may use the record of observable behavior to determine whether or not behavior should be reported.

If the faculty member decides that the behavior indicates a possible prohibited activity, the student should be:

1. Reported to the principal and taken immediately to the principal's office.
2. Referred to the school counselor.

If the principal/Superintendent has reasonable suspicion that the student is under the influence, the student's parents will be notified and asked to pick up the student. If there appears to be imminent danger to other students, school personnel, and/or the student involved, the principal or Superintendent may have the student removed from the school by school, medical, or law enforcement personnel.

If the counselor, principal, or Superintendent believes that the student is indeed in need of intervention assistance, the counselor, principal, or Superintendent may call the student in for a conference. If the counselor calls this meeting, s/he shall notify the building principal of this conference. The student's parents shall be notified of this conference. Parents shall be requested to attend the conference. The counselor and building principal shall be required to attend and may receive assistance from a certified addiction counselor in how to confront students.

If, after conferring with the student, parent, and administration, the **counselor** believes that there is a probability that the student may be experiencing a drug or alcohol problem, the student and the student's parent(s)/guardian will be told that it is necessary that the student receive a formal chemical dependency diagnosis.

End of Jamestown Public School District Administrative Regulation FFA-A.Adopted4-17-17

FFB - ATTENDANCE & ABSENCES

The Jamestown Public School District believes that regular school attendance is the joint responsibility of the student and their parent(s) or guardian(s), and it is essential for student success in school. The District shall abide with compulsory attendance requirements in state law for students ages seven through sixteen. In order to comply with and enforce these requirements, the Board establishes the following attendance policy.

Definitions

For purposes of compulsory attendance reporting under NDCC 15.1-20-02.1 (1-2):

- *Excused absence* is an absence that the District will not use in determining if a compulsory attendance violation occurred. Any absence may be excused if it is supported by either a verbal or written excuse supplied by the student's parent/guardian, teacher, or school administrator.

Examples of an excused absence may include illness, injury, family emergency, religious observance or instruction, suspension, participation in a school-related activity, court appearances when subpoenaed, or other reasons deemed necessary and justifiable by the building principal or Superintendent.

- *Unexcused absence* is any absence not supported by the verbal or written excuse required for an excused absence, and shall count in determining when a compulsory attendance violation occurred. If a student is absent for an unexcused reason, the parent/guardian is responsible for promptly calling the principal's office to explain the absence, and the student shall be subject to the consequences contained in the Absences section of this policy.

Examples of an unexcused absence may include, but are not limited to, truancy, oversleeping, routine errands, car trouble, haircuts, beauty shop appointments, car maintenance and repair, senior picture appointments, and any undeclared absences.

Documentation Requirements

School administration may require documentation to verify an excused absence, including, but not limited to:

9. Medical documentation from an appropriate licensed healthcare provider;
10. A copy of a court summons or subpoena;
11. An obituary for funeral leave;
12. Verification of planned or executed family travel (e.g., a boarding pass);
13. A request from an official at the student's place of worship; or
14. A request for an absence due to a curricular or extracurricular event submitted by the student's teacher, coach, or extracurricular advisor.

Compulsory Attendance Violations

North Dakota law defines what constitutes a compulsory attendance violation. Suspected violations of the compulsory attendance law shall be reported to school administration and investigated in accordance with law. When a compulsory attendance violation is substantiated, the District shall comply with law enforcement reporting requirements under law.

Absences

The Board recognizes that prompt, regular attendance is extremely important. Absenteeism not only adversely affects the learning process of a student but also may impede their normal progression through the grades. The Board expects each student to attend all scheduled classes and daily activities except when a school administrator has excused a student.

The Superintendent or designee shall establish criteria for requesting and granting approved absences, make-up work requirements, and parental notification processes for students with accumulated absences.

Students shall be subject to academic sanctions due to unexcused absences. Accumulated absences in excess of 20 days may result in academic consequences.

Academic Sanctions: Attendance shall be a factor used in computing students' grades. Students who are absent for unapproved reasons shall be subject to academic sanctions which may include, but not be limited to, a point, percentage, or grade reduction and/or intervention counseling in accordance with administrative regulations. The Superintendent or designee shall develop regulations on grade-appropriate academic sanctions and other intervention strategies for unapproved absences. These regulations shall contain provisions that allow students to remedy some or all of the adverse academic consequences associated with unapproved absences.

Dissemination

This policy shall be published in all student handbooks annually.

Complementing Policies:

- FFB-E, Accumulated Absence Letter to Parents
- FGDB, Student Handbooks

End of Jamestown Public School District Policy FFB Adopted:2/6/2017 Amended 12/19/2022

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Dissemination

This policy shall be published in all student handbooks annually.

Complementing Policies:

- FFB-E, Accumulated Absence Letter to Parents
- FGDB, Student Handbooks

End of Jamestown Public School District Policy FFB Adopted:2/6/2017 Amended 12/19/2022

FFC - BUS CONDUCT

The District has disciplinary authority over students while being transported in district owned, leased, and/or contracted vehicles to and from school and during school-sponsored curricular and extracurricular events. The Superintendent shall determine the level of disciplinary authority that shall be given to school vehicle driver and develop regulations for handling student misconduct on school vehicles.

Conduct Requirements

Students shall be required to abide by all applicable district conduct and safety policies while in district vehicles. The Superintendent or designee may develop additional, specific regulations related to conduct in school vehicles.

Violations

Students who violate any of these policies or rules may be subject to the consequences contained in applicable student discipline policies.

When the conduct of a disabled and/or special education student transported in a school vehicle poses a transportation safety risk or when the conduct otherwise violates policy to the extent that it compels the District to reconsider the student's transportation arrangements, prior to making a removal decision, the District shall determine the following:

1. If transportation is part of the student's 504 Plan and/or Individual Education Program (IEP).
2. If removal would constitute a removal from the education program as determined by the following factors:
 - a. There is a significant distance between the student's home and school.
 - b. There are no alternative means of public or private transportation.
 - c. The school has not made appropriate arrangements to provide for the student's education.

If criteria one or two above is applicable, the 504/IEP Team will develop an alternative means of providing transportation to the disabled and/or special education student in accordance with federal law and regulations or will treat such student's removal from school transportation as suspension from the educational program and will follow the

procedure for suspension contained in the district's suspension/expulsion policy and in federal regulations.

Complementing policies:

- FCBB, Student Transportation Safety & Supervision
- FFC-AR, Bus Conduct Regulations
- FF, Student Conduct & Discipline
- FF-AR, Student Conduct Standards & Disciplinary Procedures
- FFK, Suspension & Expulsion
- FFK-BR, Suspension & Expulsion Regulations

- FFK-E2, Suspension & Expulsion of Special Education Students

End of Jamestown Public School District Policy FFC..... Adopted:2-18-2019

FFC-AR - BUS CONDUCT REGULATIONS

When a student behaves improperly on a bus, the bus driver shall document the incidents and report them to the Bus Contractor Service Management and the building principal. The Bus Contractor Manager or principal will notify the parents immediately of the misconduct and request their cooperation in correcting the student's behavior. Students who become a serious disciplinary problem on the school bus may have their riding privileges suspended by the Bus Contractor Service Management in consultation with the building principal. This suspension of riding privileges shall not exceed the balance of the school year. In such cases, the parents of the student involved become responsible for seeing that their student gets to and from school safely.

End of Jamestown Public School District Administrative Regulation FFC-AR

FFD - POSSESSING WEAPONS

Definitions

This policy defines the following:

- *Dangerous weapon* means, as defined in 18 U.S.C. 930(g)(2), a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length.
- *Firearm* means, as defined in 18 U.S.C. 921, (1) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (2) the frame or receiver of any such weapon; (3) any firearm muffler or firearm silencer; or (4) any destructive device. The term does not include an antique firearm.
- *School property* is as defined in NDCC 15.1-19-10(6)(c) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.

Prohibitions

Students are prohibited from possessing on school property or at a school function a firearm, dangerous weapon, or any object that is used, attempted to be used, or threatened to be used to intimidate or cause bodily harm.

Disciplinary Consequences

Violation of this policy will result in disciplinary action up to and including suspension or expulsion.

Bringing a firearm to school will require that the District immediately suspend the student and initiate proceedings for the expulsion of the student involved for a minimum of one calendar year in accordance with the District's suspension and expulsion policy. The Superintendent may modify the length of a firearms-related expulsion to less than one calendar year on a case-by-case basis based on the following criteria:

1. The totality of the circumstances, including the severity of the incident and the degree of endangerment of other students and staff.
2. The age and grade level of the student.
3. The prior disciplinary history of the student being expelled.
4. Relevant factors that contributed to the student's decision to possess a firearm in violation of this policy.
5. The recency and severity of prior acts resulting in suspension or expulsion.
6. Whether or not the optional provision of educational services in an alternative setting is a viable alternative to modifying the duration of the expulsion.
7. Input, if any, provided by licensed professionals (psychologists, psychiatrists, counselors) as to whether or not the expelled student would place themselves or others at risk by returning to the school prior to the expiration of the expulsion period.

Any modifications of the one calendar year expulsion period must be documented in writing.

Dangerous weapons will be confiscated and may be turned over to the student's parents or to law enforcement officials at the discretion of the administration. Firearms will be confiscated and turned over to law enforcement.

The District must refer any student who possesses a firearm on school property or a school function to the criminal justice or juvenile delinquency system.

Special Education Students

A student who is defined as having a disability under the Individuals with Disabilities Education Act (IDEA) who possesses a firearm or dangerous weapon on school property or at a school function shall be handled in accordance with IDEA regulations. The District shall make manifestation determinations, disciplinary decisions, referral decisions, and placement decisions of such students in accordance with IDEA regulations.

Non-applicable Provisions

This policy does not apply to students enrolled and participating in a school-sponsored

shooting sport, provided that the student informs the school principal of the student's participation, and the student complies with all requirements set by the principal regarding the safe handling and storage of the firearm. The principal may allow authorized persons to display dangerous weapons or look-a-likes for educational purposes. Such an approved display will be exempt from this policy.

A student who finds a firearm or dangerous weapon on the way to school, on or in school property or at a school function or discovers that they unknowingly have a firearm or dangerous weapon in their possession may not be considered to possess it if they immediately turn it over to an administrator, teacher or head coach or notify an administrator, teacher, or head coach of its location.

Reporting

The District shall annually report compliance with all state expulsion requirements to the Department of Public Instruction. Each incident in which a student is found to have possessed a firearm on school property or at a school function must be reported as an infraction, even if the Superintendent elects to modify the required expulsion period or impose no penalty. Any incidents in which a student covered by the provisions of the IDEA possesses a firearm or dangerous weapon on school property or at a school function must also be included, even if it is determined that the incident is a manifestation of the student's disability and that the penalties should be modified or not imposed. Any modification of the one-year expulsion requirement must also be reported.

Complementing Policies:

- FFK, Suspension and Expulsion
- FFK-BR, Suspension and Expulsion Regulations
- FFK-AR1, Suggested Procedure for Conducting an Expulsion Hearing
- FFK-AR2, Suspension and Expulsion for Special Education Students

End of Jamestown Public School District Policy FFD Adopted:9/5/2017 Amended 3/18/024

FFE - EXTRACURRICULAR PARTICIPATION REQUIREMENTS

Philosophy

The Board believes that participation in extracurricular activities constitutes a privilege and not a right. Students who participate in extracurricular activities represent the student body, school district, and community on the state and national level. As such, behavior of these students is a reflection on the entire community.

The District will enforce the requirements placed on extracurricular participants by North Dakota law and the North Dakota High School Activities Association (NDHSAA), which govern both on- and off- campus behavior. In addition, the Board has established the following extracurricular participation requirements.

Activities Affected by this Policy

Activities affected by this policy shall include extracurricular activities as listed in the student handbook, including those not sponsored by NDHSAA.

Academics

NDHSAA requires that local districts establish a definition of what constitutes a failing grade. For the purposes of this policy, a failing grade is defined as receiving a letter grade F or lower in any curricular course as computed from the beginning of the semester for regular education students or, in the case of special education students, not meeting the goals of Individual Education Programs as assessed from the beginning of the semester.

In addition to NDHSAA academic standards, the Jamestown Public School District also requires that no student may participate in a contest if they fail more than one class as computed from the beginning of the semester.

Violation of Other Misconduct Policies

Students who violate student conduct policies not covered by NDHSAA bylaws may be subject to suspension from extracurricular activities for a period of up to six consecutive weeks for the first offense and a period of eighteen weeks for any subsequent offense(s) if occurring within eighteen weeks of the previous offense. Such consequences shall be imposed in addition to other disciplinary consequences imposed under the applicable policy.

Suspension Procedure

When the principal or Superintendent, as a result of their investigation, concludes that a violation of this policy or NDHSAA bylaws has occurred, they shall issue notice to the student of this suspension.

Practice and Travel while Suspended

Students who are under suspension are encouraged to practice and travel with their respective teams. However, suspended students will not be allowed to miss school time to travel with the team.

Period of Enforcement

This policy shall be in effect 12 months per year, including those days and months when school and extracurricular activities are not in session. It shall be in effect for all extracurricular activities including those of junior high students.

Accumulation of Violations

A student's record of violations of this policy shall be cumulative commencing with promotion from grade eight to grade nine and concluding upon their graduation or completion of any school-sponsored activity extending beyond graduation (e.g., state track meet).

Off-Season Violations

In addition to the penalties delineated in this policy, in the event the suspension is administered during a season when the student is not actively participating (e.g., summer for all students, fall for a student participating in track), the student's suspension shall be extended to include a minimum of a two-week or two-contest suspension (whichever is more severe) from the student's next activity. "Next activity" shall be defined as the next activity in which the student begins practicing at the appropriate date and concludes at the end of the season (i.e., does not start and quit). Should the student's next activity not be until the following school year, the two-week or two-contest rule will be applied at that time.

Complementing Policies

- FF, Student Conduct & Discipline
- FFE-AR, Meals for Students Participating in Extracurricular Activities
- FFE-AR2, Athletic Physicals
- FFK, Suspension & Expulsion
- FFK-BR, Suspension & Expulsion Regulations
- GCBA, Grading

End of Jamestown Public School District policy FFEAdopted:2-20-2017Amended 4/4/2022

Descriptor Code: FFE-AR1

FFE-AR1 - MEALS FOR STUDENTS PARTICIPATING IN EXTRACURRICULAR ACTIVITIES

Jamestown Public School Board strongly supports a quality extracurricular program for students in the Jamestown Public Schools. However, the provision for meals when students are participating in extracurricular activities is the responsibility of parents.

End of Jamestown Public School District Administrative Regulation FFE-AR1...2-20-2017
Amended 4/4/2022

Descriptor Code: FFE-AR2

FFE-AR2 - ATHLETICS PHYSICALS

No student may start practice for any athletic team until he or she has been examined and approved by a medical doctor and until a current medical release from the doctor and written consent from the parent(s) are on file in the District.

End of Jamestown Public School District Administrative Regulation FFE-AR2....2-20-2017

FFE-AR3 - PARTICIPATION FEES

The School Board's intent is to assure that everyone has the opportunity to participate in school activities and athletic programs.

Participation fees will be reduced based on a family's free and reduced lunch application form.

To qualify for reduced participation fee, the following criteria will apply:

- Parents must sign a waiver form releasing their child's free and reduced lunch information to administration:
 - Based on the reduced lunch application, participation fees will be \$10.00 for elementary, \$20.00 for Middle school and \$40.00 for high school

Driver's education, activity tickets, activity passes, graduated seniors for summer school, and transportation fees are not a part of reduced fees. If special arrangements need to be made, visit with your building principal.

FFE-AR4 - SCHOOL ACTIVITIES CODE OF CONDUCT POLICY

Jamestown Public School District follows the North Dakota High School Activities Associations regulations and guidelines in addition to the District's policy regarding the code of conduct. This policy is in effect for all 9th -12th grade students. An 8th grade student becomes a 9th grade student immediately after their last day as an 8th grade student.

Attendance:

Participants in the Jamestown Middle School/Senior High School activities program must be in

attendance for all regular classes on the day of a game, practice, or performance.

The following examples will help to clarify this policy:

- a. A student misses school the day of a game due to illness. The student would not be allowed to play or practice that same day.
- b. Students must be making satisfactory progress towards graduation. Failure to acquire two and one half credits at the end of a semester will make student ineligible for a minimum of two weeks the following semester.
- c. A student is present during morning classes, but goes home during the day because of illness. The student would not be allowed to play/practice on that day.

It is essential that students who participate in activities maintain their very best attendance records. Excuses will be accepted for doctor appointments and/or emergencies, if approved by administration and coaches.

Infractions of any school rule which result in a student being suspended from school will also cause that student to be ineligible to practice or participate in activities for the period of suspension.

Examples of Infractions that Cause Ineligibility:

Use of tobacco, alcohol, controlled substance and possession drug paraphernalia. The use or possession of tobacco, alcohol, controlled substances as defined in North Dakota law and the possession of drug paraphernalia is prohibited.

- a. All eligibility suspensions will start at the time of notification. In addition, the violator will be suspended for two weeks from the first authorized

scheduled event/contest of the individual's respective activity. If not currently participating in an activity. Example: Student has alcohol violation in September but does not participate in any activity until spring. Student serves the 6 or 18 week suspension starting the date in which the school has been notified of the violation and then serves a two week suspension from the first authorized date of competition for the spring activity. If student chooses to participate in a school activity not previously participated by the student, the student MUST remain on the roster of the activity(ies) for the entire season otherwise the two week rule will still apply to the next activity season.

- b. Any student participating in extra-curricular activities who turns eighteen during the school year shall continue to be subject to the school activities eligibility policies notwithstanding the legal status accorded the individual under state law. Acts which may be legal under state law for eighteen year old students may still be violations of school policy/regulations students violating school policies/regulations shall be subject to sanctions under school policies and procedures.
- c. A student shall, upon his or her eighteenth birthday sign a new "Acknowledgment of Receipt of the Activities Guide for Parents and Students Handbook" form. The student shall not be allowed to nor shall the student be eligible to participate in any extra-curricular activity unless and until he or she has submitted to the Activities Director a signed copy of the acknowledgment executed after turning eighteen years of age. It shall be the student's responsibility to obtain the form and submit it. The consequences for the failure to comply with this provision may be imposed by the Athletic Director at any time the fact that the student has turned 18 and has failed to comply with this provision comes to the Athletic Director's actual knowledge.
- d. Violation of any of the above foregoing eligibility provisions, including but not limited to, the use of tobacco products by a student who is eighteen years of age shall make the student subject to the penalty portions of the requirements of the North Dakota High School Activities Association Rules and the Rules of Jamestown School District notwithstanding the fact that the act deemed a violation may be legal under the laws of the state of North Dakota. The prohibitions relative to tobacco, illegal drugs or other controlled substances or drug paraphernalia applies both on or off school property.

Consequences of Infractions:

A violator will be ineligible for any special school awards or a letter for the activity in

which they served their suspension. In addition, he/she will not be able to serve in a leadership position in any activity at JHS for 12 months.

Multiple violations during a student's high school career:

The following steps outline how violations will be handled:

1. First Offense: suspension for 6 consecutive weeks from the time of notification and the completion of a school approved intervention program. *See Administrative Guidelines for Intervention Program. Exception: any violation that takes place on school property or in connection with a school activity will immediately go to the second offense. *Student will remain ineligible until completion of the recommendations of the district designee.
2. Further Offenses: suspension for a minimum of 18 consecutive weeks from the time of notification.
3. Felonies and Misdemeanors
 - a. Any participant who engages in, admits to, or is convicted of a felony or misdemeanor which would reflect on the performance, status, or personal growth of other individuals involved in the activity shall be dismissed from the extra curricular activities
 - b. Injuries:
 - c. The risk of injury is present in all activities, therefore, this should be considered before a student decides
 - d. to join or try-out for a team. In the event of a school related injury, it is the responsibility of the injured
 - e. student to report the injury to the coach/advisor in charge and to file a report with the Activities Director.
 - f. Jamestown Public Schools assumes no responsibilities for medical or other bills incurred by students.

Travel:

Students selected to take out of town trips are to travel to and from games/meets with the team. No other means of transportation is to be arranged unless approval in advance has been obtained through the Activities Director and the coach/advisor.

During the winter season, all parents should see that their children are warmly dressed when they board the school bus. There is always the possibility that the bus could be stalled for a period of time. In this event, warm coats, caps, gloves, and overshoes could avert serious consequences. Girls should not wear skirts or dresses on trips unless they have sweatpants or jeans along with them.

Regular bus rules apply to extra-curricular trips just as they do for route bus trips. For a complete list of bus rules, see the district's handbook for school transportation.

By signing this code of conduct agreement, the parent/guardian and student acknowledge understanding and support of rules and realize that a violation is a breach of the code of conduct and willingly accept consequences.

Parents/guardians and students also agree to hold the Jamestown Public School District harmless for consequences that occur as a result of violations of this agreement. All students including 18 years of age or older must sign the School Activities Code of Conduct.

Parent's Signature Date

Student's Signature

Coaches' Signature

Activities Director's Signature

FFF - FIELD & OTHER SCHOOL-SPONSORED TRIPS

The Jamestown Public Schools believes in the value of Co-Curricular and Extra Curricular activities as an extension of the learning experiences that occur in the core academics. Activities are sponsored by the School District in order to provide learning opportunities for students. Those learning opportunities include working together as teams, setting and achieving goals, earning money for the trips and competing at state and national functions

Student participation in contests and activities on a national or international level may be approved with the following guidelines:

1. Student learning in the core academics is the top priority. Approval of all out of state travel will take into account the least amount of disruption to the regular school day. Preference will be given to weekend and or vacation time travel.
2. International and national travel must have a complete itinerary and budget planned and approved. International travel must be approved six months in advance of the trip by the principal and superintendent or designee. National travel should be approved at least three weeks prior to the trip by the principal.
3. National travel and international travel must have a stated goal or curriculum that supports student learning.

Policy FFF Amended 4-16-2018

FFF-AR1 - SCHOOL-SPONSORED TRIP RULES

All students representing Jamestown Public School District on school-sponsored trips are subject to the following regulations:

9. Students will be subject to all student conduct policies while on school-sponsored trips. Students who violate student conduct policies may be subject to the consequences contained in the applicable student discipline policies. Violations may also impact their eligibility for future trips.
10. Students are required to be academically eligible for school sponsored trips.
11. Students' behavior and conduct records may affect their eligibility for school-sponsored trips as determined by the building principal. Students with a history of disruptive behavior or disciplinary issues may be ineligible for trips or may need to demonstrate improved conduct before being allowed to participate in trips. Administration must conduct a student's IEP team or Section 504 team prior to determining eligibility, if applicable.
12. Students with a high rate of absenteeism or chronic tardiness may be ineligible for school-sponsored trips or may need to improve their attendance to become eligible as determined by the building principal.
13. Students who do not meet the eligibility criteria or are unable to participate in a particular school-sponsored trip will be given an alternative assignment.
14. All groups representing the schools must be properly chaperoned by either faculty members or parents of the students on the trip.
15. All trips will be arranged so that, if possible, no classes will be missed. If that is impossible, the arrangements should be made in such a manner as to miss as little class work as possible.

End of Jamestown Public School District Administrative Regulation FFF-AR1... Amended 12/16/2024

FFF-AR2 - TRAVEL STUDY PROGRAMS

Travel study programs are defined as activities which combine instruction and travel for an extended period of time on this continent and/or abroad. Some programs may include a specific course of study, while others may place emphasis on exposure to foreign cultures. Student exchanges are considered part of this definition.

Approval

All travel study programs planned cooperatively by students and faculty shall be submitted to the Superintendent to determine if the activity shall be deemed a school-sponsored activity. All travel study programs deemed to be school sponsored shall be approved by the Superintendent before the request is presented to the Board. The Board shall have final authority to approve or reject all proposals for school-sponsored travel study programs. The Board will not endorse, sponsor, or assume responsibility for any particular trip and/or travel program/package that is not a part of a school-sponsored travel study program and will seek written acknowledgement of this non-school sponsored status when applicable.

Travel study program proposals that do not meet the following criteria will be deemed non-school sponsored:

1. The objectives of the program or activity are compatible with the general objectives of the instructional program.
2. The total ongoing school program will not be adversely affected by participation of staff and students in the activity.
3. Appropriate educational experiences will be provided for those eligible students who do not participate in the activity.
4. As far as possible, the opportunity for students to participate is nondiscriminatory for economic reasons.
5. The proposed program is feasible within the time allotted.
6. The goals of the proposed programs are related to the students' program of studies.
7. The proposed program will take place in a country/area/region deemed safe by the U.S. Department of State.
8. The district's insurance carrier will extend liability coverage to the program.

If the proposal is approved by the Board, the following steps are to be carried out by appropriate school personnel:

1. Written parental consent is obtained for student participation.
2. If appropriate, contracts with carriers or travel agencies are signed.
3. Parents are provided with specific written information regarding objectives of the program, costs, daily itinerary, chaperones, and accommodations.
4. Conferences and/or orientation sessions involving students, and their parents are scheduled to ensure all plans and arrangements are clearly understood.

Student Participation & Fees

Final approval in the selection of students for travel study programs shall be made by the building principal and is dependent on recommendations from teaching, administrative, and counseling staff. Character, responsibility, ability to get along with others, and maturity shall be considered in addition to scholarship.

Though a travel study program may be school sponsored, this does not imply that the program will be "school funded." Student participation in these activities shall be voluntary, and students who do not participate shall not be adversely affected in terms of their course requirements, grades, or eligibility to participate in other activities of the class or group. Students may receive credit for foreign travel experience if the criterion established for credit is met.

Students shall be subject to all applicable student conduct policies when participating in a school-sponsored travel study program. Violations of these rules may result in disciplinary action upon the student's return or may result in the student being sent home early at the parent's expense.

Teacher Compensation

School district personnel shall not receive compensation from travel agencies or private organizations involved in school-sponsored tours, with the exception that free passage and other amenities may be granted for supervisory duties.

**End of Jamestown Public School District Administrative Regulation FFF-AR2...
Amended 12-16-2024**

FFG - STUDENT ASSEMBLIES

Generally, school administrators will determine or substantially control the content of what is expressed at student assemblies. In such cases, religious expression will not be permitted as the religious expression may be attributed to the school or seen as an endorsement of a particular religious belief or expression. However, in the instances where students are selected to speak at assemblies based upon content-neutral criteria and where the student speaker has primary control over the content of the oral presentation, the school will not restrict the student speech because of its religious or anti-religious content. In such cases, school authorities will publicly clarify that the content of the student's speech is the speaker's opinion and not the schools.

For the purposes of this policy, primary control is defined as authority by a student to include any content in a speech so long as it is not profane, sexually explicit, defamatory, disruptive, and/or does not infringe on the rights of others. Administration shall review student speeches prior to delivery. In the event that a speech contains potential prohibited content, administrators should contact legal counsel to seek guidance before asking a student to remove such content.

End of Jamestown Public School District Policy FFG Adopted:2/9/2017 Amended 3/7/2022

FFI - STUDENT USE OF PERSONAL TECHNOLOGY

Definitions

For the purposes of this policy:

- *Inappropriate content* is defined as content that:
 - a. Violates a district student conduct policy;
 - b. Attacks ethnicity, race, religion, or other legally protected status;
 - c. Promotes violence, terrorism, or other illegal activities including, but not limited to, tobacco, drug, and/or alcohol use by minors;
 - d. Is obscene or pornographic as defined by community standards.
 - e. Is reasonably forecasted to materially or substantially disrupt the educational environment;
 - f. Poses a direct threat to the physical safety of the school population; and
 - g. Infringes on the rights of others, such as (but not limited to) material that is potentially libelous or invades an individual's privacy.
- *Personal technology* is defined as a device that is not owned by the District, is in the possession of a student, and contains one or more of the following features:
 - a. Has the capability to connect to one or more networks including but not limited to, a cellular network, Internet, Ethernet, and/or Bluetooth;
 - b. Has a digital camera and/or video recording device;
 - c. Has a microphone;
 - d. Has data storage capability; and/or
 - e. Has an operating system and/or the capability of running software, apps, and/or electronic games.
- *Reasonable suspicion* means that administration has grounds to believe that the search will result in evidence of a violation of district policy, rules, the law, and/or that the violation may be detrimental to the health, safety, or welfare of district students or staff. Reasonable suspicion may be based on a school administrator's personal observation, a report from a student, parent or staff member, a student's suspicious behavior, a student's age and past history or record of conduct both in and out of the school context, or other reliable sources of information.
- *School day* is defined as schools' adopted bell schedule
- *School property* is defined in NDCC 15.1-19-10(6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.

Prohibitions

The Jamestown Public School District School District prohibits students from using personal technology as follows:

1. Students are prohibited from using personal technology to violate a student conduct policy including, but not limited to, policies on cheating and bullying while on school property or at a school-sponsored event;
2. Students are prohibited from using personal technology to photograph or video record any person during the school day. Students are furthermore prohibited from transmitting any photo or video using personal technology during the school day. Building principals are authorized to make exceptions to this rule for bona fide classroom activities and in accordance with the “exceptions” section of this policy;
3. Students are prohibited from using personal technology to photograph or video record inappropriate content and/or transmit inappropriate content while on school property and/or participating in school-sponsored events;
4. Students are prohibited from displaying and/or using personal technology in areas where there is a reasonable expectation of privacy by others on school property and at school-sponsored events. Students are also strongly discouraged from possessing personal technology in areas where there is a reasonable expectation of privacy by others on school property and at school-sponsored events;
5. Students are prohibited from using personal technology to compromise district networks or access confidential material on district networks. The District may also take disciplinary action against a student who has used personal technology to engage in hacking, trolling, accessing or transmitting inappropriate material, spamming, sending viruses, and/or engaging in illegal or other inappropriate activity while on school property or participating in school-sponsored event;
6. Students are prohibited from using personal technology disruptively or in a manner that potentially compromises the safety of others on school property and during school sponsored events; and

Classroom Use

If allowed by the building principal, classroom teachers may prohibit possession and/or use of personal technology in the classroom.

If allowed by building principal, teachers may alternatively establish rules related to use of personal technology in the classroom. These rules:

1. Shall comply with this and other student conduct policies;
2. Shall take into account the ages of the students;
3. Shall take into account the availability of district-owned technology for student use;
4. Shall take into account the extent to which personal technology use would disproportionately grant students who have access to it an unfair advantage over those who do not;
5. Shall address cheating and disruptive use of personal technology; and
6. Shall be approved by the building principal prior to implementation.

Use During the School Day Outside Classroom

Elementary students are prohibited from using personal technology during lunch and recess unless granted an exception by the building principal or classroom teacher.

Middle school and high school principals shall establish rules regarding student use of personal technology during lunch, break periods, and study hall.

Disciplinary Consequences & Confiscation

Students in violation of any portion of this policy may be subject to disciplinary action in accordance with the district's student conduct policies. In addition, teachers may confiscate personal technology when a student is reasonably suspected of using it to violate this policy or classroom rules. Teachers may keep the personal technology until the end of class or turn it over to the building principal for further action. Teachers shall make this determination based on the severity of the suspected offense. Under no circumstances shall a teacher or ancillary staff member search personal technology.

The building principal shall determine how long to keep confiscated personal technology based on the following criteria:

The nature of the offense; if illegal activity is suspected, the administrator shall contact law enforcement, the Superintendent, and retain the device until further directed by law enforcement or the Superintendent;

If the confiscated item is a phone, the principal should consider if the student walks or drives to and from school and potential safety considerations associated with not having the phone in the student's possession; and

Other considerations of significance based on the nature of the device confiscated and the student's disciplinary history.

Searches of Personal Technology

The building principal or Superintendent is authorized to search a student's personal technology only when they have reasonable suspicion that the device contains evidence of wrongdoing by a student or potential harm to self or others. Only areas of the device reasonably related in scope to the purpose of the search will be subject to a search (e.g., if a student is texting inappropriate photos, only the device's text messages will be searched). The building principal and Superintendent are authorized to contact legal counsel to help determine the appropriate scope of the search.

If the building principal or Superintendent suspects or finds that a student's personal technology contains content that violates NDCC 12.1-27.1-03.3 or other laws, they shall contact law enforcement. Under no circumstances shall school officials download or transfer sexually explicit content from a student's personal technology. Law enforcement,

including school resource officers, must have probable cause to search the device, preferably in the form of a search warrant.

Exceptions

The Superintendent and/or designee is authorized to make exceptions to the prohibitions set forth in this policy for health, safety, or emergency reasons, for students in attendance as active members of a volunteer firefighting organization or volunteer emergency medical service organization, and when use of electronic devices is provided for in a student's Individualized Education Program (IEP)/504's.

Emergencies

Students are encouraged to use any available cellular telephone in the event of an emergency that threatens the safety of students, staff, or other individuals.

Complementing Policies:

- ACDA, Acceptable Use
- FFK, Suspension & Expulsion
- FFK-BR, Suspension & Expulsion Regulations
- FGCB, Searches of Students & Student's Personal Possessions

End of Jamestown Public School District Policy FFI.....Adopted:12/20/2021

FFK - SUSPENSION AND EXPULSION

Definitions

This policy defines the following:

- *Dangerous weapon* means, as defined in 18 U.S.C. 930(g)(2), a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length.
- *Expulsion* means the exclusion of a student, including one enrolled in an alternative education program, from school for insubordination, habitual indolence, or disorderly conduct provided the expulsion does not last beyond the termination of the current school year. A student who violates the district's weapons policy may be expelled for up to twelve months. A procedural due process hearing must be provided to the student in accordance with law and district regulation before the determination to expel a student is made.
- *Firearm* means, as defined in 18 U.S.C. 921, (1) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (2) the frame or receiver of any such weapon; (3) any firearm muffler or firearm silencer; or (4) any destructive device. The term does not include an antique firearm.
- *School property* is defined in NDCC 15.1-19-10(6)(c) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.
- *Suspension* includes in-school suspension from classes and out-of-school exclusion from classes, school property, and activities.

Suspension/Expulsion Authority

The Board hereby delegates to the Superintendent and each principal the authority to deal with disciplinary problems in their school, including suspension and recommendation for expulsion of a student. Suspension shall not be imposed beyond the maximum duration permitted by law.

The Board designates the Superintendent to serve as the hearing officer for expulsion hearings unless not qualified to serve as defined in board regulations. In such cases, the Board shall appoint an alternative hearing officer.

The hearing officer may expel a student for conduct that violates this policy, after providing notice and a hearing, as set forth in board regulations. When the hearing officer is someone other than the Jamestown Public School District Board, the student may seek

a review of the hearing officer's expulsion decision by the Board based on the record of the hearing.

Expulsion shall not be imposed beyond the maximum duration permitted by law.

Conduct Subject to Suspension/Expulsion

Conduct, including but not limited to the following, exhibited while on school property, during a school-sponsored activity, or during a school-related activity is subject to suspension or expulsion:

1. Causing or attempting to cause damage to school property or stealing or attempting to steal school property of value;
2. Causing or attempting to cause damage to private property or stealing or attempting to steal private property;
3. Causing or attempting to cause physical injury to another individual, except in self-defense;
4. Possessing on school property or at a school function, a firearm, dangerous weapon, or any object that is used, attempted to be used, or threatened to be used to intimidate or cause bodily harm;
5. Possessing, using, transmitting, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind;
6. Disobedience or defiance of proper authority;
7. Behavior that is detrimental to the welfare, safety, or morals of other students;
8. Truancy;
9. Offensive and vulgar language when it is obscene, defamatory, or inciteful to violence or disruptive of the educational process;
10. Threats of violence, bomb threats, or threats of injury to individuals or property;
11. Student behavior that is detrimental or disruptive to the educational process, as determined by the principal.

Information regarding the conduct subject to suspension or expulsion must be posted in a prominent place in each school and must be published in student handbooks.

Suspension or Expulsion of Students with Disabilities

The District shall comply with the provisions of the Individuals with Disabilities Education Act when suspending or expelling a special education student. The District shall not expel any student with a disability when the student's particular act of gross disobedience or misconduct is a manifestation of the student's disability. Education services must continue for IDEA eligible students who are expelled.

The District is not required to refer a regular education student who has been suspended or expelled for violation of school rules and/or district policy for special education assessment and evaluation to determine if such a student might have a disability. A suspended regular education student is not entitled to the reinstatement of school privileges pending any assessment and evaluation that is to be made during the term of the student's suspension.

Complementing Policies:

- FGDB, Student Handbooks
- FFK-BR, Suspension and Expulsion Regulations
- FFK-AR1, Suggested Procedure for Conducting an Expulsion Hearing
- FFK-AR2, Suspension and Expulsion of Special Education Students

End of Jamestown Public School District Policy FFK Adopted:2/21/2022 Amended 3/18/2024

FFK-BR - SUSPENSION AND EXPULSION REGULATIONS

Suspension

Suspension involves either in-school suspension or the dismissal of a student from school classes, buildings, and grounds. Suspension shall not be for more than maximum duration allowed by law. The parent(s) of the student are to be notified promptly by the school principal that suspension has been issued.

The authority to determine whether or not a student shall be suspended rests with the principal, assistant principal, or Superintendent and can be exercised AFTER the student is given:

1. Oral or written notice of the charges against him/her.
2. An explanation of the evidence against him/her.
3. An opportunity to present their side of the story.

There need be no delay between the time notice is given and the conduct of the above procedure. In those cases where a student's presence poses a continuing danger to persons or property or any ongoing threat of disrupting the educational process, the student may be immediately removed.

In emergency situations that are a result of risk to health and safety, the district may postpone the suspension notice process above until the emergency condition has passed.

Expulsion

Expulsion shall not be for more than the maximum duration permitted by law and the District shall follow the procedure for conducting an expulsion hearing contained in state law and administrative regulations. If the student involved has a disability, see the administrative regulation on suspension and expulsion of students with disabilities.

The responsibility of the school may not end with expulsion. The guidance department may notify other appropriate agencies when a student has been expelled.

Expulsion Pre-Hearing Notice to Student

The student and the student's parent shall be provided with the following notices, prior to the expulsion hearing outlined below:

1. **Notice of Charges:** The specific charges against the student shall be stated clearly enough for the student and the parent to understand the grounds of the charge and to be able to prepare a defense.
2. **Notice of Hearing:** The date of a hearing, which shall be within a reasonable time not to exceed ten school days, if the student is currently under suspension, unless a postponement is requested or agreed to by the parent.

3. **Presenting Evidence:** A student may present witnesses or documentary evidence to rebut the charges against the student.
4. **Notice of Right to Adult Representation:** The right to be represented and/or assisted at the hearing by a lawyer or other adult at the student's expense shall be explained. A parent or guardian who is unable to attend the hearing may provide written designation of another adult to assist the student in the parent's absence.

Conducting Hearings for Expulsion

1. **Nature of the Hearing:** The hearing is not a court proceeding and should not be referred to or conducted as such. There are no specific rules of evidence or procedure that must be followed. The intent of the hearing is to determine whether the reasons offered for the proposed expulsion are supported by the evidence. The evidence offered at the hearing should be directed toward attaining the truth and shall include an opportunity for the presentation of evidence as to the existence of mitigating circumstances.
2. **The Hearing Officer:** The student is entitled to an impartial hearer of facts. If the school board has designated a hearing officer, the hearing officer may conduct the hearing unless they are biased or prejudiced against the student or was directly involved with the incident at issue. If the hearing officer is not qualified under this rule, another hearing officer shall be called upon to conduct the hearing.
3. **Representation of the Student:** There is no requirement that the student must have representation at the hearing; however, if the student or their parent(s) request that they be represented by an attorney at the student's expense, the request must be granted. The school may choose to involve the parents in the disciplinary proceedings from the outset.
4. **A Recording of the Hearing:** A record of the hearing should be made to substantiate that the required elements of procedural due process were afforded the student. This can be accomplished by several methods. The preferred method of recording is tape recording or court reporter transcription of the entire proceeding. All evidence that is introduced in the form of written documents should be marked so as to identify the origin and order of introduction (e.g., School Exhibit 1, 2, 3, and Student Exhibit 1, 2, 3). All records of a hearing should be kept at least six years after the expelled student reaches the age of 18 years.
5. **Open or Closed Hearing:** Since an expulsion hearing before a designated hearing officer or the school board is subject to the Family Rights and Privacy Act (FERPA), the hearing shall be closed unless the parent/eligible student waives their rights under FERPA in writing.
6. **Witnesses in the Room:** At the request of the school representative or the student or their parents, witnesses may be excluded from the room except when offering testimony. The hearing officer should make this option known at the beginning of the hearing, before any evidence is presented. At no time may the student or their parent or representative be excluded from the room.

7. **Cross-Examination:** The hearing officer should permit cross-examination if any circumstances indicate that it is necessary in order to reach the truth or to otherwise conduct a hearing, which is fundamentally fair.
8. **Sworn Witnesses:** Witnesses should be given an oath or affirmation before offering testimony.
9. **Evidence:** If, at the conclusion of the hearing, the reasons given for the proposed expulsion are supported by the evidence offered at the hearing, the student may be expelled. The action of the student does not have to be proven beyond a reasonable doubt as in a criminal trial, but the action must be supported by the evidence. There must be evidence presented upon which the hearing officer can conclude that the student engaged in conduct supporting expulsion. In determining whether there is evidence to support an expulsion, the hearing officer may take into consideration only that evidence presented at the hearing.
10. **Making the Decision and Giving Notice to the Parties:** After the hearing, the hearing officer decides whether to expel a student. The hearing officer has the responsibility of promptly informing the student, his or her parents, the student's counsel, or his or her representative in writing of the decision. The decision must be specific enough so that a reasonable person can be advised of the finding and basis for the decision to expel. The decision should also contain information on how to appeal to the Board, if the Board did not serve as the hearing officer.
11. **Appeal to School Board:** Except when the Board served as the hearing officer, an appeal of the hearing officer's decision may be made to the Board based upon a review of the record of the expulsion hearing. This decision should be reviewed at the next regular meeting of the Board, except when good cause is shown for calling a special meeting for that purpose. Since the expulsion will affect or become a part of the student's educational record, the appeal hearing before the Board will be in executive session unless the parent/guardian signs a written waiver of their rights under the Family Educational Rights and Privacy Act.

For expulsion procedures, see the administrative regulation on guidelines for hearings.

End of Jamestown Public School District Board Reg. FFK-BR..... Adopted:2-21-2022

FFK-AR1 - SUGGESTED PROCEDURE FOR CONDUCTING AN EXPULSION HEARING

The following guidelines are offered recognizing that each expulsion hearing may call for a slightly different method of presentation. Expulsion hearings should be kept informal so that the truth may be obtained and a fair and just result reached.

1. **Advise the Parties of the Procedures to be Followed:**
 - a. The hearing will be closed unless the parent(s) or eligible student waives their rights under the Family Rights and Privacy Act (FERPA) in writing.
 - b. The hearing will be recorded, and either side may request the witnesses be sent to another room and be called individually. The student, the student's parent(s), and/or representative may be present throughout the hearing. Witnesses will be given an oath or affirmation before official testimony.
 - c. No formal rules of evidence will be followed, and the hearing will be informal, as it is not a court proceeding. However, certain procedures may be established that will facilitate the conduct of the hearing.
 - d. The Business Manager or other individual who is receiving the evidence and recording what is said should be identified as the person to whom exhibits and/or other written evidence or materials are to be presented.
 - e. The parties and their respective capacities should be identified for the record, prior to commencing the hearing.
2. **State the Reasons for the Proposed Expulsion:** The hearing officer should read the written reasons that were mailed (preferably by certified mail) or otherwise delivered to the student, their parent(s), and their representative, which are the basis for the possible expulsion. This should be done to assure that the record will adequately reflect the reasons for the proposed expulsion, to substantiate that all parties had notice of the proposed reasons and possible punishment, and to narrow the issues.
3. **Allow the School's Witnesses to Testify and Present Evidence:** The witnesses for the administration will first present their evidence in support of the reasons given for the proposed expulsion. This may be done in any manner that is conducive to reaching the truth and supports the reasons offered for possible expulsion. If necessary to reach the truth or in the interest of fairness, the hearing officer may allow cross examination of witnesses.
4. **Allow Student's Witnesses to Testify and Present Evidence:** The student and/or their representative will then be given an opportunity to present witnesses and evidence to disprove the reasons offered by the school's witnesses. If necessary to reach the truth, or in the interest of fairness, the hearing officer may allow cross examination of witnesses.
5. **Allow Concluding Arguments:** At the conclusion of the presentation of witnesses by the school and the student, each side should be allowed the

opportunity to make concluding remarks and arguments regarding the evidence that has been presented and the reasons for the expulsion.

6. **Making the Decision:** The decision whether or not to expel may be made at the hearing, or may be made following the hearing, after the hearing officer has had time to review the evidence. If the decision is delayed, the hearing officer should announce a time at which the decision will be made and notify the student and the student's parent(s) or representative of the decision at that time. The decision of the hearing officer will be in writing and will set forth the basis of the decision. When the hearing officer gives notification of the decision, the hearing officer should also inform the student and the student's parent(s) or representative of the right to appeal the decision to the Board and the procedure for doing so if the Board did not serve as the hearing officer.

End of Jamestown Public School District Administrative Regulation FFK-AR1

FFK-AR2 - SUSPENSION AND EXPULSION OF SPECIAL EDUCATION STUDENTS

Definitions

- *Change of Placement (long-term removals)* occurs when either:
 - a. The removal is for more than 10 consecutive school days; or
 - b. The student has been subjected to a series of removals that constitute a pattern:
 1. Because the series of removals total more than 10 school days in a school year;
 2. Because the student's behavior is substantially similar to behavior in previous incidents that resulted in the series of removals; and
 3. Because of additional factors such as the length of each removal, the total amount of time the student has been removed and the proximity of the removals to one another.
 - c. The school determines on a case-by-case basis whether or not a pattern of removals constitutes a change of placement and this determination is subject to review through due process and judicial proceedings.
- *Controlled substance* means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).
- *Functional behavioral assessment* means gathering information about behaviors of concern, whether the behaviors are academic, social, or emotional to be a problem-solving process for addressing student's inappropriate behavior.
- *Interim alternative educational setting* means a different setting that must allow a student covered by IDEA to continue to receive educational services that will enable the student to continue to participate in the general education curriculum and to progress toward meeting the goals set out in their IEP.
- *Illegal drug* means a controlled substance; but does not include a substance that is legally possessed or used under the supervision of a licensed healthcare professional or that is legally possessed or used under any other authority under the Controlled

Substances Act or under any other provision of Federal law.

· *Manifestation determination* means a process that occurs prior to a change of placement. During this process, the students' parent(s) and IEP team review all relevant information including:

- a. Test results and any independent educational evaluations;
- b. Information provided by the parent(s);
- c. Observations of the child; and
- d. The child's IEP and placement.

After the review of information, the team then determines if:

- a. The conduct in question was caused by or had a direct and substantial relationship to the student's disability; or
- b. The conduct in question was the direct result of the school's failure to implement the IEP.

· *Serious bodily injury* has the meaning given the term "serious bodily injury" under 18 U.S.C.1365(h)(3).

· *Short-term removal* means any appropriate interim alternative educational placement, placement in another setting, or suspension that does not result in a change of placement (see definition above).

· *Weapon* has the meaning given the term "dangerous weapon" under 18 U.S.C.930(g)(2).

Short Term Removals (No Change of Placement)

School personnel may remove a student with a disability who violates a student conduct policy from their current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than 10 consecutive school days, and for additional removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct as long as those removals do not constitute a change of placement under 34 CFR 300.536. Suspension procedures under district regulations must be followed. If the student is incapable of understanding any part of the suspension and expulsion procedure, their parent(s) should be present in meetings between school district personnel and the student regarding the suspension.

After determining if the student should be suspended, the principal or the

Superintendent, in consultation with at least one of the student's teachers, determines how best to address the student's needs during short-term removals.^[1] Providing alternative educational services for the first 10 days of a short-term removal is only required if the District provides these services to regular education students.

Parents should be promptly notified of short-term removals. The content of this notice does not have to follow the format of a change of placement notice (e.g., not required to provide procedural safeguards). In other words, notice of short-term removals need only state the charges against the student, the form and duration of the disciplinary action taken, and any services that will be provided/withheld during the disciplinary sentence.^[2]

Change of Placement (Long-Term Removals)

Longer removals include expulsion and suspensions that would constitute a change in placement. If a longer removal is being considered, the District must have a meeting with parents and the IEP team to make a manifestation determination. This meeting must be held within 10 school days of any decision to change the placement of a student. The manifestation determination meeting would occur after the initial suspension/expulsion proceedings, which must be held in accordance with district policy. The purpose of these proceedings shall only be to determine if the student violated policy and to make a tentative disciplinary recommendation if a policy violation is substantiated. Any disciplinary sentence recommended at the suspension/expulsion hearing shall only go into effect if criterion "1" below is satisfied and notice of change of placement is issued to the parents.

Manifestation Determination Criteria

1. If the behavior that gave rise to the violation of district policy is determined not to be a manifestation of the student's disability nor a result of the school's failure to implement the IEP, the District:
 - a. May apply the relevant disciplinary procedures to students with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.
 - b. Must provide services that enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the IEP.

- c. As appropriate, must conduct a functional behavioral assessment (FBA) and provide behavioral intervention services and modifications that are designed to address the behavior violation so that it does not reoccur.
2. If the team concludes that the misconduct was a manifestation of the student's disability or a result of the school's failure to implement the IEP, the District must:
 - a. Conduct a FBA, unless the District had already conducted an FBA before the behavior occurred, and implement a behavior intervention plan; or
 - b. Review the behavior intervention plan, if a behavior intervention plan already has been developed, and modify it as necessary to address the behavior; and
 - c. Return the student to the placement from which they were removed unless the student's parent(s) and the District agree to a change of placement as part of the modification of the behavior intervention plan, or the student's misbehavior was related to drugs, weapons or serious bodily injury.

Drugs, Weapons, and Serious Bodily Injury

School personnel may remove a student governed by IDEA to an interim alternative educational setting, after holding an expulsion hearing, for not more than 45 school days if:

1. The student carries a weapon to school or possesses a weapon on school property;
2. The student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while on school property; or
3. The student has inflicted serious bodily injury upon another person while on school property.

Referral to Law Enforcement /Transmission of Records

The District may report a crime committed by any student with a disability to appropriate authorities. In doing so, the District must ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by appropriate authorities to whom the crime is reported, but must also obtain parental consent to send those records, consistent with the requirements of the Family Educational Rights and

Privacy Act (FERPA).

Notice for Change of Placements

Parents must be provided prior written notice before enacting a change of placement decision. This notice must include:

1. A description of the action proposed or refused by the District;
2. An explanation of why the action is proposed or refused;
3. A description of any other options considered and the reasons why those options were rejected;
4. A description of each assessment procedure, test, record, or report used as a basis for the action proposed or refused;
5. A description of any other factors relevant to the action proposed or refused;
6. A notice that parents can invite individuals with knowledge or special expertise about their child to an IEP meeting;
7. A statement that parents of a child with a disability are protected by the procedural safeguards and a copy of these safeguards; and
8. A list of resources parents can use to contact help in understanding these procedural safeguards, and a description of how parents can file a complaint.

Prior written notice must be provided in parents' native language unless doing so is clearly not feasible. The district's special education unit should have a sample notice and sample procedural safeguards to assist the District with notification requirements.

Protections for Children Not Yet Eligible for Special Education and Related Services

A student is entitled to the procedural safeguards under IDEA if the District had knowledge that the student had a disability before the behavior that precipitated the disciplinary action occurred. The District is considered to have knowledge that a child is a student with a disability if:

1. The student's parent(s) expressed concern in writing to supervisory or administrative personnel of the District, or a teacher, that the student is in need of special education and related services;

2. The student's parent(s) requested an evaluation of their child; or
3. The teacher of the student or other school personnel expressed specific concerns directly to the director of special education or to other supervisory personnel of the District about a pattern of behavior demonstrated by the student.

Appeals

If a parent disagrees with any decision regarding the placement of their child as a result of a disciplinary action, the manifestation determination, or if the District believes that maintaining the current placement of the student is substantially likely to result in injury to the student or others, then the parent or the District may appeal the decision by requesting a due process hearing.

Following a due process hearing, the hearing officer may:

1. Return the student to the placement from which they were removed; or
2. Order a change in placement of the student to an appropriate interim alternative educational setting for not more than 45 school days, if the hearing officer believes that maintaining the current placement of the student is substantially likely to result in injury to them or others.

When an appeal has been made, the student must remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the timeline determined by the district's disciplinary procedures, whichever occurs first, unless the District and parent(s) agree otherwise.

Expedited Due Process Hearing

Whenever a due process hearing is requested regarding a dispute over placement, then the parent(s) and the District must have the opportunity to an expedited due process hearing. The expedited due process hearing timelines differ from the standard due process hearing timelines in that:

1. The hearing must occur within 20 school days of the date the due process complaint is received; and

2. The hearing officer must make a determination (final decision) within 10 school days after the conclusion of the hearing.

Resolution Session and Expedited Due Process Hearings

Unless the parent(s) and the District agree in writing to waive the resolution meeting or agree to use the mediation process to resolve the issues in dispute:

1. The resolution meeting must occur within 7 days of receiving the due process complaint notice; and
2. The due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 days of the receipt of the due process complaint.

Placement by a Hearing Officer

A hearing officer may order a change in placement of a student covered by IDEA to an interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of the student is substantially likely to result in injury to the student or other students.

Extensions of 45 school day removals by a hearing officer may be repeated, if necessary, when returning the student to the current placement would be substantially likely to result in injury to the student or other students.

Civil Action

The decisions on expedited due process hearings are appealable through civil action within 90 days from the date of the decision of the hearing officer.

End of Jamestown Public School District Administrative Regulation FFK-AR2..Reviewed 3/18/2024

[1] Law does not require parents be involved in making the determination of the extent to which services are needed for a student removed from school on a short-term basis. However, there is nothing in federal regulations that would prohibit the principal or Superintendent, if they choose to do so, from including parents in the consultation.

[2] This notice is not required by law but is strongly recommended

FG - STUDENT RIGHTS AND RESPONSIBILITIES

The Board affirms those legal rights of students that are guaranteed under the federal and state constitutions and statutes. The Board reminds students that rights also are accompanied by responsibilities.

These rights and responsibilities include:

1. Civil rights, including the rights to equal educational opportunity and freedom from illegal discrimination; the responsibility not to discriminate against others.
2. The right to attend free public schools; the responsibility to attend school as required by law and to observe school rules and regulations essential for permitting others to learn at school.
3. The right to due process of the law with respect to expulsion, searches and seizures, or administrative decisions that the student believes have injured his/her rights.
4. The right to free inquiry and expression; responsibility to observe reasonable rules regarding these rights. Students may exercise their right to freedom of expression through speech, assembly, petition, and other lawful means. The exercise of this right may not interfere with the rights of others. Freedom of expression may not be utilized to present material that is vulgar, slanderous, defames character, advocates violation of law or is in violation of district policy.

The Superintendent shall ensure that students are made aware of the legal authority of the Board and the delegated authority of the staff to make rules and regulations regarding the orderly operation of the school, which uphold the legal rights of students.

End of Jamestown Public School District Policy FG..... Adopted 10/20/2008

FGA - STUDENT EDUCATION RECORDS AND PRIVACY

The Jamestown Public School District School Board believes that while collection and use of student information is necessary to provide educational and student support services, the District must implement safeguards to ensure information is appropriately protected and used to serve the best interests of students. The purpose of this policy is to establish such safeguards.

Definitions

- *Directory information* is defined as personally identifiable information contained in a student education record that is generally considered not harmful or an invasion of privacy if disclosed and includes:
 - a. Name (first and last)
 - b. Address
 - c. Date and place of birth
 - d. Dates of attendance
 - e. Degrees, honors, and awards receive
 - f. Grade level
 - g. Most recent school attended
 - h. Participation in officially recognized activities and sports
 - i. Photograph
 - j. School email address
 - k. Student identification number if it cannot be used alone to access an educational record and is not the student's social security number
 - l. Telephone listing
 - m. Weight and height of members of athletic teams
- *Education records* are records that are directly related to a student and are maintained by the District or by a party acting on behalf of the District. These records include but are not limited to grades, transcripts, class lists, student course schedules, health records, and student discipline files. This definition excludes law enforcement records and records in the sole possession of the maker used only as a memory aid.
- *Eligible student* means a student who has reached the age of 18.
- *FERPA* stands for the Family Educational Rights and Privacy Act.
- *Legitimate educational interest* is defined as access that is needed in order for a school official to fulfill their professional responsibility.

- *Parent* means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.
- *Permanent record* is defined as a record containing a student's name, address, phone number, record of grades, years enrolled, courses attended, and grades completed.
- *Personally Identifiable Information* (PII) includes information maintained in the student's education record that could be used alone or in combination to trace a student's identity directly or indirectly and would allow a reasonable person, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.
- *Record* means any information recorded in any way including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.
- *School official* is defined as an individual who has a legitimate educational interest in accessing student educational records and is affiliated with the District in one of the following capacities:
 - a. An individual employed by the District in an administrative, instructional, or support staff position;
 - b. School board members; or.
 - c. Contractors, consultants, volunteers, service providers, or other party with whom the District has outsourced institutional services or functions for which the District would otherwise use employees; records provided to these third parties must remain directly under the District's control for purposes of maintenance and use and the third party must agree to comply with 34 C.F.R. 99.33(a). Examples include, but are not limited to, school resource officers, interns, student teachers, the District's attorney, PowerSchool, SLDS, learning management software, hot lunch tracking software, and district alert systems.

Designation and Responsibilities of Privacy Officers

The Superintendent or designee shall serve as Chief Privacy Officer. In this role, the Superintendent is responsible for submitting to the Board for approval student information sharing requests from third-party individuals/entities other than parties to which the District reports student information under law. The Superintendent shall also maintain a master list of all individuals and entities having access to student information, including school district personnel listed by title. To ensure this list remains current and is manageable to maintain, it shall not contain names of individuals who have access to data.

The Superintendent may designate privacy officers at the District and building level. These privacy officers are responsible for:

1. Maintaining a list of school personnel by title who have access to student information; this list shall be provided to the Superintendent each time it is updated;
2. Submitting to the Superintendent for board approval new requests to share student information with third-party individuals and entities other than parties to which the District reports student information under law;
3. Ensuring that access to student information is granted only to the extent there is a legitimate educational interest and in accordance with this policy and any applicable agreements;
4. Enforcing this and other applicable district confidentiality and data protection policies; and
5. Providing a list of students who have opted-out of directory information to classroom teachers and other district staff who have a need to know.

Information Release Safeguards

1. Access by Parents and Eligible Students
To ensure compliance with parental and eligible student access requirements under FERPA:
 - a. The District shall comply with a request by a parent or eligible student to access education records within a reasonable period of time, not to exceed 45 days after receipt of a request; and
 - b. The Board shall develop procedures for a parent or eligible student to review and amend educational records. These procedures shall include procedures to verify the identity of a requesting parent or eligible student. The regulations shall be delineated in board regulations and disseminated annually in accordance with law.
2. Classroom Use of Instructional Tools Requiring Release of Student Information
Teachers are encouraged to use instructional technological tools that allow for use of an alias or that do not require submission of directory information other than or in addition to name, or PII. Whenever a teacher wishes to use an instructional tool that requires release of directory information, other than or in addition to name, or PII such as, but not limited to, software or an app, the teacher shall submit a request to the building-level privacy officer. The privacy officer shall check the District's master list of individuals and entities approved to receive student information. If the entity is not on this list or the teacher's request is beyond the scope of information sharing permission previously granted, the privacy officer shall either deny the teacher's request or submit an information-sharing request to

the Superintendent for board approval. If the teacher is authorized to use the instructional tool, the building-level privacy officer shall ensure the teacher complies with any parental consent requirements and directory information opt-out requests before using the tool.

3. Data Breaches

District employees are responsible for informing a privacy officer of any known or suspected breach of PII. When a privacy officer becomes aware of a breach of student PII, they shall contact the Chief Privacy Officer. The Chief Privacy Officer shall determine if enactment of data breach response procedures contained in policy IDC and NDCC Ch. 51-30 is appropriate.

4. Information Storage and Destruction

Student education records shall be reviewed annually and any records unnecessary for progression to the next grade level, not needed for college entrance purposes, not needed for extracurricular participation, not needed for disciplinary purposes, and records that are not part of the permanent record will be shredded or destroyed. Exceptions apply for any content that may reasonably be related to litigation or anticipated litigation (retain for six years after a student turns eighteen), bullying reports (retain in accordance with policy ACEA), concussion documentation (retain in accordance with policy FCAF), executive session tapes (retain for at least six months), PowerSchool records, and special education records (retain in accordance with the Individuals with Disabilities Education Act).

5. Directory Information

The District may disclose directory information without parental or eligible student consent if it has given parents or eligible students a reasonable amount of time to opt-out of directory information release. Opt-out notices should be provided at the beginning of the school year and when a student otherwise enrolls in the District. These notices shall contain a reasonable deadline of at least ten days for parents or eligible students to opt out.

The Board approves release of directory information as follows:

- a. Publication on the District's website;
- b. To board-approved vendors for purposes of sale of school-related items such as, but not limited to, yearbooks, school pictures, graduation items, district apparel, and book orders;
- c. To military and college recruiters in accordance with applicable laws (NDCC 15.1-07-25.1 and 20 U.S.C. 7908);

- d. To official district newspaper for purposes of recognizing student accomplishments and coverage of extracurricular events;
- e. To school-affiliated groups for purposes of communicating and fundraising;
- f. To school-sponsored student publications including, but not limited to, newspapers and yearbooks; and
- g. When the Board receives and approves a directory information release request; directory information shall only be released and used for purposes specified in the release request and the Superintendent shall add approved requestors to the district's master list of individuals and entities having access to student information. The Board shall develop criteria in regulations for approving and denying these requests.

Any district employee who wishes to disseminate student directory information to a third party shall contact their building-level privacy officer. The privacy officer shall determine if the Board has previously approved such release and, if not, deny the request or submit it to the Superintendent for board approval. Upon board approval, the Superintendent shall instruct the privacy officer to ensure compliance with any opt-out requests made by parents.

6. Personally Identifiable Information (PII)

Any third party requesting or receiving access to student PII must receive board approval unless the third party is required to receive PII under state or federal law. Any school employee who wishes to share PII with a third party shall contact their building-level privacy officer. The privacy officer shall determine if the Board has previously approved such release and, if not, deny the request or submit it to the Superintendent for board approval. Upon board approval of any PII release request, the applicable privacy officer shall inform the requestor of any parental consent requirements (see #7) and ensure the requestor complies with such requirements.

Parental or eligible student consent is not required to release PII under the following circumstances:

- a. The District receives information under 42 U.S.C. 14071 and applicable federal guidelines about a student who is a registered sex offender under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071), and the District has a need to disclose the student's status as a sex offender for safety purposes;
- b. In connection with a health or safety emergency under the conditions described in 34 C.F.R. 99.36;

- c. If records have been de-identified by the District; third party individuals and entities that receive de-identified information shall be included on the District's master list of individuals and entities having access to student information
- d. To a school official who has a legitimate educational interest in the education records if the following conditions are satisfied:
 - i. Access shall be limited to only information the school official has a legitimate need to know;
 - ii. School officials shall use the information only for the purposes for which the disclosure was made and shall not re-disclose the information to any other party without proper consent or legal authority; and
 - iii. Titles of individuals and entities considered school officials shall be included on the district's master list of individuals and entities having access to student information;
- e. To a court without a court order or subpoena when the District initiates legal action against a parent/student or a parent/student initiates legal action against the District
- f. To accrediting bodies for purposes of accreditation
- g. To an organization conducting a study for the District to develop, validate, or administer a predictive test; administer student aid programs; or improve instruction so long as the organization has entered into a written agreement with the Board in accordance with law; if the organization is conducting a survey of students, the District shall ensure parents are notified in compliance with policy GCC and shall obtain parental consent, if applicable (see #7)
- h. To another school in which the student seeks, intends to, or is already enrolled
- i. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the U.S. Secretary of Education, and state and local educational authorities for audit or evaluation of federal or state supported education programs or for the enforcement of or compliance with federal legal requirements that relate to those programs
- j. To comply with a judicial order or lawfully issued subpoena; the District must make reasonable attempt to contact the parent or eligible student before disclosure unless the court order instructs otherwise; or

- k. To the parents of an eligible student who is also a "dependent student" as defined in IRS Section 152.

The District will take measures necessary to ensure that individuals and entities to which PII is released shall only have access to information necessary to fulfill their responsibilities under law and to the District. Measures may include, but not be limited to, controlling access to computer data through password restrictions, controlled access to paper records, and ensuring that any information access agreements required by law are properly executed by the Board When Parental Consent is Required

The District must obtain parental or eligible student consent to release student information under the following circumstances:

- a. The Board has approved release of PII to an individual or entity not meeting the definition of school official under law and/or not meeting an exception to the parental consent requirement under FERPA
- b. The Board has approved release of directory information, other than or in addition to name, or PII to an online service provider for commercial purposes and the impacted students are under the age of 13
- c. When administering a survey funded in whole or in part by the U.S. Department of Education and concerning any of the following areas²²:
 - i. Political affiliations or beliefs of the student or the student's parent;
 - ii. Mental or psychological problems of the student or the student's family;
 - iii. Sex behavior or attitudes;
 - iv. Illegal, anti-social, self-incriminating, or demeaning behavior;
 - v. Critical appraisals of other individuals with whom respondents have close family relationships;
 - vi. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
 - vii. Religious practices, affiliations, or beliefs of the student or student's parent; or
 - viii. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program)

²² Protection of Pupil Rights Amendment, 20 U.S.C. § 1232h; 34 CFR Part 98

- ix. If the District is unable to obtain this consent, it shall not release the impacted student's information.

504 Plans and Individual Educational Programs (IEPs)

Sharing of student information necessary for developing, amending, or implementing an IEP or 504 Plan and sharing student information needed to determine eligibility for special education or disability services are not subject to board approval requirements in NDCC Ch. 15.1-07-25.3 because the District provides these services in fulfillment of requirements under state and federal law.

Policy Violations

Failure by a district employee or volunteer to comply with this policy, other district confidentiality requirements, or any improper disclosure of student information by a school employee or volunteer shall result in disciplinary action up to and including termination of employment. Failure by a third party to comply with this policy, any information-sharing agreements between the District and third party, or any improper disclosure of student information by the third party may result in termination of the third-party's access to student information and termination of the district's agreement with the third party.

Training

School officials employed or volunteering for the District shall receive information and/or training on confidentiality requirements pertaining to student education records and consequences for breaching confidentiality. The District shall also provide training to applicable school personnel on the procedures for requesting to release student information contained in this policy.

Complementing Policies:

- DE, Staff Code of Conduct
- FACB, Transfer & Withdrawal Records
- FGA-BR1, Student Education Records Access & Amendment Procedure
- FGA-BR2, Criteria for Approving & Denying Directory Information & PPI Release Requests
- FGA-E1, Notice for Directory Information
- FGA-E2, Model Notice of Rights Under FERPA for Elementary and Secondary Schools
- FGA-E3, FERPA Release Form for Parents
- FGA-E4, Notice of Executive Session Tape on File
- FGA-E5, Student Information Sharing Request
- FGA-E6, Model Form for Disclosure to Parents of Dependent Students
- FGA-E7, School Officials' Guide to FERPA and Data Privacy
- FGA-E8, Parties Approved to Receive Student Data
- GCC, Protection of Pupil Rights Amendment & Third-Party Research on Students
- IDC, Data Protection & Security Breaches

FDA-BR1 - STUDENT EDUCATION RECORDS ACCESS & AMENDMENT PROCEDURE

Reviewing an Educational Record

The District shall comply with a parent or eligible student's right to inspect and review the student's education records. This right will be granted using the following procedure:

1. A parent or eligible student shall make a request orally or in writing to the building principal to inspect and review the student's education records.
2. The building principal must provide a parent or eligible student the opportunity to inspect and review the student's education records within a reasonable period of time, but not more than 45 calendar days following receipt of a request.
3. The building principal shall notify the parent or eligible student of the time and place when the student's education records may be inspected.
4. The building principal shall require the requestor to submit/show a form of state or federally issued identification to verify the identity of the requestor if the requestor is unknown to the principal.
5. The principal or designee shall be present when the parent or eligible student reviews the records.
6. If circumstances prevent a parent or eligible student from reviewing their child's or their education records at the school office, the District shall prepare and mail a copy of the records or make alternative arrangements for the parent or eligible student to inspect and review the records. Any expense incurred from copying and/or mailing the records may be charged to the parent or eligible student at state rates, except as prohibited by law.

The building principal shall respond to reasonable requests for explanations and interpretations of the records in a prompt and equitable manner.

Amending an Educational Record

A parent or eligible student has the right to request an amendment to any portion of the education records they believe to be inaccurate, misleading, or in violation of the student's right to privacy. A parent or eligible student shall use the following procedure to dispute or request an amendment to an educational record. This procedure shall not be used to dispute a grade, disciplinary decision, or opinions/reflections of a school official contained in an educational record.

1. Any request to amend education records shall be made in writing and submitted to the building principal.
2. The principal shall review the request within a reasonable time and approve or deny it. The principal's decision shall be submitted to the parent or eligible student.

If the principal denies the amendment request, they shall inform the parent or eligible student of their right to request an appeals hearing.

3. Requests for an appeals hearing shall be submitted to the Superintendent or designee. The hearing shall be held within a reasonable time after the appeal request has been made.
4. The Superintendent or designee shall provide the parent or eligible student notice of the date, time, and place, reasonably in advance of the hearing.
5. The Superintendent or designee shall serve as the hearing officer
6. The parent or eligible student may, at their own expense, be assisted or represented by one or more individuals of their choice, including an attorney;
7. The parent or eligible student shall have a full and fair opportunity to present evidence related to the amendment request.
8. The Superintendent or designee shall make its decision in writing within a reasonable period of time after the hearing. The decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision. This decision is final and binding.
9. If the Superintendent or designee denies the amendment request, they will notify the parent or eligible student within a reasonable time of their right to submit a written response commenting on the contested material and/or explaining the disagreement with the hearing officer's decision. This written response shall be retained and, when applicable, disseminated in accordance with law.

End of Jamestown Public School District Board Reg. FGA-BR1.....Adopted:1/18/2016 Amended 7/20/2022

FGA-E1 - NOTICE OF DIRECTORY INFORMATION

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that Jamestown Public School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the District may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with district procedures.

The primary purpose of directory information is to allow the District to include information from your child's education records in certain school publications. Examples include:

1. A playbill, showing your student's role in a drama production;
2. The annual yearbook;
3. Honor roll or other recognition lists;
4. Graduation programs; and
5. Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require districts receiving assistance under the Elementary and Secondary Education Act of 1965, as amended (ESEA) to provide military recruiters, upon request, with three directory information categories, names, addresses and telephone listings, unless parents have advised the District that they do not want their student's information disclosed without their prior written consent.

If you do not want the District to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing by September 1st. The District has designated the following information as directory information: y.

1. Student's name (first and last)
2. Address;
3. Date and place of birth;
4. Dates of attendance;

5. Degrees, honors, and awards received;
6. Grade level;
7. Most recent school attended;
8. Participation in officially recognized activities and sports;
9. Photograph;
10. School email address]
11. Student identification number, user ID, or other unique personal identifier used to communicate in electronic systems or displayed on a student ID badge, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user;
12. Telephone listing; and
13. Weight and height of members of athletic teams.

Request to Withhold Directory Information for the _____ School Year:

- Please do not release any directory information.
- Please do not release the following part or parts of directory information: (check all that apply)
- Name
 - Telephone
 - Photograph
 - Other (specify): _____
- Please do not release directory information to:
- Military Recruiters
 - Colleges & Universities
 - Other (specify): _____

Student's Name: _____

School: _____

Grade: _____

Parent/Guardian Signature:

Date:

NOTE: If the student is a high school senior or is otherwise scheduled to graduate, this opt-out request will continue to remain effective after the student has graduated from high school.

End of Jamestown Public School District Exhibit FGA-E1

FGA-E2 - MODEL NOTIFICATION OF RIGHTS UNDER FERPA FOR SCHOOLS

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to have the District notify you annually of your rights (this document);
2. The right to inspect and review the student's education records within 45 days after the day the District receives a request for access;

Parents or eligible students who wish to inspect their child's or their education records should submit to the building principal or designee a written request that identifies the records they wish to inspect. The building principal or designee shall make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected in accordance with board regulation FGA-BR1;

3. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the District to amend their child's or their education records should write the building principal, clearly identify the part of the record they want changed and specify why it should be changed. If the building principal or designee decides not to amend the record as requested by the parent or eligible student, they will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing;

4. The right to provide written consent before the District discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel, a person serving on the Board. A school official also may include a volunteer, contractor, or consultant outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance

of PII from education records, such as an attorney, auditor, medical consultant, or therapist. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibility.

Upon request, the District may disclose education records without consent to officials of another school district in which a student seeks or intends to enroll or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer; and²³

5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Disclosure of PII without Consent

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the District to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. The District may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student:

1. To other school officials, as defined in #4 above, that the District has determined to have legitimate educational interests. This may include contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1));
2. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2));

²³ Select option of consistent with policy. FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.

3. To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35);
4. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4));
5. To state and local officials or authorities to whom information is specifically allowed to be reported or disclosed by state statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5));
6. To organizations conducting studies for, or on behalf of, the District, in order to: develop, validate, or administer predictive tests; administer student aid programs; or improve instruction. (§99.31(a)(6));
7. To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7));
8. To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8));
9. To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
10. To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10));
11. Information the District has designated as "directory information" under §99.37. (§99.31(a)(11));

End of Jamestown Public School District Exhibit FGA-E2

FGA-E3 - FERPA RELEASE FORM FOR PARENTS

Name of student: _____ Date of birth: _____

Name of child's school: _____ Grade level: _____

Child's mailing address:

Parent's mailing address (if different):

CONSENT TO RELEASE

The Family Educational Rights and Privacy Act (FERPA) establishes certain rights for parents regarding the privacy of their child's educational record. While family members and other individuals serving in a parent's stead as caretaker may have an interest in the child's record, access to or release of the educational record is only by written parental consent. Parents may choose to complete and submit this FERPA Release Form to allow access or release of their child's educational record. A release form must be completed for each individual to whom a parent wishes to authorize access/ release of his/her child's educational records.

I _____ [name of parent/legal guardian] consent to release the information, as indicated below, to:
_____ [list individual's name].

Relationship of this individual to the child:

Contact information for this individual:
(Address) _____
(Phone) _____ (Email) _____

TYPE OF REQUEST (NOTE: By selecting the option to release records, the individual listed above will receive all correspondence related to the child's academic record that is mailed to parents):

- Academic records: Access Release
 Disciplinary records: Access Release
 All information concerning my child's 504 Plan Individual Education Program
 Access Release

All other information placed in my child's education record (e.g., accident reports, emergency contact information, administrative notes, etc.): Access Release

ACKNOWLEDGEMENT AND SIGNATURE

I acknowledge by my signature that I understand that, although I am not required to release my child's records, I am giving my consent to release the information. This release will remain in effect while the child is enrolled in _____ Jamestown Public School unless I revoke such consent.

Parent's signature

Date

RETURN FORM TO:

Date form was returned to school: _____

Received by:

End of Jamestown Public School Exhibit FGA-E3

Descriptor Code: FGA-E4

FGA-E4 - NOTICE OF EXECUTIVE SESSION TAPE ON FILE

On _____ (date) the Jamestown Public School Board held an executive session involving _____ (student's name). The reason for the executive session was (check one):

Discussion student educational records, FERPA and NDCC 44-04-19.2 (1)

Expulsion hearing, FERPA and NDCC 44-04-19.2 (1)

All documents resulting from and recording(s) of this executive session are in a secured file in the superintendent's office. These items will be retained and released in accordance with law and board policy.

End of Jamestown Public School Exhibit FGA-E4

FGA-E5 - STUDENT INFORMATION SHARING REQUEST FORM

Name: _____

Organization (list school building if district employee): _____

Date of request: _____

1. Purpose of request:

 2. Information requested (e.g., names, email addresses, de-identified test scores, etc.):

 3. If request is for use of software, app, or an online tool, list name of tool, app, or software and manufacturer/developer

 4. Information will be collected from which grade levels and/or buildings (list)?

 5. Will information be collected only from certain categories of students? If yes, list (e.g., female, Caucasian, students receiving free or reduced meals):

 6. How long will the information be used (list dates)?

 7. Who will have access to the information?
-
8. How will the information be collected (e.g., online survey, students complete online registration form, district prepares list)?

9. Describe methods that will be used to protect the information from unauthorized access.

10. Describe method for destroying information after no longer in use.

In order to receive approval, the requestor must agree to the following:

1. The information requested shall be used only as delineated in #1 for the dates specified in #6 after which time the information will be destroyed in accordance with #10 at the requestor's expense. If the requestor is a district employee requesting to share student information with a third party, the third party shall be responsible for destroying the information at its expense after the deadline for use.
2. Only individuals listed in #7 shall have access to the information.
3. The requestor shall comply with any applicable parental consent requirements and/or opt-out requests for directory information.
4. The requestor shall complete any additional information sharing agreements required by law.
5. The Superintendent will be notified as soon as possible if the requestor suspects or knows that the student information was accessed by an unauthorized user or otherwise breached.

NOTE: If you are a district employee requesting to share student information with a third party, the third party must sign this form or you must print the third-party's terms of service and attach them to this document in lieu of signing below.

I agree, on behalf of my organization, to comply with the above requirements.

Signature

Date

Print Name

Organization

Terms of service are attached in lieu of signature. Requestor is still responsible for compliance with any applicable parental consent requirements and notifying a privacy officer if terms of service are not followed by the third party. _____ (requestor's initials)

For internal use only

Request approved by board?

Yes, date: _____

Parental consent will be required before requestor can access requested information

Additional agreement required by law. These agreements are required when disclosure is to organizations conducting studies for or on behalf of the District or for purposes of a state or federal audit.

No, date: _____

End of Jamestown Public School Exhibit FGA-E5

FGA-E6 - MODEL FORM FOR DISCLOSURE TO PARENTS OF DEPENDENT STUDENTS

NOTE: NDSBA recommends providing this form to all high school seniors at the beginning of the school year.

Student's First Name Middle Initial Last Name

Street Address City State Zip Code

Under the Family Educational Rights and Privacy Act (FERPA), the Jamestown Public School District is permitted to disclose information from your education records to your parent(s), if you are under 18 or if your parent(s) claims you as a dependent for federal tax purposes. If you will turn 18 this school year, please indicate whether your parents claim you as a tax dependent.

Please check the appropriate box:

Yes. I certify that my parents claim me as a dependent for federal income tax purposes.

No. I certify that my parents do not claim me as a dependent for federal income tax purposes.

Signature: _____ Date: _____

If parents live at the same address, please list both in # 1.

1. _____
Name

Address

City, State, Zip

Telephone

2. _____
Name

Address

City, State, Zip

Telephone

FGA -E7 - SCHOOL OFFICIALS' GUIDE TO FERPA AND DATA PRIVACY POLICY
Education Record

- *Education record* is defined as any record that directly relates to a student and is maintained by the District or by a party acting for the District. This definition excludes law enforcement records and records in the sole possession of the maker used only as a memory aid.²⁴

Why the definition matters: Only information considered an education record is protected by the Family Educational Rights and Privacy Act (FERPA) and associated district policy.

Scenarios

1. You keep a personal log of a student's behavior in class. Is this an education record?
 Yes No

Answer and explanation: Probably not. The FERPA definition of education record excludes records that are kept in the sole possession of the maker of the record and are not accessible or revealed to any other person. However, once such records are accessed or shared with any other person, the records likely become education records protected by FERPA.

2. You exchange emails with another teacher about a student's performance. Are these emails education records?
 Yes No

Answer and explanation: Probably not but treat emails as education records until clear legal guidance is available. Few courts outside of North Dakota have addressed this matter; therefore, North Dakota does not have clear legal precedent on how emails should be classified under FERPA. However, once emails have been printed out and maintained in a physical file for the student, the emails likely become education records.

3. As part of an assignment, you ask students to create a video and post them on a blog. Are these videos education records?
 Yes No

²⁴ 34 CFR 99.3

Answer and explanation: No. In *Owasso Independent School Dist. No. I-011 v. Falvo*, the Supreme Court found that students' assignments are not educational records under FERPA. However, if the blog host requires submission of student directory information, other than or in addition to name, and/or personally identifiable information, this information is protected by law and may only be released in accordance with the district's student data privacy policy.

4. You have a conversation with a student about a classroom incident that was not documented in the student's education record. Is this conversation an education record?
- Yes No

Answer and explanation: No. In a 2006 opinion, the U.S. Department of Education (ED) clarified that FERPA applies to actual records not to information derived from a source other than the education record such as a conversation.

5. Your district has surveillance cameras installed in buses and in hallways. Is footage from these cameras education records?
- Yes No

Answer and explanation: Generally, no. Video footage captures everything and is therefore typically not considered an education record because it does not relate to a specific student. However, if video footage captures an incident that leads to disciplinary action, such as a fight, or a medical emergency involving a student, the footage becomes an education record for students involved in the incident.

6. Your district tape records IEP meetings. Are these recordings education records?
- Yes No

Answer and explanation: Yes. See the ED Office of Special Education and Rehabilitative Services memo dated June 4, 2003.

7. Student attendance records are recorded and stored in PowerSchool. Are these data education records?
- Yes No

Answer and explanation: Yes. This information is considered personally identifiable information (PII) and can only be released with parental consent or if an exception applies under FERPA.

8. Parents are required to complete a student registration sheet at the beginning of the school year. Are these forms education records?
- Yes No

Answer and explanation: Yes. This information will be placed in the student's paper record and/or recorded in PowerSchool. While much of the information on this form is considered directory information, directory information may only be released in accordance with the student data privacy policy.

Directory Information v. Personally Identifiable Information (PII)

Definitions:

- *Directory information* is defined as personally identifiable information contained in a student education record that is generally considered not harmful or an invasion of privacy if disclosed.
- *Personally Identifiable Information* (PII) includes information maintained in the student's education record that could be used alone or in combination to trace a student's identity directly or indirectly and would allow a reasonable person, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

Why the definitions matter: Directory information can be released without parental consent (unless a parent or eligible student has opted out). PII can only be released if parental consent is obtained or an exception under FERPA applies. District policy contains disclosure requirements for both PII and directory information.

In the following scenarios, is the information directory information or protected PII?

1. The local newspaper contacts the school to request the names of students involved in a fight at last night's football game.

Directory Information

PII

Answer and explanation: PII. Release of a student's name in this type of situation would be considered an invasion of the student's privacy because it would reveal portions of his/her disciplinary record.

2. A mother requests a list of names of all parents in her child's classroom and their email addresses.

Directory Information

PII

Answer and explanation: PII. FERPA regulations stipulate that parents' names are considered PII and may not be disclosed without parental consent.

3. The local newspaper covers your local science fair, takes pictures of students involved, and asks for their names.

Directory Information

PII

Answer and explanation: Probably directory information but consult district policy. FERPA classifies names and photographs as directory information if release does not infringe on students' rights to privacy. However, each school district policy

defines directory information differently. The district's definition of directory information may be more restrictive than law. Also, eligible students/parents may opt out of the disclosure of directory information without parental consent.

4. A university researcher asks for a list of student tests scores and expulsion records broken down by student ID.

Directory Information PII

Answer and explanation: PII. Anytime test scores or disciplinary records can be linked to a specific student, disclosure absent parental consent would infringe on student privacy.

5. Your district publishes a quarterly honor roll listing students' names and designating if they earned highest honors, high honors, or honors based on GPA ranges contained in district policy.

Directory Information PII

Answer and explanation: Probably directory information but consult district policy. FERPA classifies names and honors/awards received as directory information if release does not infringe on students' rights to privacy. However, each school district policy defines directory information differently. The district's definition of directory information may be more restrictive than law. In addition, parents/eligible students have the right to opt out of disclosure of directory information absent consent.

6. You are contacted by your local park district and asked to release the weights and heights of three students for purposes of a summer wrestling program.

Directory Information PII

Answer and explanation: PII. FERPA only classifies weights and heights as directory information if released in relation to participation in an athletic team. In this case, the students are participating in non-school sponsored athletic program.

7. A classroom parent requests the names and dates of birth of all your students for party planning purposes.

Directory Information PII

Answer and explanation: Probably directory information but consult district policy. FERPA classifies names and dates of birth as directory information if release does not infringe on students' rights to privacy. However, each school district policy

defines directory information differently. The district's definition of directory information may be more restrictive than law. In addition, parents/eligible students have the right to opt out of disclosure of directory information absent consent.

8. A teacher from one of your student's former schools contacts you to request the student's grades to determine if her school's response to intervention (RTI) program is working.

Directory Information PII

Answer and explanation: PII. A specific student's grades are considered PII.

School Board Consent

Under state law, school boards must approve release of student data to third parties. Local policy clarifies that student data is limited to directory information, other than or in addition to name, and PII.

Is school board consent required to release student educational records under the following scenarios?

1. You are using a new app that requires students to submit their names and email addresses to a third-party developer. Is approval required?

Yes No

Answer and explanation: Yes. Policy requires that any third-party receiving directory information, other than or in addition to student names, or PII must be approved by the school board. School boards are required to create a master list of all third parties who have been approved to receive student information. NDSBA advises consulting this list before submitting an information sharing request to the school board to avoid duplicative requests.

2. A parent requests names and addresses of all the students in your classroom for purposes of holding a classroom computer fundraiser.

Yes No

Answer and explanation: Yes. Policy requires that any third-party receiving directory information, other than or in addition to student names, or PII must be approved by the school board. School boards are required to create a master list of all third parties who have been approved to receive student information. We advise consulting this list before submitting an information sharing request to the school board to avoid duplicative requests.

3. You would like your students to complete a classroom survey on their opinions about e-cigarettes for your health class.

Yes

No

Answer and explanation: No. The survey is for classroom purposes only, and this information will not be shared with a third party.

When is Parental Consent Required to Release PII?

School districts are required to obtain parental consent to release PII unless an exception applies under FERPA. Such exceptions include, but are not limited to:

- a. In connection with a health or safety emergency under the conditions described in 34 C.F.R. 99.36;²⁵
- b. To a school official who has a legitimate educational interest in the education records if the following conditions are satisfied:
 - a. Access shall be limited to only information the school official has a legitimate need to know;
 - b. School officials shall use the information only for the purposes for which the disclosure was made and shall not redisclose the information to any other party without proper consent or legal authority;
 - c. Titles of individuals and entities considered school officials shall be included on the district's master list of individuals and entities having access to student information²⁶;
- c. To an organization conducting a study for the District to develop, validate, or administer a predictive test; administer student aid programs; or improve instruction so long as the organization has entered into a written agreement with the Board in accordance with law; if the organization is conducting a survey of students, the District shall ensure parents are notified in compliance with policy GCC and shall obtain parental consent, if applicable²⁷;
- d. To another school in which the student seeks, intends to, or is already enrolled²⁸; and

²⁵ 34 CFR 99.36

²⁶ 34 CFR 99.31(a)(1)

²⁷ 34 CFR 99.31(a)(6)

²⁸ 34 CFR 99.31(a)(2)

- e. To the parents of a student who is under 18 or a student who is over 18 and is a "dependent student" as defined in IRS Section 152²⁹.

Is parental consent required in the following scenarios?

1. A school board member contacts you to request documentation on a student disciplinary incident that led to suspension. The board member states that he needs this information to prepare to serve as a hearing officer at the student's expulsion hearing.

Is parental consent required to release this information? Yes No

Answer and explanation: Yes, based on the timing of the request. A school official must have a reasonable need to know to be granted access to PII. In this case, the school board member's request appears to meet this criterion; however, the school board member is not privy to this information from the student's education record prior to the expulsion hearing. All the facts should be presented during the hearing and expulsion decisions should be based solely on the facts as presented.

2. You are approached at the grocery store by the aunt of one of your students. She indicates that she helped her nephew prepare for his English exam and asks how he did.

Is parental consent required to release this information? Yes No

Answer and explanation: Yes. The student's aunt does not meet FERPA's definition of parent. Under FERPA, parent means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.

3. One of your students was the victim of bullying, and the victim's parents contact you to inquire about the outcome of the bullying investigation. They specifically want to know if the bully was disciplined. You received a copy of the investigation report and consequently know that the bully was suspended, and an expulsion hearing is currently being scheduled.

Is parental consent required to release this information? Yes No

Answer and explanation: Yes. FERPA does not permit you to inform the victim's parents about specific discipline given to another child except for information needed to protect the health and safety of other students or individuals.

²⁹ 34 CFR 99.31(a)(8)

4. You coach football, and one of your students is injured during practice. When first responders arrive, they ask you if the student has any known allergies or medical conditions.

Is parental consent required to release this information? Yes No

Answer and explanation: No. "If the educational agency or institution determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals."

End of Jamestown Public School District Exhibit FGA-E7

FGA- E8 - PARTIES APPROVED TO RECEIVE STUDENT DATA

Individual/Entity	Date of Board Approval	Reason requested (if applicable)	Parental Consent Required to Release
ACT		Assessments	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No FERPA exception applies
Associated Press		Student recognition	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No No, if directory information only; check for opt out requests
College Board (PSAT, SAT)		Assessments	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Consent provided when students register for exams directly through College Board
College recruiters			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Directory information only—check

Individual/Entity	Date of Board Approval	Reason requested (if applicable)	Parental Consent Required to Release
			for opt out requests
Comptroller General of U.S.		For audit or evaluation of federal or state supported education programs or for the enforcement of or compliance with federal legal requirements that relate to those programs	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No FERPA exception
EduTech			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception
Head Start		For enrollment purposes and providing special education services	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No FERPA exception
Healthcare providers		Health and safety emergencies; screening and developing IEPs, 504 Plans, and behavioral intervention plans; providing medication	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No No, in the event of an emergency; Yes, for all other reasons

Individual/Entity	Date of Board Approval	Reason requested (if applicable)	Parental Consent Required to Release
Law enforcement		Health and safety emergencies; school resource officers	X Yes X No No, In the event of an emergency: Yes for all other reasons
Medicaid		Medicaid school-based services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Military recruiters			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Directory information only—check for opt out requests
ND DPI	N/a, required by law		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
NDHSAA		Extracurricular participation	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No No, if directory information only—check for opt out requests; Yes

Individual/Entity	Date of Board Approval	Reason requested (if applicable)	Parental Consent Required to Release
			if PII is requested
North Dakota Center for Distance Education		Provision of educational services	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception
North Dakota Child Protective Services (state, local, and regional offices)		Child abuse/neglect reporting	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Exception under ND law
North Dakota Department of Career and Technical Education			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Exception under ND law
North Dakota Department of Health and local health units		Reporting significantly contagious and infectious disease as required by law	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Exception under ND law
North Dakota University System	N/a, required by law	NDCC 15.1-07-25.1	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Directory information only—check for opt out requests
Outside school districts		For enrollment and transfer purposes	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Individual/Entity	Date of Board Approval	Reason requested (if applicable)	Parental Consent Required to Release
			FERPA exception applies
Parents of an eligible student who is also a "dependent student" as defined in IRS Section 152 ³⁰		N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No FERPA exception applies
Pearson		Assessments	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No FERPA exception applies
PowerSchool	N/a, required by law	NDCC 15.1-07-33	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception
PTO		Communication with parents/ fundraising	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No Yes, if parent names will be released. No, if directory information only-check for opt out requests

³⁰ 34 CFR 99.31(a)(8)

Individual/Entity	Date of Board Approval	Reason requested (if applicable)	Parental Consent Required to Release
Renaissance Learning			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception
SLDs	N/a, required by law		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
State or federal court system		When the District initiates legal action against a parent/student or a parent/student initiates legal action against the District or to comply with a judicial order or lawfully issued subpoena	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No District must attempt to contact parents when releasing information under a court order or subpoena unless the court instructs otherwise
U.S. Department of Education		For audit or evaluation of federal or state supported education programs or for the enforcement of or compliance with federal legal requirements that	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No FERPA exception

Individual/Entity	Date of Board Approval	Reason requested (if applicable)	Parental Consent Required to Release
		relate to those programs	
U.S. Department of Justice		For audit or evaluation of federal or state supported education programs or for the enforcement of or compliance with federal legal requirements that relate to those programs	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No FERPA exception
Blackboard Connect		Alert notification system and District App	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception
Jamestown Dollar for Scholars		Scholarships	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No Depends on data requested
Jostens		Graduation vendor	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Directory information only—check for opt out requests

Individual/Entity	Date of Board Approval	Reason requested (if applicable)	Parental Consent Required to Release
James Valley Career and Technology Center, University of Jamestown, NDSCS, Lake Region and Dakota Colleges at Bottineau		Dual credit	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception
Jamestown Sun		Student recognition	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No No, if directory information only; check for opt out requests
KQDJ, KSJB, KFGO, KVOX, WDAY, Prairie Public Radio		Student recognition	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No No, if directory information only; check for opt out requests
Dakota Central, KCSI TV and KVLV TV		Student recognition	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No No, if directory information only; check for opt out requests

Individual/Entity	Date of Board Approval	Reason requested (if applicable)	Parental Consent Required to Release
E-Funds		Family payments	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception
ESG		Assessment	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception
Meal Plus		Meal Tracking System	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception
South East Education Coop.		Regional Education Association	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception
James River Special Education		For special education/disability services	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception
Dietrich, Neis		Student transportation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception
SAVVAS, McGraw Hill, McDougal Littell, Voyager Sopris, Spelling			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception

Individual/Entity	Date of Board Approval	Reason requested (if applicable)	Parental Consent Required to Release
City, Measure Up Live, IXL, Houghton Mifflin Harcourt, SeeSaw, Tears , FAST Bridge Assessment, Read 180, ConnectEd/2Inform, ND Reading Academy, NDSA/Measured Progress, Schoology, Renaissance Assessment, Visible Body, WIDA(EL Assessment) Google apps			
Lifetouch			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Directory information only—check for opt outs

FDH - STUDENTS IN FOSTER CARE

Definitions

This policy defines the following:

- *Foster care* as defined in 45 U.S.C. 1355.20 and NDCC 50-11-0.1(7).
- *School of origin* means the school in which a student is enrolled at the time of placement in foster care. If a student's foster care placement changes, the school of origin would then be considered the school in which the student is enrolled at the time of the placement change. Districts must ensure a student in foster care remains in the school of origin unless it is not in the student's best interest as determined as set forth herein.
- *Best interest determination* shall take into account all relevant factors, including, but not limited to, length of placement, student and/or student's parent(s) or guardian preference, safety issues, and the proximity to the school in which the student is enrolled at the time of foster care placement. Transportation costs must never be considered when determining best interest determination.
- *Immediate enrollment* means within twenty-four hours of the best interest determination. Enrollment must not be denied or delayed because documents normally required for enrollment have not been provided. The enrolling school must immediately contact a student's school of origin to obtain the relevant records, and the school of origin should immediately transfer those records.

Foster Care Student Point of Contact

The Board designates Jennifer Jung as the District Foster Care Point of Contact. This individual must perform all duties required by law to ensure the educational stability of a student in foster care.

Best Interest Determination

The District shall collaborate with state, local and tribal child welfare agencies, as applicable, and seek to eliminate barriers to school attendance for a student in foster care as defined by law³¹. When feasible and in the best interest of the student, as determined by the local child welfare agency (CWA), in collaboration with the District Foster Care Point of Contact and other key partners, as applicable, the student in foster care must immediately be enrolled in their school of origin and transportation must be provided in accordance with law.

³¹ <https://www2.ed.gov/about/inits/ed/foster-care/index.html>

When not feasible for a student in foster care to attend their school of origin, as determined by the local CWA, in collaboration with the District Foster Care Point of Contact and other key partners, as applicable, the student must be placed in a school that is in the best interest of the student. The local CWA shall submit such placement decisions to the foster parent or designated caregiver in writing.

If there is a difference of opinion regarding school placement between the District and CWA, the CWA shall be considered the final decision-maker.

Transportation

The District shall collaborate with state, local and tribal child welfare agencies, as appropriate, to implement a written transportation procedure by which prompt, cost-effective transportation will be provided, arranged and funded for a student to remain in their school of origin, when in their best interest, for the duration of their time in foster care.

Dispute Resolution

To the extent feasible and appropriate, when a dispute arises as to the best interest determination, the District must ensure that a student in foster care remains in their school of origin and promptly receives transportation in a cost-effective manner, pending resolution of the dispute. The District shall make reasonable efforts to collaborate with appropriate agencies and aggrieved parties to resolve the dispute at the local level as expeditiously as possible. The aggrieved party wishing to file an appeal of a determination shall notify the district's Foster Care Point of Contact and follow the dispute resolution procedure created by the state.

Foster Care Student Records

The District Foster Care Point of Contact shall maintain all best interest determination and transportation documents in the foster care student's educational record until there is a change in the student's situation, such as custodial care or new foster parents, or until permanent placement has been established.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FDH-BR1, Foster Care Student Transportation Plan
- FDH-BR2, Foster Care Student Transportation Dispute Resolution Procedure
- FDH-E1, Foster Care Student Best Interest Determination Form
- FDH-E2, Foster Care Student Transportation Plan

End of Jamestown Public School Policy FDHAdopted:10/1/2018 Amended 2/6/2023

FDH-BR1 - FOSTER CARE STUDENT TRANSPORTATION PROCEDURE

The Board has adopted the following transportation procedures to ensure collaboration with the state or the local child welfare agency (CWA) to ensure the educational stability of a student in foster care, including assurances that:

1. Foster care students remain in their school of origin, unless a determination is made that it is not in their best interest; and
2. When a determination is made that it is not in the best interest to remain in the school of origin, the child must be immediately enrolled in a new school.

Transportation Plan Process

1. A representative of the relevant CWA shall give clear notice to the District, as soon as practical, that a student in foster care needs, or may need, transportation to a district school that is the student's school of origin. Such notice may be given in writing or verbally directly to the district's Foster Care Point of Contact.

When a student's placement is outside of the boundary of their school of origin, the local CWA shall promptly notify and collaborate with the District to convene a best interest determination meeting.

2. When the District is notified that a student in foster care needs, or may need, transportation to a district school serving as the student's school of origin, the district's Foster Care Point of Contact, in consultation with others, will promptly³² take steps to determine best interest decision and establish an individualized transportation plan that addresses how transportation will be arranged, provided, and funded for the duration of time that the student is in foster care and attending the school of origin.

In the interim, the District and the local CWA must jointly develop and implement a plan to provide temporary transportation to ensure the student's educational stability.

The District must ensure that transportation is provided to a student in foster care even if transportation is not offered to non-foster care students.

- a. The District Foster Care Point of Contact shall establish and develop a transportation plan for the student in consultation with a representative of

³² No more than five days from when notice was given to the District that a student in foster care needs transportation is recommended.

the local CWA, appropriate district staff (e.g., Superintendent, Title I coordinator, school of origin transportation designee, coordinator for special education, McKinney-Vento liaison), representatives from another school district (if applicable), and may also include obtaining input from others who may be involved in education or other decision-making for the student, such as the foster parent or designated caregiver.

- b. Multiple factors will be considered and addressed in the best interest determination when determining transportation options for a student in foster care, including, but not limited to: safety of the foster care student and other students being transported; student age; length of commute; and distance. The cost of transportation must never be a factor when determining best interest determination. Information from the school of origin transportation designee about these factors will be provided so that the best interest determination will be comprehensive and will include consideration of cost-effective measures.

The following options must be considered to provide school of origin transportation:

- i. An existing bus route can be used;
 - ii. An existing bus route can be modified slightly to accommodate the new address;
 - iii. Specialized transportation offered to other students can be accessed, such as special education (IEP) or McKinney-Vento transportation;
 - iv. Existing special education transportation can be modified slightly to accommodate the new address;
 - v. Arranging transportation by the foster parent/designated caregiver to the school of origin or to a bus stop on a route to the school of origin;
 - vi. Coordinating with the district in which the student is living to provide transportation to the District boundaries or an existing bus stop within the District;
 - vii. Public transportation; and
 - viii. Walking within a reasonable walk zone (based on safety, disability, age, etc.)
- c. The transportation plan for the student must be in writing and include the following information (see FDH-E1):
 - i. Student name;

- ii. Contact information (address, phone and/or email)
 - iii. Current school district;
 - iv. A transportation strategy for providing transportation to and from the school of origin on school days, inclusive of identifying the method(s) of transportation, the person or entity responsible for providing the transportation, and if applicable, the person or entity who is responsible for making any specific arrangements that are necessary to the implementation of any mode of transportation;
 - v. To the extent applicable, a description of how the student's school-related transportation will be funded, particularly when the planned transportation involves additional costs as defined under applicable laws and regulations; and
 - vi. A communication protocol that the District, CWA, and other relevant persons, such as the student's foster parent or designated caregiver, may use in order to address any questions or concerns that arise with the transportation plan, including considering possible adjustments to the student's transportation plan, and any relevant changes in the student's placement or foster care status that are relevant to the transportation plan.
3. A student needing transportation to the school of origin must promptly receive transportation in a cost-effective manner and in accordance with the local CWA's authority to use child welfare funding for school of origin transportation.
- If there are additional costs incurred in providing transportation to maintain children in foster care in their schools of origin, the District will provide transportation to the school of origin if:
- a. The local CWA agrees to reimburse the District for the cost of such transportation;
 - b. The District and local CWA agree to share the cost;
 - c. The District agrees to pay for the cost of such transportation; or
 - d. The school of origin, local CWA, school of residence and/or placing CWA share the cost of such transportation.
4. The CWA in consultation with the District Foster Care Point of Contact and key partners, as applicable, shall make the best interest transportation determination for the student in foster care.

5. The CWA and/or the District Foster Care Point of Contact shall notify the foster parent or designated caregiver of the decision. If transportation to the school of origin is in the best interest of the student, the District Foster Care Point of Contact shall contact the school of origin transportation designee to make the necessary arrangements.

Transportation must be provided for the duration of the student's time in foster care as long as it continues to be in the student's best interest to remain in their school of origin. If a student exits foster care before the end of a school year, the transportation arrangement shall be maintained through the end of the school year to maintain the student's educational stability if possible.

Dispute Resolution

The District and local CWA shall make every effort to expeditiously reach an agreement regarding the method of transportation and/or the funding of any additional costs associated with providing such transportation to the school of origin for a student in foster care at the local level. If the District and local CWA cannot resolve a dispute about transportation method or cost, the aggrieved parties shall notify the district's Foster Care Point of Contact and follow the dispute resolution procedure adopted by the District (see FDH-BR2).

End of Jamestown Public School District Board Reg. FDH-BR1 Approved: 10-1-2018

FDH-BR2 - FOSTER CARE STUDENT TRANSPORTATION DISPUTE RESOLUTION PROCEDURE

Dispute Resolution Procedure

When there is disagreement between the District and the local CWA in determining the method of transportation and/or the funding of any additional costs associated with providing such transportation to the school of origin, the District will attempt to pursue the following dispute resolution procedures:

1. A meeting will be scheduled that involves the child welfare agency, District Foster Care Point of Contact and other key partners, as applicable, with each applicable school district. The parties shall attempt to self-mediate and resolve the dispute at the local level. By mutual agreement, the parties may involve a third party to act as neutral mediator in this process.
2. If the attempt to self-mediate and resolve the dispute is unsuccessful, or if all relevant parties mutually agree to proceed directly to this step, the aggrieved parties shall notify the District Foster Care Point of Contact and follow the dispute-resolution procedure created by the North Dakota Department of Public Instruction (NDDPI). The NDDPI shall be considered the final decision-maker. All agencies must comply with the final determination decision.

Interim Funding of Transportation

The District and the local CWA shall attempt to define a mutually-agreed-upon, interim funding arrangement that shall be implemented for a defined period of time so that the student can promptly receive transportation to the school of origin. In the absence of a voluntary interim funding arrangement, and in order to promptly provide transportation while a dispute is pending, the District will attempt to pursue an interim funding arrangement under which the District and the CWA that is responsible for the placement and care of the child shall each pay an equal share of the disputed additional costs of transportation on an interim basis until the funding dispute is resolved.

The final resolution of a funding dispute may require the full or partial reimbursement of funds that were expended under an interim arrangement for the costs of additional transportation during the intervening period of a funding dispute.

End of Jamestown Public School District Board Reg. FDH-BR2 Approved: 10-1-2018

FDH-E1 - FOSTER CARE STUDENT BEST INTEREST DETERMINATION FORM

Student's Name			State ID	
Gender		DOB	Grade	
Current School			Phone	
Case Manager			Phone	
Date of Meeting			Location	

Check all factors considered for ensuring school stability:

- | | |
|---|--|
| <input type="checkbox"/> Student's preference | <input type="checkbox"/> Individualized education plan |
| <input type="checkbox"/> Academic programs | <input type="checkbox"/> Academic growth/progress |
| <input type="checkbox"/> History of school transfers | <input type="checkbox"/> Length/distance of commute |
| <input type="checkbox"/> Attendance | <input type="checkbox"/> Peer relations |
| <input type="checkbox"/> Specialized instruction | <input type="checkbox"/> Sibling placements |
| <input type="checkbox"/> Permanency goals | <input type="checkbox"/> Safety concerns |
| <input type="checkbox"/> Program/activities of interest | <input type="checkbox"/> Section 504 |
| <input type="checkbox"/> Extra-curricular activities | <input type="checkbox"/> Language services |
| <input type="checkbox"/> History of foster placement | <input type="checkbox"/> Caretaker preference |

Determination:

The student shall remain in the school of origin unless a detailed explanation of the above factors suggests a change of placement is in the child's best interest.

- | | |
|--|---|
| <input type="checkbox"/> History of foster placement | <input type="checkbox"/> A change in school placement is needed |
|--|---|

If applicable, describe in detail why a change in placement was determined:

Supporting Documentation:

Report cards

504

Extra-curricular

Progress report

Correspondence

Achievement data

Discipline referrals

Health records/reports

IEP

Attendance Date

Other

Authorized Signatures:

Best Interest Determination Plan Attendance (Print Name)	Title or Relationship to Foster Child	Signature	A D (
			Y
			Y
			Y
			Y
			Y
			Y
			Y
			Y
			Y
			Y

End of Jamestown Public School District Exhibit FDH-E1

FDH-E2 - FOSTER CARE STUDENT TRANSPORTATION PLAN

Student's Name			State ID	
Gender		DOB	Grade	
Current School			Phone	
Case Manager			Phone	
Date of Meeting			Location	

Check all determined transportation options:

- | | |
|---|---|
| <input type="checkbox"/> Existing bus route | <input type="checkbox"/> Contracted transportation |
| <input type="checkbox"/> Modified bus route | <input type="checkbox"/> Public transportation |
| <input type="checkbox"/> Specialized transportation | <input type="checkbox"/> Foster parent/designated caregiver |
| <input type="checkbox"/> County car | <input type="checkbox"/> Agency vehicle |
| <input type="checkbox"/> District vehicle | <input type="checkbox"/> Other |

Transportation for the student will be provided in the following manner:

Check how all determined transportation is funded:

- | | |
|---|---|
| <input type="checkbox"/> | <input type="checkbox"/> LEA and CWA agree to share the costs |
| <input type="checkbox"/> CWA agrees to pay | <input type="checkbox"/> School of origin and other district agree to share costs |
| <input type="checkbox"/> LEA agrees to pay | <input type="checkbox"/> Other |
| <input type="checkbox"/> Eligible under Title IV-E | |
| <input type="checkbox"/> CWA agrees to reimburse foster parents | |

If applicable, describe in detail the cost sharing arrangement:

- Dispute resolution: The local CWA and District cannot resolve transportation mode or cost.

This transportation arrangement will be maintained through the end of the school year in order to maintain the student's educational stability.

All questions or changes to the plan must be directed to Jada Anderson, the District Foster Care Point of Contact, at 615 6 Avenue SE, Jamestown, North Dakota, 58401, 701-252-1679 or Jada.J.Anderson@k12.nd.us

Authorized Signatures:

Transportation Plan Attendance (Print Name)	Title or Relationship to Foster Child	Signature

Descriptor Code: FEA

FEA - ADULT EDUCATION

The Superintendent of Schools has final authority to approve or disapprove all adult education courses offered by the District or the James Valley Multi-District Career and Technology Center.

FEB - GUIDANCE PROGRAM

Guidance is an important, personalized aspect of the educational program. To ensure that this service is provided to all students, a guidance program will be established in each school. The goal of each program will be to provide activities and experiences that will help all students work toward a realization of their potential.

While counselors will continue to have primary responsibility for the delivery of guidance services, others will share in this task. Teachers, other staff members, and parents and community personnel should work as a team to serve the guidance needs of the student body. In the process of applying this team effort, the priorities of students and their parents must receive primary consideration.

Included in the guidance program will be individual and group activities that will help students develop positive relationships with others, improve their understanding of self in terms of interests, abilities, achievements, and values, and formulate educational and career plans. Learning decision-making skills and becoming proficient in their use are essential to the student and should be a component of the guidance program.

The principal and/or vocational director will be responsible for the development, implementation, and evaluation of the guidance program.

Legal Ref:

NDCC 31-01-06.1

FEE - STUDENT ORGANIZATIONS

Recognition of Curriculum Clubs and Non-Curriculum Clubs function to enhance the participants' educational experience and supplement the course materials within the educational program of the schools. The activities of these organizations should bear a clear relationship to the regular curriculum.

CURRICULAR CLUBS:

CRITERIA:

Curricular clubs are defined as clubs whose activities meet one (1) or more of the following criteria:

- The subject matter of the club is or will be taught as a primary topic in a regularly offered course;
- The subject matter relates to the District's composite courses of study;
- Participation is required for a particular course; or
- Participation results in academic credit.

Curricular club activities may be conducted on or off school premises under the supervision and guidance of a staff advisor.

Participation curriculum clubs cannot be denied on the basis of a student's race, color, religion, sex, sexual orientation, national origin, age, mental or physical disability, gender expression/identity, genetic information or status with respect to marriage or public assistance or status in any group protected by federal, state or local law.

Membership in school-sponsored student organizations shall be voluntary and shall be open to and limited to all students currently enrolled in the school and home-schooled students living in the District. Membership shall be granted in a nondiscriminatory manner, consistent with the district's nondiscrimination policy; however, organizations may establish qualifications based on gender only where necessary to preserve the health, safety, or welfare of students, or where gender is a bona fide and integral qualification for the activities of the organization. These organizations may also establish academic qualifications for membership where necessarily related to the purposes of the organization.

Curriculum Clubs shall comply with the purchasing policy of the District and may not extend the credit of the District. Failure to comply with these provisions shall be grounds for revocation of recognition.

NON-CURRICULAR STUDENT CLUBS:

Non-Curricular student clubs are defined as clubs whose activities do not meet the criteria listed above for curricular clubs.

The Jamestown Public Schools allows non-curriculum students clubs to meet on school premises during non-instructional time. These clubs may use the name of the school when it is required or necessary to distinguish it from other such clubs in relation to competitions or other types of events. The use of the school name is not intended to show the club falls under the control, supervision, direction, guidance or sponsorship of the Jamestown Public Schools. Fiscal accounts of non-curriculum clubs are not controlled or accounted for by the District.

The Jamestown Public Schools allows non-curriculum student clubs to use District facilities for meetings in accordance with Rental of School Facilities Policy (ABBB)

CRITERIA:

- The proposed club is initiated by students;
- Attendance at meetings is voluntary;
- No agent or employee of the District will attend meetings (except those assigned to attend in a custodial capacity), or participate in club meetings or activities during their normal working hours, or during the hours s/he is functioning as a staff member.
 - a) The school principal may assign a staff member to attend and supervise a non-curriculum student club in a custodial capacity as necessary.
 - b) District employees or agents of the District may participate in non-curriculum student clubs, but may only do so before or after their normal working hours. At no time shall District employees or agents represent, either expressly or impliedly, that the non-curricular club is sponsored by the Jamestown Public Schools. If a district employee or agent attends a non-curriculum club meeting during non-working hours, the employee or agent may not act as the custodial supervisor for the club. In such cases the Principal shall assign another staff member to act as the custodial supervisor during meeting or activities on campus.

OPERATING GUIDELINES:

- Meetings may not materially or substantially interfere with the orderly conduct of instructional activities in the school.
- Activities or conduct that are illegal or pose a risk of harm to persons or property are expressly prohibited and will result in a denial of access to school district facilities.
- The principal may take such actions as may be necessary to maintain order and discipline on school premises and to protect the safety and well-being of students and staff members.
- Schools retain the right to exclude groups that are directed, conducted, controlled, or regularly attended by non-school persons.
- Non-curricular clubs may advertise meetings and activities in the following ways;
 - a) Posters: Non-curricular students clubs will be allowed post meeting notifications on the academic floor and office bulletin board with prior approval from the principal that may include the name of the club and the time, date, and location of club meetings on a poster no larger than 8 1/2" x 11" (text only, no picture or illustrations)/ Posters shall be given to the building principal or designee for posting.
 - b) Daily Announcements: Non-curricular student clubs will be allowed to announce dates and times of club meetings three(3) items within a week before the next meeting.
 - c) Distribution of Materials: Non-curriculum student clubs will be allowed to distribute materials only at their meetings to students who are in attendance.
 - d) School sponsored Social Media: Each school shall maintain and post on the building's website a list of curriculum and non-curriculum clubs.

CLUB RULES:

An approved non-curriculum club meeting on school premises shall be provided the same rights and access and shall be subject to the same administrative procedures that govern the meetings of student organizations sponsored by Jamestown Public Schools, except as provided by this policy.

Participation in a student-initiated non-curriculum club must be available to all students who wish to attend and cannot be denied on the basis of a student's race, color, religion, sex, sexual orientation, national origin, age, mental or physical disability, gender expression/identity, genetic information, or status with respect to marriage or public assistance, or status in any group protected by federal, state or local law.

The Jamestown Public Schools will not permit the use of school facilities by non-curriculum students clubs during instructional hours. During non-instructional time, however, no group of students, regardless of the size of the group, will be denied an opportunity to meet on the basis of the religious, political, philosophical, or other content of the activity.

Non-curriculum club fiscal accounts are not controlled or accounted for by the District.

Staff members acting in a custodial supervisory role shall not participate in the activity, but may be compensated for their time. No instructional staff member shall be assigned to supervise a non-curriculum club if such assignment is contrary to his/her beliefs. For the purposes of this policy, "custodial capacity" means the assigned staff member is present to protect District property, during student-initiated non-curriculum club meetings. Custodial supervision shall only be provided for meetings on District-owned property. The District is not responsible for custodial supervision when the activities of a non-curriculum club takes place off school property.

PRINCIPAL DETERMINATION:

Each School will provide an application form for club formation. The school principal will review each request to establish a club. After review, the principal shall designate the club as either "curricular or "non-curricular".

Activities regulated by NDHSAA together with intramural activities are not subject to this policy.

End of Jamestown Public School District Policy FEE.....Adopted: 3/21/2016

FEE-E - CLUB APPLICATION

1. Information about the individual completing the application.

Name: _____

Email Address: _____ Phone Number: _____

2. Name of the proposed club: _____

3. Name of the individual(s) who will coordinate and run the proposed club.

Name: _____

Name: _____

4. General description/activities of the proposed club.

5. Goals of the proposed club.

6. Description of area(s) students need to meet in (classroom, gym, etc.)

7. Description of when and how often the club intends to meet.

8. Description of any fundraising activities planned for the proposed club.

FF - STUDENT CONDUCT & DISCIPLINE

Conduct Standards

Students will be expected to conduct themselves in a manner fitting their age level and maturity, in a manner that will not impede on the orderly conduct of district schools, and will be expected to respect the rights of others on district property, including, but not limited to, district owned/leased/chartered vehicles, at school-sponsored events, and off-campus when student conduct has or is reasonably predicted to have a substantially disruptive effect on district operations and/or the educational environment.

Disciplinary Standards

Consequences for misconduct will be fair and developmentally appropriate in light of the circumstances. The Superintendent shall develop age-appropriate disciplinary standards in consultation with principals and other applicable district personnel. In addition, the Superintendent shall develop administrative regulations to assist administrators/their designees with investigating potential conduct violations.

Disciplinary policies, procedures, and guidelines need not be identical in content district wide but must:

1. Be identical in content for all district elementary schools;
2. Be identical in content for all district middle schools;
3. Be identical in content for all district high schools.

Disciplinary Standards for Special Education Students

District employees are required to comply with the Individuals with Disabilities Education Act when responding to violations of student conduct standards by special education students.

Prohibited Disciplinary Actions

The Board recognizes that reasonable physical force may occasionally be necessary to guard the safety and well-being of students or employees or to deliver a student to an administrator's office; however, the use of corporal punishment, defined as the willful infliction of physical pain on a student, is not allowed in the Jamestown Public School District. Corporal punishment does not include action taken by an employee for self-defense, protection of persons or property, obtaining possession of a weapon or other dangerous object, to quell a verbal disturbance, for the preservation of order, or pain or discomfort caused by athletic competition or recreational activities voluntarily engaged in by a student.

Complaints alleging that a district employee inflicted corporal punishment will be dealt with in accordance with school board policy on personnel complaints.

Disciplinary Authority

Regulations on disciplinary standards and investigation procedures shall delineate the degree of disciplinary authority that the District shall grant to teachers and principals.

Other school personnel shall be granted disciplinary authority by the principal on a case-by-case basis based on the nature and scope of the employee's duties. Personnel granted such authority shall be required to comply with this policy and any disciplinary authority limits established by regulations. Employees unauthorized to administer student discipline shall report student misconduct to the appropriate school authority.

Any district employee who acts outside the scope of his/her assigned level of disciplinary authority may be subject to disciplinary action, including but not limited to, discharge from/termination of employment in accordance with law and/or the negotiated agreement.

Complementing Policies

- FF-AR, Student Conduct Standards & Disciplinary Procedures
- FF-E, Examples of Student Conduct Violations
- KACB, Patron Complaints About Personnel

End of Jamestown Public School District Policy FF Adopted:

FFA - STUDENT ALCOHOL & OTHER DRUG USE/ABUSE

(amended 4-17-17)

Philosophy

The Jamestown Public School District shall strive to provide a learning environment that is safe, drug free, and conducive to learning. This policy is designed to help eradicate the influence of drugs and alcohol within the school environment, promote awareness and health, and protect students in the school environment by imposing consequences for drug and alcohol related violations.

Prohibited Activities

It shall be against school policy for any student to:

1. Sell, deliver, or give, or attempt to sell, deliver, or give to any person any of the substances listed in this policy or sell, deliver, or give, or attempt to sell, deliver, or give to any person substances the student represents or believes to be a substance(s) listed in this policy.

2. Possess, procure, purchase, or receive, or to attempt to possess, procure, purchase or receive the substances listed in this policy or what is represented by or to the student to be any of the substances listed in this policy or what the student believes is any of the substances in this policy. A student will be determined to be "in possession" when the substance is on the student's person or in the student's locker, car, handbag, or when s/he owns it completely or partially.
3. Be under the influence of (legal intoxication not required), use, consume or attempt to use or consume the substances listed in this policy or what is represented by or to the student to be any of the substances listed in this policy or what the student believes is any of the substances in this policy.
4. Knowingly or intentionally aiding or abetting in any of the above activities.

This policy applies to any student who is on school property, who is in attendance at school or at a school-sponsored activity or whose off-campus conduct is reasonably predicted to substantially disrupt the operations of the school district, district safety, or welfare of students or employees.

Prohibited Substances

1. Alcohol or any alcoholic beverage;
2. Any controlled substance or dangerous drug as defined by NDCC Sections 19-03.1-05 through 19-03.1-13 and 19-03.1-26 (paraphernalia) or as defined by Section 812, Schedules I-V, of Title 21, United States Code, Section 801, et seq.,

including but not limited to marijuana, any narcotic drug, any hallucinogen, any stimulant or depressant, and all other illicit drugs;

3. Any glue, aerosol paint, or any other chemical substance used for inhalation;

4. Any prescription or non-prescription drug, medicine, vitamin or other chemical including, but not limited to aspirin, other pain relievers, stimulants, diet pills, multiple or other type vitamins, pep pills, "no-doze" pills, cough medicines and syrups, cold medicines, laxatives, stomach or digestive remedies, depressants, sports or muscle-building supplements, and sleeping pills not administered and/or taken in accordance with appropriate consent and authorization from parents, school administration and if applicable a health care provider.

The District has a separate policy dealing with tobacco use.

Reporting Violations

A student or staff member that has reason to believe that a student has violated this policy should notify a school official (i.e., a teacher or administrator if the reporter is a student; a school administrator if the reporter is a district staff member). Except in limited circumstances under law, a teacher is required to report known or suspected violations of this policy to the school principal.

Violation

When a principal/Superintendent has reasonable suspicion that a student has violated this policy, s/he may search the student in accordance with the district's policy on searches of students' personal property.

Disciplinary sanctions will be imposed on and additional actions may be taken (as listed below) in response to, any student violation of this policy. These sanctions may include suspension or expulsion, intervention (as described below), and notification of proper authorities for prosecution. Prohibited substances will be confiscated and illegal substances will be turned over to law enforcement authorities.

Any student who is observed to be under the influence of a prohibited substance will be taken immediately to the principal's office. The student's parents will be notified and asked to pick up the student. If there appears to be imminent danger to other students, school personnel, and/or the student involved, the principal may have the student removed from the school by school, medical, or law enforcement personnel.

Intervention

It is acknowledged that the public school has neither the authority nor the responsibility to make medical or health determinations regarding chemical dependency; however,

when observed behavior indicates that a problem exists that ~~which~~ may affect the student's ability to learn or the educational climate of the school, the school has a right and a responsibility to refer the student for a formal chemical dependency diagnosis. The Superintendent shall develop a procedure for chemical dependency identification and referral for treatment.

Referral for treatment shall be a constructive not punitive action; however, use of the treatment program shall not override or prohibit the District from taking disciplinary action for violations of this policy.

The school will make a reasonable effort to cooperate with a therapy program if one is recommended for the student. The School will have the option of requiring that the student attend. The Board believes that if a student is involved in a chemical dependency program and is successfully addressing his/her harmful involvement with chemicals, s/he may continue in the regular school setting and continue to participate in any extracurricular program unless participation is in conflict with rules and regulations set forth by the Board and the North Dakota High School Activities Association and/or the student has been suspended or expelled as a result of a district policy violation.

The school may, through the use of available resources, provide follow-up counseling and supportive assistance to those students who return after successfully completing a therapeutic regimen, realizing that the student may need assistance in dealing with other environmental factors beyond the school's control which may remain unchanged.

Confidentiality

The District shall maintain the confidentiality of students referred for counseling and chemical dependency treatment in accordance with the district's policy on counseling records.

Education

This District will teach about drugs and alcohol in an age appropriate developmentally based education and prevention program in every grade in accordance with law. This program will include information about drug and alcohol counseling and rehabilitation programs available to the students.

In addition, the District will conduct staff orientation and training on drug and alcohol prevention, including a periodic overview of this policy and its procedures for implementation. The District will also provide parent and community education on the topic of drug and alcohol prevention.

Policy Implementation

Student handbooks shall contain a statement of sanctions required concerning the possession, use, or distribution of drugs and/or alcohol.

The Jamestown Public School District will review this policy and its implementation periodically to ensure that disciplinary sanctions are consistently applied and to determine the effectiveness of the program for the prevention of alcohol and other drug use/abuse.

FFA-AR - ALCOHOL & OTHER DRUG INTERVENTION PROCEDURE

The District encourages faculty members to be observant of student behavior and to participate in a program of intervention. Faculty members may use the record of observable behavior to determine whether or not behavior should be reported.

If the faculty member decides that the behavior indicates a possible prohibited activity, the student should be:

1. Reported to the principal and taken immediately to the principal's office.
2. Referred to the school counselor.

If the principal/Superintendent has reasonable suspicion that the student is under the influence, the student's parents will be notified and asked to pick up the student. If there appears to be imminent danger to other students, school personnel, and/or the student involved, the principal or Superintendent may have the student removed from the school by school, medical, or law enforcement personnel.

If the counselor, principal, or Superintendent believes that the student is indeed in need of intervention assistance, the counselor, principal, or Superintendent may call the student in for a conference. If the counselor calls this meeting, s/he shall notify the building principal of this conference. The student's parents shall be notified of this conference. Parents shall be requested to attend the conference. The counselor and building principal shall be required to attend and may receive assistance from a certified addiction counselor in how to confront students.

If, after conferring with the student, parent, and administration, the counselor believes that there is a probability that the student may be experiencing a drug or alcohol problem, the student and the student's parent(s)/guardian will be told that it is necessary that the student receive a formal chemical dependency diagnosis.

End of Jamestown Public School District Administrative Regulation FFA-A.Adopted4-17-17

FFB - ATTENDANCE & ABSENCES

North Dakota law contains compulsory attendance requirements for students ages seven through sixteen. In order to comply with and enforce these requirements, the Board establishes the following attendance policy.

Section I: Definitions

- A. For purposes of compulsory attendance reporting under NDCC 15.1-20-02.1 (1-2):
- *Excused absence* is an absence that the District will not use in determining if a compulsory attendance violation occurred. Any absence may be excused if it is supported by either a verbal or written excuse supplied by the student's parent, teacher, or school administrator.
 - *Unexcused absence* is any absence not supported by the verbal or written excuse required for an excused absence.
- B. For the purposes of imposing academic disciplinary sanctions under Section III of this policy as authorized by NDCC 15.1-20-02.1(3):
- *Approved absence* is an absence that the District believes is necessary and/or unavoidable and has received administrative approval. Necessary and/or unavoidable absences may be caused by illness, injury, family emergency, religious observance or instruction, suspension, participation in a school-related activity, court appearances when subpoenaed, or other reasons deemed necessary and/or unavoidable by the building principal or Superintendent. Students granted approved absences shall not be subject to the consequences contained in Section III of this policy. The Superintendent or designee shall develop criteria for requesting and granting an approved absence and shall establish make-up work requirements.
 - *Unapproved absence* is defined as an absence that does not meet the above criteria for approved absences. If a student is absent for an unapproved reason, the parent/guardian shall still be responsible for calling the principal's office to explain the absence, and the student will be subject to the consequences contained in Section III of this policy.

Section II: Documentation Requirements

School administration may require applicable documentation to verify an excused or approved absence, including, but not limited to:

1. Medical documentation from an appropriate licensed healthcare provider;
2. A copy of a court summons or subpoena;

3. An obituary for funeral leave;
4. Verification of planned or executed family travel (e.g., a boarding pass);
5. A request from an official at the student's place of worship;
6. A request for an absence due to a curricular or extracurricular event submitted by the student's teacher, coach, or extracurricular advisor.

Section III: Accumulated Unapproved Absence

The Board believes that unapproved absences are a form of misconduct and authorizes the Superintendent to establish grade-appropriate disciplinary consequences. Students will be afforded appropriate due process rights based on the severity of the disciplinary penalty that the District is considering imposing. Students shall be required to complete make-up work in accordance with administrative regulations.

Compulsory Attendance Violations

North Dakota law defines what constitutes a compulsory attendance violation. Suspected violations of the compulsory attendance law shall be reported to school administration and investigated in accordance with law. When a compulsory attendance violation is substantiated, the District shall comply with law enforcement reporting requirements under law.

Dissemination

This policy shall be published in all student handbooks.

End of Jamestown Public Schools Policy FFB Adopted:2-6-2017

FFC - BUS CONDUCT

The District has disciplinary authority over students while being transported in district owned, leased, and/or contracted vehicles to and from school and during school-sponsored curricular and extracurricular events. The Superintendent shall determine the level of disciplinary authority that shall be given to school vehicle driver and develop regulations for handling student misconduct on school vehicles.

Conduct Requirements

Students shall be required to abide by all applicable district conduct and safety policies while in district vehicles. The Superintendent or designee may develop additional, specific regulations related to conduct in school vehicles.

Violations

Students who violate any of these policies or rules may be subject to the consequences contained in applicable student discipline policies.

When the conduct of a disabled and/or special education student transported in a school vehicle poses a transportation safety risk or when the conduct otherwise violates policy to the extent that it compels the District to reconsider the student's transportation arrangements, prior to making a removal decision, the District shall determine the following:

1. If transportation is part of the student's 504 Plan and/or Individual Education Program (IEP).
2. If removal would constitute a removal from the education program as determined by the following factors:
 - a. There is a significant distance between the student's home and school.
 - b. There are no alternative means of public or private transportation.
 - c. The school has not made appropriate arrangements to provide for the student's education.

If criteria one or two above is applicable, the 504/IEP Team will develop an alternative means of providing transportation to the disabled and/or special education student in accordance with federal law and regulations or will treat such student's removal from school transportation as suspension from the educational program and will follow the procedure for suspension contained in the district's suspension/expulsion policy and in federal regulations.

Complementing policies:

- FCBB, Student Transportation Safety & Supervision
- FFC-AR, Bus Conduct Regulations

- FF, Student Conduct & Discipline
- FF-AR, Student Conduct Standards & Disciplinary Procedures
- FFK, Suspension & Expulsion
- FFK-BR, Suspension & Expulsion Regulations
- FFK-E2, Suspension & Expulsion of Special Education Students

End of Jamestown Public School District Policy FFCAdopted:2-18-2019

Descriptor Code: FFC-AR

FFC-AR - BUS CONDUCT REGULATIONS

When a student behaves improperly on a bus, the bus driver shall document the incidents and report them to the Bus Contractor Service Management and the building principal. The Bus Contractor Manager or principal will notify the parents immediately of the misconduct and request their cooperation in correcting the student's behavior. Students who become a serious disciplinary problem on the school bus may have their riding privileges suspended by the Bus Contractor Service Management in consultation with the building principal. This suspension of riding privileges shall not exceed the balance of the school year. In such cases, the parents of the student involved become responsible for seeing that their student gets to and from school safely.

End of Jamestown Public School District Administrative Regulation FFC-AR

FFD - POSSESSING WEAPONS

Definitions

This policy defines the following:

- *Dangerous weapon* means, as defined in 18 U.S.C. 930(g)(2), a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length.
- *Firearm* means, as defined in 18 U.S.C. 921, (1) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (2) the frame or receiver of any such weapon; (3) any firearm muffler or firearm silencer; or (4) any destructive device. The term does not include an antique firearm.
- *School property* is as defined in NDCC 15.1-19-10(6)(c) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.

Prohibitions

Students are prohibited from possessing on school property or at a school function a firearm, dangerous weapon, or any object that is used, attempted to be used, or threatened to be used to intimidate or cause bodily harm.

Disciplinary Consequences

Violation of this policy will result in disciplinary action up to and including suspension or expulsion.

Bringing a firearm to school will require that the District immediately suspend the student and initiate proceedings for the expulsion of the student involved for a minimum of one calendar year in accordance with the District's suspension and expulsion policy. The Superintendent may modify the length of a firearms-related expulsion to less than one calendar year on a case-by-case basis based on the following criteria:

- The totality of the circumstances, including the severity of the incident and the degree of endangerment of other students and staff.
- The age and grade level of the student.
- The prior disciplinary history of the student being expelled.
- Relevant factors that contributed to the student's decision to possess a firearm in violation of this policy.
- The recency and severity of prior acts resulting in suspension or expulsion.

- Whether or not the optional provision of educational services in an alternative setting is a viable alternative to modifying the duration of the expulsion.
- Input, if any, provided by licensed professionals (psychologists, psychiatrists, counselors) as to whether or not the expelled student would place themselves or others at risk by returning to the school prior to the expiration of the expulsion period.

Any modifications of the one calendar year expulsion period must be documented in writing.

Dangerous weapons will be confiscated and may be turned over to the student's parents or to law enforcement officials at the discretion of the administration. Firearms will be confiscated and turned over to law enforcement.

The District must refer any student who possesses a firearm on school property or a school function to the criminal justice or juvenile delinquency system.

Special Education Students

A student who is defined as having a disability under the Individuals with Disabilities Education Act (IDEA) who possesses a firearm or dangerous weapon on school property or at a school function shall be handled in accordance with IDEA regulations. The District shall make manifestation determinations, disciplinary decisions, referral decisions, and placement decisions of such students in accordance with IDEA regulations.

Non-applicable Provisions

This policy does not apply to students enrolled and participating in a school-sponsored shooting sport, provided that the student informs the school principal of the student's participation, and the student complies with all requirements set by the principal regarding the safe handling and storage of the firearm. The principal may allow authorized persons to display dangerous weapons or look-a-likes for educational purposes. Such an approved display will be exempt from this policy.

A student who finds a firearm or dangerous weapon on the way to school, on or in school property or at a school function or discovers that they unknowingly have a firearm or dangerous weapon in their possession may not be considered to possess it if they immediately turn it over to an administrator, teacher or head coach or notify an administrator, teacher, or head coach of its location.

Reporting

The District shall annually report compliance with all state expulsion requirements to the Department of Public Instruction. Each incident in which a student is found to have possessed a firearm on school property or at a school function must be reported as an infraction, even if the Superintendent elects to modify the required expulsion period or

impose no penalty. Any incidents in which a student covered by the provisions of the IDEA possesses a firearm or dangerous weapon on school property or at a school function must also be included, even if it is determined that the incident is a manifestation of the student's disability and that the penalties should be modified or not imposed. Any modification of the one-year expulsion requirement must also be reported.

Complementing Policies:

- FFK, Suspension and Expulsion
- FFK-BR, Suspension and Expulsion Regulations
- FFK-AR1, Suggested Procedure for Conducting an Expulsion Hearing
- FFK-AR2, Suspension and Expulsion for Special Education Students

End of Jamestown Public School District Policy FFD Adopted:9/5/2017 Amended 3/18/024

FFE - EXTRACURRICULAR PARTICIPATION REQUIREMENTS

Philosophy

The Board believes that participation in extracurricular activities constitutes a privilege and not a right. Students who participate in extracurricular activities represent the student body, school district, and community on the state and national level. As such, behavior of these students is a reflection on the entire community.

The District will enforce the requirements placed on extracurricular participants by North Dakota law and the North Dakota High School Activities Association (NDHSAA), which govern both on- and off- campus behavior. In addition, the Board has established the following extracurricular participation requirements.

Activities Affected by this Policy

Activities affected by this policy shall include extracurricular activities as listed in the student handbook, including those not sponsored by NDHSAA.

Academics

NDHSAA requires that local districts establish a definition of what constitutes a failing grade. For the purposes of this policy, a failing grade is defined as receiving a letter grade F or lower in any curricular course as computed from the beginning of the semester for regular education students or, in the case of special education students, not meeting the goals of Individual Education Programs as assessed from the beginning of the semester.

In addition to NDHSAA academic standards, the Jamestown Public School District also requires that no student may participate in a contest if they fail more than one class as computed from the beginning of the semester.

Violation of Other Misconduct Policies

Students who violate student conduct policies not covered by NDHSAA bylaws may be subject to suspension from extracurricular activities for a period of up to six consecutive weeks for the first offense and a period of eighteen weeks for any subsequent offense(s) if occurring within eighteen weeks of the previous offense. Such consequences shall be imposed in addition to other disciplinary consequences imposed under the applicable policy.

Suspension Procedure

When the principal or Superintendent, as a result of their investigation, concludes that a violation of this policy or NDHSAA bylaws has occurred, they shall issue notice to the student of this suspension.

Practice and Travel while Suspended

Students who are under suspension are encouraged to practice and travel with their respective teams. However, suspended students will not be allowed to miss school time to travel with the team.

Period of Enforcement

This policy shall be in effect 12 months per year, including those days and months when school and extracurricular activities are not in session. It shall be in effect for all extracurricular activities including those of junior high students.

Accumulation of Violations

A student's record of violations of this policy shall be cumulative commencing with promotion from grade eight to grade nine and concluding upon their graduation or completion of any school-sponsored activity extending beyond graduation (e.g., state track meet).

Off-Season Violations

In addition to the penalties delineated in this policy, in the event the suspension is administered during a season when the student is not actively participating (e.g., summer for all students, fall for a student participating in track), the student's suspension shall be extended to include a minimum of a two-week or two-contest suspension (whichever is more severe) from the student's next activity. "Next activity" shall be defined as the next activity in which the student begins practicing at the appropriate date and concludes at the end of the season (i.e., does not start and quit). Should the student's next activity not be until the following school year, the two-week or two-contest rule will be applied at that time.

Complementing Policies

- FF, Student Conduct & Discipline
- FFE-AR, Meals for Students Participating in Extracurricular Activities
- FFE-AR2, Athletic Physicals
- FFK, Suspension & Expulsion
- FFK-BR, Suspension & Expulsion Regulations
- GCBA, Grading

End of Jamestown Public School District policy FFEAdopted:2-20-2017Amended 4/4/2022

Descriptor Code: FFE-AR1

FFE-AR1 - MEALS FOR STUDENTS PARTICIPATING IN EXTRACURRICULAR ACTIVITIES

Jamestown Public School Board strongly supports a quality extracurricular program for students in the Jamestown Public Schools. However, the provision for meals when students are participating in extracurricular activities is the responsibility of parents.

End of Jamestown Public School District Administrative Regulation FFE-AR1...2-20-2017
Amended 4/4/2022

Descriptor Code: FFE-AR2

FFE-AR2 - ATHLETICS PHYSICALS

No student may start practice for any athletic team until he or she has been examined and approved by a medical doctor and until a current medical release from the doctor and written consent from the parent(s) are on file in the District.

End of Jamestown Public School District Administrative Regulation FFE-AR2....2-20-2017

FFE-AR3 - PARTICIPATION FEES

The School Board's intent is to assure that everyone has the opportunity to participate in school activities and athletic programs.

Participation fees will be reduced based on a family's free and reduced lunch application form.

To qualify for reduced participation fee, the following criteria will apply:

- Parents must sign a waiver form releasing their child's free and reduced lunch information to administration:
 - Based on the reduced lunch application, participation fees will be discounted 30%
 - Based on a free lunch application, participation fees will be discounted 60%

Driver's education, activity tickets, activity passes, graduated seniors for summer school, and transportation fees are not a part of reduced fees. If special arrangements need to be made, visit with your building principal.

FFE-AR4 - SCHOOL ACTIVITIES CODE OF CONDUCT POLICY

Jamestown Public School District follows the North Dakota High School Activities Associations regulations and guidelines in addition to the District's policy regarding the code of conduct. This policy is in effect for all 9th -12th grade students. An 8th grade student becomes a 9th grade student immediately after their last day as an 8th grade student.

Attendance:

Participants in the Jamestown Middle School/Senior High School activities program must be in attendance for all regular classes on the day of a game, practice, or performance.

The following examples will help to clarify this policy:

- a. A student misses school the day of a game due to illness. The student would not
- b. be allowed to play or practice that same day.
- c. Students must be making satisfactory progress towards graduation. Failure to acquire two and one half credits at the end of a semester will make student ineligible for a minimum of two weeks the following semester.
- d. A student is present during morning classes, but goes home during the day because of illness. The student would not be allowed to play/practice on that day.

It is essential that students who participate in activities maintain their very best attendance records. Excuses will be accepted for doctor appointments and/or emergencies, if approved by administration and coaches.

Infractions of any school rule which result in a student being suspended from school will also cause that student to be ineligible to practice or participate in activities for the period of suspension.

Examples of Infractions that Cause Ineligibility:

Use of tobacco, alcohol, controlled substance and possession drug paraphernalia. The use or possession of tobacco, alcohol, controlled substances as defined in North Dakota law and the possession of drug paraphernalia is prohibited.

- a. All eligibility suspensions will start at the time of notification. In addition, the violator will be suspended for two weeks from the first authorized scheduled event/contest of the individual's respective activity. If not currently participating in an activity. Example: Student has alcohol violation in September but does not participate in any activity until spring. Student serves the 6 or 18 week suspension starting the date in which the school has been notified of the violation and then serves a two week suspension from the first authorized date of competition for the spring activity. If student chooses to participate in a school activity not previously participated by the student, the student MUST remain on the roster of the activity(ies) for the entire season otherwise the two week rule will still apply to the next activity season.
- b. Any student participating in extra-curricular activities who turns eighteen during the school year shall continue to be subject to the school activities eligibility policies notwithstanding the legal status accorded the individual under state law. Acts which may be legal under state law for eighteen year old students may still be violations of school policy/regulations students violating school policies/regulations shall be subject to sanctions under school policies and procedures.
- c. A student shall, upon his or her eighteenth birthday sign a new "Acknowledgment of Receipt of the Activities Guide for Parents and Students Handbook" form. The student shall not be allowed to nor shall the student be eligible to participate in any extra-curricular activity unless and until he or she has submitted to the Activities Director a signed copy of the acknowledgment executed after turning eighteen years of age. It shall be the student's responsibility to obtain the form and submit it. The consequences for the failure to comply with this provision may be imposed by the Athletic Director at any time the fact that the student has turned 18 and has failed to comply with this provision comes to the Athletic Director's actual knowledge.
- d. Violation of any of the above foregoing eligibility provisions, including but not

limited to, the use of tobacco products by a student who is eighteen years of age shall make the student subject to the penalty portions of the requirements of the North Dakota High School Activities Association Rules and the Rules of Jamestown School District notwithstanding the fact that the act deemed a violation may be legal under the laws of the state of North Dakota. The prohibitions relative to tobacco, illegal drugs or other controlled substances or drug paraphernalia applies both on or off school property.

Consequences of Infractions;

A violator will be ineligible for any special school awards or a letter for the activity in which they served their suspension. In addition, he/she will not be able to serve in a leadership position in any activity at JHS for 12 months.

Multiple violations during a student's high school career:

The following steps outline how violations will be handled:

1. First Offense: suspension for 6 consecutive weeks from the time of notification and the completion of a school approved intervention program. *See Administrative Guidelines for Intervention Program. Exception: any violation that takes place on school property or in connection with a school activity will immediately go to the second offense. *Student will remain ineligible until completion of the recommendations of the district designee.
2. Further Offenses: suspension for a minimum of 18 consecutive weeks from the time of notification.

3. Felonies and Misdemeanors

1. Any participant who engages in, admits to, or is convicted of a felony or misdemeanor which would reflect on the performance, status, or personal growth of other individuals involved in the activity shall be dismissed from the extra curricular activities

Injuries:

The risk of injury is present in all activities, therefore, this should be considered before a student decides to join or try-out for a team. In the event of a school related injury, it is the responsibility of the injured

student to report the injury to the coach/advisor in charge and to file a report with the Activities Director.

Jamestown Public Schools assumes no responsibilities for medical or other bills incurred by students.

Travel:

Students selected to take out of town trips are to travel to and from games/meets with the team. No other

means of transportation is to be arranged unless approval in advance has been obtained through the

Activities Director and the coach/advisor.

During the winter season, all parents should see that their children are warmly dressed when they board the school bus. There is always the possibility that the bus could be stalled for a period of time. In this event, warm coats, caps, gloves, and overshoes could avert serious consequences. Girls should not wear skirts or dresses on trips unless they have sweat pants or jeans along with them.

Regular bus rules apply to extra-curricular trips just as they do for route bus trips. For a complete list of bus rules, see the district's handbook for school transportation.

By signing this code of conduct agreement, the parent/guardian and student acknowledge understanding and support of rules and realize that a violation is a breach of the code of conduct and willingly accept consequences.

Parents/guardians and students also agree to hold the Jamestown Public School District harmless for consequences that occur as a result of violations of this agreement. All students including 18 years of age or older must sign the School Activities Code of Conduct.

Date _____

Parent's Signature

Student's Signature

Coaches' Signature

Activities Director's Signature

FFF - FIELD & OTHER SCHOOL-SPONSORED TRIPS
(amended 4/16/2018)

The Jamestown Public Schools believes in the value of Co-Curricular and Extra Curricular activities as an extension of the learning experiences that occur in the core academics. Activities are sponsored by the School District in order to provide learning opportunities for students. Those learning opportunities include working together as teams, setting and achieving goals, earning money for the trips and competing at state and national functions

Student participation in contests and activities on a national or international level may be approved with the following guidelines:

1. Student learning in the core academics is the top priority. Approval of all out of state travel will take into account the least amount of disruption to the regular school day. Preference will be given to weekend and or vacation time travel.
2. International and national travel must have a complete itinerary and budget planned and approved. International travel must be approved six months in advance of the trip by the principal and superintendent or designee. National travel should be approved at least three weeks prior to the trip by the principal.
3. National travel and international travel must have a stated goal or curriculum that supports student learning.

FFF-AR - SCHOOL-SPONSORED TRIP RULES

All students representing Jamestown Public School District on school-sponsored trips are subject to the following regulations:

1. All trips will be arranged so that, if possible, no classes will be missed. If that is impossible, the arrangements should be made in such a manner as to miss as little class work as possible.
2. All groups representing the schools must be properly chaperoned by either faculty members or parents of the students on the trip.
3. Students will be subject to all student conduct policies while representing the District on school-sponsored trips.

End of Jamestown Public School District Administrative Regulation FFF-AR

FFF-AR2 - TRAVEL STUDY PROGRAMS

Travel study programs are defined as activities which combine instruction and travel for an extended period of time on this continent and/or abroad. Some programs may include a specific course of study, while others may place emphasis on exposure to foreign cultures. Student exchanges are considered part of this definition.

Approval

All travel study programs planned cooperatively by students and faculty shall be submitted to the Superintendent to determine if the activity shall be deemed a school-sponsored activity. All travel study programs deemed to be school sponsored shall be approved by the Superintendent before the request is presented to the Board. The Board shall have final authority to approve or reject all proposals for school-sponsored travel study programs. The Board will not endorse, sponsor, or assume responsibility for any particular trip and/or travel program/package that is not a part of a school-sponsored travel study program and will seek written acknowledgement of this non-school sponsored status when applicable.

Travel study program proposals that do not meet the following criteria will be deemed non-school sponsored:

1. The objectives of the program or activity are compatible with the general objectives of the instructional program.
2. The total ongoing school program will not be adversely affected by participation of staff and students in the activity.
3. Appropriate educational experiences will be provided for those eligible students who do not participate in the activity.
4. As far as possible, the opportunity for students to participate is nondiscriminatory for economic reasons.
5. The proposed program is feasible within the time allotted.
6. The goals of the proposed programs are related to the students' program of studies.
7. The proposed program will take place in a country/area/region deemed safe by the U.S. Department of State.
8. The district's insurance carrier will extend liability coverage to the program.

If the proposal is approved by the Board, the following steps are to be carried out by appropriate school personnel:

1. Written parental consent is obtained for student participation.
2. If appropriate, contracts with carriers or travel agency are signed.
3. Parents are provided with specific written information regarding objectives of the program, costs, daily itinerary, chaperones, and accommodations.

4. Conferences and/or orientation sessions involving students and their parents are scheduled to assure that all plans and arrangements are clearly understood.

Student Participation & Fees

Final approval in the selection of students for travel study programs shall be made by the building principal and is dependent on recommendations from teaching, administrative, and counseling staffs. Character, responsibility, ability to get along with others, and maturity shall be considered in addition to scholarship.

Though a travel study program may be school sponsored, this does not imply that the program will be "school funded." Student participation in these activities shall be voluntary, and students who do not participate shall not be adversely affected in terms of their course requirements, grades, or eligibility to participate in other activities of the class or group. Students may receive credit for foreign travel experience if the criterion established for credit is met.

Students shall be subject to all applicable student conduct policies when participating in a school-sponsored travel study program. Violations of these rules may result in disciplinary action upon the students return or may result in the student being sent home early at the parent's expense.

Teacher Compensation

School district personnel shall not receive compensation from travel agencies or private organizations involved in school-sponsored tours, with the exception that free passage and other amenities may be granted for supervisory duties.

End of Jamestown Public School District Administrative Regulation FFF-AR2

FFG - STUDENT ASSEMBLIES

Generally, school administrators will determine or substantially control the content of what is expressed at student assemblies. In such cases, religious expression will not be permitted as the religious expression may be attributed to the school or seen as an endorsement of a particular religious belief or expression. However, in the instances where students are selected to speak at assemblies based upon content-neutral criteria and where the student speaker has primary control over the content of the oral presentation, the school will not restrict the student speech because of its religious or anti-religious content. In such cases, school authorities will publicly clarify that the content of the student's speech is the speaker's opinion and not the schools.

For the purposes of this policy, primary control is defined as authority by a student to include any content in a speech so long as it is not profane, sexually explicit, defamatory, disruptive, and/or does not infringe on the rights of others. Administration shall review student speeches prior to delivery. In the event that a speech contains potential prohibited content, administrators should contact legal counsel to seek guidance before asking a student to remove such content.

End of Jamestown Public School District Policy FFGAdopted:2/9/2017
3/7/2022

Amended

FFI - STUDENT USE OF PERSONAL TECHNOLOGY

Definitions

For the purposes of this policy:

- *Inappropriate content* is defined as content that:
 - z. Violates a district student conduct policy;
 - aa. Attacks ethnicity, race, religion, or other legally protected status;
 - bb. Promotes violence, terrorism, or other illegal activities including, but not limited to, tobacco, drug, and/or alcohol use by minors;
 - cc. Is obscene or pornographic as defined by community standards.
 - dd. Is reasonably forecasted to materially or substantially disrupt the educational environment;
 - ee. Poses a direct threat to the physical safety of the school population; and
 - ff. Infringes on the rights of others, such as (but not limited to) material that is potentially libelous or invades an individual's privacy.
- *Personal technology* is defined as a device that is not owned by the District, is in the possession of a student, and contains one or more of the following features:
 - gg. Has the capability to connect to one or more networks including but not limited to, a cellular network, Internet, Ethernet, and/or Bluetooth;
 - hh. Has a digital camera and/or video recording device;
 - ii. Has a microphone;
 - jj. Has data storage capability; and/or
 - kk. Has an operating system and/or the capability of running software, apps, and/or electronic games.
- *Reasonable suspicion* means that administration has grounds to believe that the search will result in evidence of a violation of district policy, rules, the law, and/or that the violation may be detrimental to the health, safety, or welfare of district students or staff. Reasonable suspicion may be based on a school administrator's personal observation, a report from a student, parent or staff member, a student's suspicious behavior, a student's age and past history or record of conduct both in and out of the school context, or other reliable sources of information.
- *School day* is defined as schools' adopted bell schedule
- *School property* is defined in NDCC 15.1-19-10(6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.

Prohibitions

The Jamestown Public School District School District prohibits students from using personal technology as follows:

1. Students are prohibited from using personal technology to violate a student conduct policy including, but not limited to, policies on cheating and bullying while on school property or at a school-sponsored event;
2. Students are prohibited from using personal technology to photograph or video record any person during the school day. Students are furthermore prohibited from transmitting any photo or video using personal technology during the school day. Building principals are authorized to make exceptions to this rule for bona fide classroom activities and in accordance with the “exceptions” section of this policy;
3. Students are prohibited from using personal technology to photograph or video record inappropriate content and/or transmit inappropriate content while on school property and/or participating in school-sponsored events;
4. Students are prohibited from displaying and/or using personal technology in areas where there is a reasonable expectation of privacy by others on school property and at school-sponsored events. Students are also strongly discouraged from possessing personal technology in areas where there is a reasonable expectation of privacy by others on school property and at school-sponsored events;
5. Students are prohibited from using personal technology to compromise district networks or access confidential material on district networks. The District may also take disciplinary action against a student who has used personal technology to engage in hacking, trolling, accessing or transmitting inappropriate material, spamming, sending viruses, and/or engaging in illegal or other inappropriate activity while on school property or participating in school-sponsored event;
15. Students are prohibited from using personal technology disruptively or in a manner that potentially compromises the safety of others on school property and during school sponsored events; and

Classroom Use

If allowed by the building principal, classroom teachers may prohibit possession and/or use of personal technology in the classroom.

If allowed by building principal, teachers may alternatively establish rules related to use of personal technology in the classroom. These rules:

16. Shall comply with this and other student conduct policies;
17. Shall take into account the ages of the students;
18. Shall take into account the availability of district-owned technology for student use;

19. Shall take into account the extent to which personal technology use would disproportionately grant students who have access to it an unfair advantage over those who do not;
20. Shall address cheating and disruptive use of personal technology; and
21. Shall be approved by the building principal prior to implementation.

Use During the School Day Outside Classroom

Elementary students are prohibited from using personal technology during lunch and recess unless granted an exception by the building principal or classroom teacher.

Middle school and high school principals shall establish rules regarding student use of personal technology during lunch, break periods, and study hall.

Disciplinary Consequences & Confiscation

Students in violation of any portion of this policy may be subject to disciplinary action in accordance with the district's student conduct policies. In addition, teachers may confiscate personal technology when a student is reasonably suspected of using it to violate this policy or classroom rules. Teachers may keep the personal technology until the end of class or turn it over to the building principal for further action. Teachers shall make this determination based on the severity of the suspected offense. Under no circumstances shall a teacher or ancillary staff member search personal technology.

The building principal shall determine how long to keep confiscated personal technology based on the following criteria:

1. The nature of the offense; if illegal activity is suspected, the administrator shall contact law enforcement, the Superintendent, and retain the device until further directed by law enforcement or the Superintendent;
2. If the confiscated item is a phone, the principal should consider if the student walks or drives to and from school and potential safety considerations associated with not having the phone in the student's possession; and
3. Other considerations of significance based on the nature of the device confiscated and the student's disciplinary history.

Searches of Personal Technology

The building principal or Superintendent is authorized to search a student's personal technology only when they have reasonable suspicion that the device contains evidence of wrongdoing by a student or potential harm to self or others. Only areas of the device reasonably related in scope to the purpose of the search will be subject to a search (e.g., if a student is texting inappropriate photos, only the device's text messages will be

searched). The building principal and Superintendent are authorized to contact legal counsel to help determine the appropriate scope of the search.

If the building principal or Superintendent suspects or finds that a student's personal technology contains content that violates NDCC 12.1-27.1-03.3 or other laws, they shall contact law enforcement. Under no circumstances shall school officials download or transfer sexually explicit content from a student's personal technology. Law enforcement, including school resource officers, must have probable cause to search the device, preferably in the form of a search warrant.

Exceptions

The Superintendent and/or designee is authorized to make exceptions to the prohibitions set forth in this policy for health, safety, or emergency reasons, for students in attendance as active members of a volunteer firefighting organization or volunteer emergency medical service organization, and when use of electronic devices is provided for in a student's Individualized Education Program (IEP)/504's.

Emergencies

Students are encouraged to use any available cellular telephone in the event of an emergency that threatens the safety of students, staff, or other individuals.

Complementing Policies:

- ACDA, Acceptable Use
- FFK, Suspension & Expulsion
- FFK-BR, Suspension & Expulsion Regulations
- FGCB, Searches of Students & Student's Personal Possessions

End of Jamestown Public School District Policy FFIAdopted:12/20/2021

Descriptor Code: FFK-BR

[FFK-BR - SUSPENSION AND EXPULSION REGULATIONS](#)

SUSPENSION

Suspension involves either in-school suspension or the dismissal of a student from school classes, buildings, and grounds. Suspension shall not be for more than maximum duration allowed by law. The parent(s) of the student are to be notified promptly by the school principal that suspension has been issued.

The authority to determine whether or not a student shall be suspended, rests with the principal and assistant principal which can be exercised AFTER the student is given:

1. Oral or written notice of the charges against him/her.
2. An explanation of the evidence against him/her.
3. An opportunity to present his/her side of the story.

There need be no delay between the time notice is given and the conduct of the above procedure. In those cases, where a student's presence poses a continuing danger to persons or property or any ongoing threat of disrupting the educational process, the student may be immediately removed.

EXPULSION

Expulsion shall not be for more than the maximum duration permitted by law and the District shall follow the procedure for conducting an expulsion hearing contained in state law. Follow only after suspension and following a conference of the parent(s) and the administration. If the student involved has a disability, refer to the section entitled Students with Disabilities.

The responsibility of the school does not end with expulsion. The guidance department shall notify other appropriate agencies when a student has been expelled.

EXPULSION PRE-HEARING NOTICE TO STUDENT

The student and the student's parent shall be provided with the following notices, prior to the hearing outlined below:

1. Notice of Charges: The specific charges against the student shall be stated clearly enough for the student and the parent to understand the grounds of the charge and to be able to prepare a defense.
2. Notice of Hearing: The date of a hearing, which shall be within a reasonable time not to exceed ten days, if the student is currently under suspension, unless a postponement is requested or agreed to by the parent.
3. Present Evidence: A student may present witnesses or documentary evidence to rebut the charges against the student.
4. Notice of Right to Adult Representation: The right to be represented and/or assisted at the hearing by a lawyer or other adult at the student's expense shall be explained. A

parent or guardian who is unable to attend the hearing may provide written designation of another adult to assist the student in the parent's absence.

CONDUCTING HEARINGS FOR EXPULSION

1. Nature of the Hearing: The hearing is not a court proceeding and should not be referred to or conducted as such. There are no specific rules of evidence or procedure that must be followed. The intent hearing is to determine whether the reasons offered for the proposed expulsion are supported by evidence. The evidence offered at the hearing should be directed toward attaining the truth, and shall include an opportunity for the presentation of evidence as to the existence of mitigating circumstances.
2. The Hearing Official: The student is entitled to an impartial hearer of facts. If the school board has designated a hearing officer, the hearing officer may conduct the hearing unless s/he is biased or prejudiced against the student or was directly involved with the incident at issue. If the hearing officer is not qualified under this rule, another hearing officer should be called upon to conduct the hearing.
3. Representation of the Student: There is no requirement that the student must have representation at the hearing; however, if the student or their parent(s) request that they be represented by an attorney at the student's request, the request must be granted. The school should attempt to involve the parents in the disciplinary proceedings from the outset. The school may choose to involve the parents in the disciplinary proceedings from the outset.
4. A Record of the Hearing: A record of the hearing should be made to substantiate that the required elements of procedural due process were afforded the student. All evidence that is introduced in the form of written documents should be marked so as to identify the origin and order of introduction (e.g., School Exhibit 1,2,3, and Student Exhibit 1,2,3). All records of a hearing should be kept at least six years after the expelled student reaches the age of 18 years.
5. Open or Closed Hearing: Since an expulsion hearing before a designated hearing officer or the school board is subject to the Family Rights and Privacy Act (FERPA) the hearing shall be closed unless the parent/Eligible student waives their rights under FERPA in writing.
6. Witnesses in the Room: At the request of the school representative or the student or his/her parent(s), witnesses may be excluded from the room except when offering testimony. The hearing officer should make this option known at the beginning of the

hearing, before any evidence is presented. At no time may the student or his/her parent or representative be excluded from the room.

7. Cross-Examination: The hearing officer should permit cross-examination if any circumstances indicate that it is necessary in order to reach the truth or to otherwise conduct a hearing which is fundamentally fair.

8. Sworn Witnesses: Witnesses should be sworn before offering testimony.

9. Evidence: If, at the conclusion of the hearing, the reasons given for the proposed expulsion are supported by the evidence offered at the hearing, the student may be expelled. The action of the student does not have to be proven beyond a reasonable doubt as in a criminal trial, but the action must be supported by the evidence. There must be evidence presented upon which the hearing officer can conclude that the student engaged in conduct supporting expulsion. In determining whether there is evidence to support an expulsion, the hearing officer may take into consideration only that evidence presented at the hearing.

10. Making the Decision and Giving Notice to the Parties: After the hearing, the hearing officer decides whether to expel a student. The hearing officer has the responsibility of promptly informing the student, his or her parents, the student's counsel, or his or her representative, in writing of the decision. The decision must be specific enough so that a reasonable person can be advised of the finding and basis for the decision to expel. The decision should also information on how to appeal to the Board, if the Board did not serve as the hearing officer.

11. Appeal to School Board: Except when the Board served as the hearing officer, an appeal-of the hearing officer's decision may be made to the Board based upon a review of the_record of-the expulsion hearing. Since the expulsion will affect or become a part of the student's educational record, the appeal hearing before the Board will be in executive session unless the parent/guardian signs a written waiver of their rights under the Family Educational Rights and Privacy Act.

End of Jamestown Public School District Board Reg. FFK-BR.....Amended: 4/1/2019

Descriptor Code: FFK-E1

FFK-AR1 - SUGGESTED PROCEDURE FOR CONDUCTING AN EXPULSION HEARING

The following guidelines are offered recognizing that each expulsion hearing may call for a slightly different method of presentation. Expulsion hearings should be kept informal so that the truth may be obtained and a fair and just result reached.

1. Advise the Parties of the Procedures to be Followed:
 - a. The hearing is being recorded (if it is), and either side may request the witnesses be sent to another room and be called individually. The student's parent(s) and/or representative may be present throughout the hearing.
 - b. No formal rules of evidence will be followed and the hearing will be informal, as it is not a court proceeding. However, certain procedures may be established that will facilitate the conduct of the hearing.
 - c. The Business Manager or secretary who is receiving the evidence and recording what is said should be identified as the person to whom exhibits and/or other written evidence or materials are to be presented.
 - d. The parties and their respective capacities should be identified for the record, prior to commencing the hearing.
2. State the Reasons for the Proposed Expulsion: The hearing officer should read the written reasons that were mailed (preferably by certified mail) or otherwise delivered to the student, his/her parents, and his/her representative, which are the basis for the possible expulsion. This should be done to assure that the record will adequately reflect the reasons for the proposed expulsion, to substantiate that all parties had notice of the proposed reasons and possible punishment, and to narrow the issues.
3. Allow the School's Witnesses to Testify and Present Evidence: The witnesses for the administration then present their evidence in support of the reasons given for the proposed expulsion. This may be done in any manner that is conducive to reaching the truth and supports the reasons offered for possible expulsion.
4. Allow Student's Witnesses to Testify and Present Evidence: The student and/or his or her representative should be given an opportunity to present witnesses and evidence to disprove the reasons offered by the school's witnesses.
5. Allow Concluding Arguments: At the conclusion of the presentation of witnesses by the school and the student, each side should be allowed the opportunity to make concluding remarks and arguments regarding the evidence that has been presented and the reasons for the expulsion.

6. Making the Decision: The decision whether or not to expel may be made at the hearing, or may be made after the hearing officer has had time to review the evidence. If the decision is delayed, the hearing officer should announce a time at which the decision will be made and notify the student and the student's parent or representative of the decision at that time. When the hearing officer gives notification of the decision, the hearing officer should also inform the student and the student's parent or representative of the right to appeal the decision to the Board and the procedure for doing so if the Board did not serve as the hearing officer.

Jamestown Public School District Exhibit FFK-E1.....Adopted 4-17-2017

FG - STUDENT RIGHTS AND RESPONSIBILITIES

The Board affirms those legal rights of students that are guaranteed under the federal and state constitutions and statutes. The Board reminds students that rights also are accompanied by responsibilities.

These rights and responsibilities include:

1. Civil rights, including the rights to equal educational opportunity and freedom from illegal discrimination; the responsibility not to discriminate against others.
2. The right to attend free public schools; the responsibility to attend school as required by law and to observe school rules and regulations essential for permitting others to learn at school.
3. The right to due process of the law with respect to expulsion, searches and seizures, or administrative decisions that the student believes have injured his/her rights.
4. The right to free inquiry and expression; responsibility to observe reasonable rules regarding these rights. Students may exercise their right to freedom of expression through speech, assembly, petition, and other lawful means. The exercise of this right may not interfere with the rights of others. Freedom of expression may not be utilized to present material that is vulgar, slanderous, defames character, advocates violation of law or is in violation of district policy.

The Superintendent shall ensure that students are made aware of the legal authority of the Board and the delegated authority of the staff to make rules and regulations regarding the orderly operation of the school, which uphold the legal rights of students.

End of Jamestown Public School District Policy FG Adopted 10/20/2008

FGA - STUDENT EDUCATION RECORDS AND PRIVACY

The Jamestown School Board believes that while collection and use of student information is necessary to provide educational and student support services, the District must implement safeguards to ensure information is appropriately protected and used to serve the best interests of students. The purpose of this policy is to establish such safeguards.

Definitions

- *Directory information* is defined as personally identifiable information contained in a student education record that is generally considered not harmful or an invasion of privacy if disclosed and includes:
 - a. Address
 - b. Date and place of birth
 - c. Dates of attendance
 - d. Degrees, honors, and awards received
 - e. Grade level
 - f. Most recent school attended
 - g. Name (first and last)
 - h. Participation in officially recognized activities and sports
 - i. Photograph
 - j. School email address
 - k. Student identification number if it cannot be used alone to access an educational record and is not the student's social security number
 - l. Telephone listing
 - m. Weight and height of members of athletic teams
- *Education record* is defined as any record that directly relates to a student and is maintained by the District or by a party acting for the District. This definition excludes law enforcement records and records in the sole possession of the maker used only as a memory aid.³³
- *Eligible student* means a student who has reached the age of 18.³⁴
- *FERPA* stands for the Family Educational Rights and Privacy Act.

³³ 34 CFR 99.3

³⁴ 34 CFR 99.3

- *Legitimate educational interest* is defined as access that is needed in order for a school official to fulfill his/her professional responsibility.³⁵
- Parent means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.
- *Permanent record* is defined as a record containing a student's name, address, phone number, record of grades, years enrolled, courses attended, and grades completed.
- *Personally Identifiable Information* (PII) includes information maintained in the student's education record that could be used alone or in combination to trace a student's identity directly or indirectly and would allow a reasonable person, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.
- *Record* means any information recorded in any way including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.³⁶
- *School official* is defined as an individual who has a legitimate educational interest in accessing student educational records and is affiliated with the District in one of the following capacities:
 - a. An individual employed by the District in an administrative, instructional, or support staff position
 - b. School board members
 - c. Contractors, consultants, volunteers, service providers, or other party with whom the school or District has outsourced institutional services or functions for which the school or District would otherwise use employees; records provided to these third parties must remain directly under the district's control for purposes of maintenance and use and the third party must agree to comply with 34 C.F.R. 99.33(a). Examples include, but are not limited to, school resource officers, interns, student teachers, the district's attorney, PowerSchool, SLDS, learning management software, hot lunch tracking software, and district alert systems.³⁷

Designation and Responsibilities of Privacy Officers

The Superintendent or designee shall serve as Chief Privacy Officer. In this role, the Superintendent is responsible for submitting to the Board for approval student information

³⁵ https://nces.ed.gov/pubs2004/privacy/section_4b.asp

³⁶ 34 CFR 99.3

³⁷ 34 CFR 99.31(a)(1) and 06/28/06 FERPA Opinion

(<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/library/clarkcty062806.html>)

sharing requests from third-party individuals/entities other than parties to which the District reports student information under law. The Superintendent shall also maintain a master list of all individuals and entities having access to student information, including school district personnel listed by title. To ensure this list remains current and is manageable to maintain, it shall not contain names of individuals who have access to data.

The Superintendent may designate privacy officers at the district and building level. These privacy officers are responsible for:

1. Maintaining a list of school personnel by title who have access to student information; this list shall be provided to the Superintendent each time it is updated;
2. Submitting to the Superintendent for board approval new requests to share student information with third-party individuals and entities other than parties to which the District reports student information under law;
3. Ensuring that access to student information is granted only to the extent there is a legitimate educational interest and in accordance with this policy and any applicable agreements;
4. Enforcing this and other applicable district confidentiality and data protection policies;
5. Providing a list of students who have opted-out of directory information to classroom teachers and other district staff who have a need to know.

Information Release Safeguards

1. Access by Parents and Eligible Students
To ensure compliance with parental and eligible student access requirements under FERPA:
 - a. The District shall comply with a request by a parent or eligible student to access education records within a reasonable period of time, not to exceed 45 days after receipt of a request.
 - b. The Board shall develop procedures for a parent/guardian/student to review and amend educational records. These procedures shall include procedures to verify the identity of a requesting parent/eligible student. The regulations shall be delineated in board approved regulations and disseminated annually in accordance with law.³⁸
2. Classroom Use of Instructional Tools Requiring Release of Student Information

³⁸ 34 CFR 99.7 and 99.10

Teachers are encouraged to use instructional technological tools that allow for use of an alias or that do not require submission of directory information (other than or in addition to name) or PII. Whenever a teacher wishes to use an instructional tool that requires release of directory information, other than or in addition to name, or PII such as, but not limited to, software or an app, the teacher shall submit a request to the building-level privacy officer. The privacy officer shall check the district's master list of individuals and entities approved to receive student information. If the entity is not on this list or the teacher's request is beyond the scope of information sharing permission previously granted, the privacy officer shall either deny the teacher's request or submit an information-sharing request to the Superintendent for board approval. If the teacher is authorized to use the instructional tool, the building-level privacy officer shall ensure the teacher complies with any parental consent requirements and directory information opt-out requests before using the tool.

3. Data Breaches

District employees are responsible for informing a privacy officer of any known or suspected breach of PII. When a privacy officer becomes aware of a breach of student PII, s/he shall contact the Chief Privacy Officer. The Chief Privacy Officer shall determine if enactment of data breach response procedures contained in policy IDC and NDCC Ch. 51-30 is appropriate.

4. Information Storage and Destruction

Student education records shall be reviewed annually and any records unnecessary for progression to the next grade level, not needed for college entrance purposes, not needed for extracurricular participation, not needed for disciplinary purposes, and records that are not part of the permanent record will be shredded or destroyed. Exceptions apply for any content that may reasonably be related to litigation or anticipated litigation (retain for six years after a student turns eighteen), bullying reports (retain in accordance with policy ACEA), concussion documentation (retain in accordance with policy FCAF), executive session tapes (retain for at least six months), PowerSchool records, and special education records (retain in accordance with the Individuals with Disabilities Education Act).

5. Directory Information

The District may disclose directory information without parental/eligible student consent if it has given parents/eligible students a reasonable amount of time to opt-out of directory information release. Opt-out notices should be provided at the beginning of the school year and when a student otherwise enrolls in the District.

These notices shall contain a reasonable deadline of at least 10 days for parents/eligible students to opt out.³⁹

The Board approves release of directory information as follows:

- a. Publication on the district's website
- b. To board-approved vendors for purposes of sale of school-related items such as, but not limited to, yearbooks, school pictures, graduation items, district apparel, and book orders
- c. To military and college recruiters in accordance with applicable laws (NDCC 15.1-07-25.1 and 20 U.S.C. 7908)
- d. To official district newspaper for purposes of recognizing student accomplishments and coverage of extracurricular events
- e. To school-affiliated groups for purposes of communicating and fundraising
- f. To school-sponsored student publications including, but not limited to, newspapers and yearbooks
- g. When the Board receives and approves a directory information release request; directory information shall only be released and used for purposes specified in the release request and the Superintendent shall add approved requestors to the district's master list of individuals and entities having access to student information. The Board shall develop criteria in regulations for approving and denying these requests.⁴⁰

Any district employee who wishes to disseminate student directory information to a third party shall contact his/her privacy officer. The privacy officer shall determine if the Board has previously approved such release and, if not, deny the request or submit it to the Superintendent for board approval. Upon board approval, the Superintendent shall instruct the privacy officer to ensure compliance with any opt-out requests made by parents.

6. Personally Identifiable Information (PII)

Any third party requesting or receiving access to student PII must receive board approval unless the third party is required to receive PII under state or federal law.⁴¹ Any school employee who wishes to share PII with a third party shall contact his/her privacy officer. The privacy officer shall determine if the Board has previously approved such release and, if not, deny the request or submit it to the Superintendent for board approval. Upon board approval of any PII release request, the applicable privacy officer shall inform the requestor of any parental

³⁹ 34 CFR 99.37

⁴⁰ 34 CFR 99.37(d)

⁴¹ SB 2326

consent requirements (see #7) and ensure the requestor complies with such requirements.

Parental/eligible student consent is not required to release PII under the following circumstances:

- a. The District receives information under 42 U.S.C. 14071 and applicable federal guidelines about a student who is a registered sex offender under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071), and the District has a need to disclose the student's status as a sex offender for safety purposes⁴²
- b. In connection with a health or safety emergency under the conditions described in 34 C.F.R. 99.36⁴³
- c. If records have been de-identified by the District; third party individuals and entities that receive de-identified information shall be included on the district's master list of individuals and entities having access to student information⁴⁴
- d. To a school official who has a legitimate educational interest in the education records if the following conditions are satisfied:
 - i. Access shall be limited to only information the school official has a legitimate need to know
 - ii. School officials shall use the information only for the purposes for which the disclosure was made and shall not redisclose the information to any other party without proper consent or legal authority
 - iii. Titles of individuals and entities considered school officials shall be included on the district's master list of individuals and entities having access to student information⁴⁵

To a court without a court order or subpoena when the District initiates legal action against a parent/student or a parent/student initiates legal action against the District⁴⁶

To accrediting bodies for purposes of accreditation⁴⁷

To an organization conducting a study for the District to develop, validate, or administer a predictive test; administer student aid programs; or improve instruction so long as the organization has entered into a written agreement with the Board in accordance with law; if the organization is conducting a survey of

⁴² 34 CFR 99.31(a)(16)

⁴³ 34 CFR 99.36

⁴⁴ 34 CFR 99.31(b)(1) and SB 2326

⁴⁵ 34 CFR 99.31(a)(1)

⁴⁶ 34 CFR 99.31(a)(9)(iii)(A)

⁴⁷ 34 CFR 99.31(a)(7)

students, the District shall ensure parents are notified in compliance with policy GCC and shall obtain parental consent, if applicable (see #7)⁴⁸

To another school in which the student seeks, intends to, or is already enrolled⁴⁹

To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the U.S. Secretary of Education, and state and local educational authorities for audit or evaluation of federal or state supported education programs or for the enforcement of or compliance with federal legal requirements that relate to those programs⁵⁰

To comply with a judicial order or lawfully issued subpoena; the District must make reasonable attempt to contact the parent/eligible student before disclosure unless the court order instructs otherwise⁵¹

To the parents of an eligible student who is also a "dependent student" as defined in IRS Section 152⁵²

The District will take measures necessary to ensure that individuals and entities to which PII is released shall only have access to information necessary to fulfill their responsibilities under law and to the District. Measures may include, but not be limited to, controlling access to computer data through password restrictions, controlled access to paper records, and ensuring that any information access agreements required by law are properly executed by the Board.⁵³

7. When Parental Consent is Required

The District must obtain parental/eligible student consent to release student information under the following circumstances:

- a. The Board has approved release of PII to an individual or entity not meeting the definition of school official under law and/or not meeting an exception to the parental consent requirement under FERPA
- b. The Board has approved release of directory information, other than or in addition to name, or PII to an online service provider for commercial purposes and the impacted students are under 13⁵⁴
- c. When administering a survey funded in whole or in part by the U.S. Department of Education and concerning any of the following areas:
 - i. Political affiliations or beliefs of the student or the student's parent

⁴⁸ 34 CFR 99.31(a)(6)

⁴⁹ 34 CFR 99.31(a)(2)

⁵⁰ 34 CFR 99.31(a)(3)

⁵¹ 34 CFR 99.31(a)(9)

⁵² 34 CFR 99.31(a)(8)

⁵³ 34 CFR 99.31(a)(3)(ii)

⁵⁴ Children's Online Privacy Protection Act, 16 CFR 312

- ii. Mental or psychological problems of the student or the student's family
- iii. Sex behavior or attitudes
- iv. Illegal, anti-social, self-incriminating, or demeaning behavior
- v. Critical appraisals of other individuals with whom respondents have close family relationships
- vi. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers
- vii. Religious practices, affiliations, or beliefs of the student or student's parent
- viii. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program)⁵⁵

If the District is unable to obtain this consent, it shall not release the impacted student's information.

504 Plans and Individual Educational Programs (IEPs)

Sharing of student information necessary for developing, amending, or implementing an IEP or 504 Plan and sharing student information needed to determine eligibility for special education or disability services are not subject to board approval requirements in NDCC Ch. 15.1-07-25.3 because the District provides these services in fulfillment of requirements under state and federal law.

Policy Violations

Failure by a district employee or volunteer to comply with this policy, other district confidentiality requirements, or any improper disclosure of student information by a school employee or volunteer shall result in disciplinary action up to and including dismissal in accordance with applicable law. Failure by a third party to comply with this policy, any information-sharing agreements between the District and third party, or any improper disclosure of student information by the third party may result in termination of the third-party's access to student information and termination of the district's agreement with the third party if permitted under the terms of such agreement.

Training

School officials employed or volunteering for the District shall receive information and/or training on confidentiality requirements pertaining to student education records and consequences for breaching confidentiality. The District shall also provide training to

⁵⁵ Protection of Pupil Rights Amendment, 20 U.S.C. § 1232h; 34 CFR Part 98

applicable school personnel on the procedures for requesting to release student information contained in this policy.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- ACE, Violent & Threatening Behavior
- FACB, Transfer & Withdrawal Records
- FGA-BR, Student Education Records Access & Amendment Procedure
- FGA-E, Notice for Directory Information
- FGA-E2, Model Notice of Rights Under FERPA for Elementary and Secondary Schools
- FGA-E3, FERPA Release Form for Parents
- FGA-E4, Notice of Executive Session Tape on File
- FGA-E5, Student Information Sharing Request
- FGA-E6, Model form for Disclosure to Parents of Dependent Students
- FGA-E7, School Officials' Guide to FERPA and Data Privacy
- FGA-E8, Parties Approved to Receive Student Data

End of Jamestown District Policy FGA.....Adopted:1/18/2016

FGA-BR1 - STUDENT EDUCATION RECORDS ACCESS & AMENDMENT PROCEDURE

Reviewing an Educational Record

The District shall comply with a parent or eligible student's right to inspect and review the student's education records. This right will be granted using the following procedure:

- A parent or eligible student shall make a request orally or in writing to the building principal to inspect and review the student's education records.
- The building principal must provide a parent or eligible student the opportunity to inspect and review the student's education records within a reasonable period of time, but not more than 45 calendar days following receipt of a request.
- The building principal shall notify the parent or eligible student of the time and place when the student's education records may be inspected.
- The building principal shall require the requestor to submit/show a form of state or federally issued identification to verify the identity of the requestor if the requestor is unknown to the principal.
- The principal or designee shall be present when the parent or eligible student reviews the records.
- If circumstances prevent a parent or eligible student from reviewing their child's or their education records at the school office, the District shall prepare and mail a copy of the records or make alternative arrangements for the parent or eligible student to inspect and review the records. Any expense incurred from copying and/or mailing the records may be charged to the parent or eligible student at state rates, except as prohibited by law.

The building principal shall respond to reasonable requests for explanations and interpretations of the records in a prompt and equitable manner.

Amending an Educational Record

A parent or eligible student has the right to request an amendment to any portion of the education records they believe to be inaccurate, misleading, or in violation of the student's right to privacy. A parent or eligible student shall use the following procedure to dispute or request an amendment to an educational record. This procedure shall not be used to dispute a grade, disciplinary decision, or opinions/reflections of a school official contained in an educational record.

Any request to amend education records shall be made in writing and submitted to the building principal.

- The principal shall review the request within a reasonable time and approve or deny it. The principal's decision shall be submitted to the parent or eligible student.

If the principal denies the amendment request, they shall inform the parent or eligible student of their right to request an appeals hearing.

- Requests for an appeals hearing shall be submitted to the Superintendent or designee. The hearing shall be held within a reasonable time after the appeal request has been made.
- The Superintendent or designee shall provide the parent or eligible student notice of the date, time, and place, reasonably in advance of the hearing.
- The Superintendent or designee shall serve as the hearing officer
- The parent or eligible student may, at their own expense, be assisted or represented by one or more individuals of their choice, including an attorney;
- The parent or eligible student shall have a full and fair opportunity to present evidence related to the amendment request.
- The Superintendent or designee shall make its decision in writing within a reasonable period of time after the hearing. The decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision. This decision is final and binding.
- If the Superintendent or designee denies the amendment request, they will notify the parent or eligible student within a reasonable time of their right to submit a written response commenting on the contested material and/or explaining the disagreement with the hearing officer's decision. This written response shall be retained and, when applicable, disseminated in accordance with law.

**End of Jamestown Public School District Board Reg. FGA-BR1.....Adopted:1/18/2016
Amended 7/20/2022**

FGA-BR2 - CRITERIA FOR APPROVING AND DENYING DIRECTORY INFORMATION AND PII RELEASE REQUESTS

Finding Alternatives to Release

Whenever possible, the Board should identify alternatives to releasing directory information and personally identifiable information (PII) such as, but not limited to, asking the requestor to disseminate material directly through the school and/or de-identifying information before release.

Reasons for Release

Release of directory information and PII should further the district’s mission and/or support the development of students, a specific district school, the District, or a school-sponsored program. Release requests meeting these criteria shall not be denied based on viewpoint expressed or organization represented by the requestor.

Criteria for Denying Release

Directory information and PII releases requested for the following purposes are outside the scope of and/or violate the district’s mission and shall be denied:

- a. Attacks ethnicity, race, religion, or other class protected by law;
- b. Promotes violence, terrorism, or other illegal activities, including, but not limited to, tobacco, drug, and/or alcohol use by minors;
- c. Is obscene or pornographic as defined by community standards;
- d. May substantially disrupt the educational environment;
- e. Poses a direct threat to the safety of students;
- f. Infringes on the rights of students including, but not limited to, material that is potentially libelous or invades privacy; or
- g. Has a political purpose defined as any activity undertaken in support of or in opposition to a statewide initiated or referred measure, a constitutional amendment or measure, a political subdivision ballot measure, or the election or nomination of a candidate to public office.

FGA-E1 - NOTICE OF DIRECTORY INFORMATION

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that Jamestown Public School, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, Jamestown Public School may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with district procedures.

The primary purpose of directory information is to allow the Jamestown Public School to include this type of information from your child's education records in certain school publications. Examples include:

1. A playbill, showing your student's role in a drama production;
2. The annual yearbook;
3. Honor roll or other recognition lists;
4. Graduation programs; and
5. Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require school districts receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories--names, addresses and telephone listings--unless parents have advised the school district that they do not want their student's information disclosed without their prior written consent.

If you do not want Jamestown Public School to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing by September 1st. Jamestown Public School has designated the following information as directory information: *Note: an LEA may, but does not have to, include all the information listed below. This list must be consistent with policy.*

1. Address
2. Date and place of birth
3. Dates of attendance
4. Degrees, honors, and awards received
5. Grade level
6. Most recent school attended

- 7. Name
- 8. Participation in officially recognized activities and sports
- 9. Photograph
- 10. School email address
- 11. Student identification number if it cannot be used alone to access an educational record and is not the student's social security number
- 12. Telephone listing
- 13. Weight and height of members of athletic teams

Request to Withhold Directory Information for the _____ School Year:

- Please do not release any directory information. (See definition above)
- Please do not release the following part or parts of directory information:
(check all that apply)
 - Name
 - Telephone
 - Photograph
 - Other (specify): _____

- Please do not release directory information to:
 - Military Recruiters
 - Colleges & Universities
 - Other (specify): _____

Student's Name: _____

School: _____

Grade: _____

Parent/Guardian _____

Signature: _____

Date: _____

NOTE: If the student is a high school senior or is otherwise scheduled to graduate, this opt-out request will continue to remain effective after the student has graduated from high school.

FGA-E2 - MODEL NOTIFICATION OF RIGHTS UNDER FERPA FOR SCHOOLS⁵⁶

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to have the District notify you annually of your rights (this document);
2. The right to inspect and review the student's education records within 45 days after the day the District receives a request for access;

Parents or eligible students who wish to inspect their child's or their education records should submit to the building principal or designee a written request that identifies the records they wish to inspect. The building principal or designee shall make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected in accordance with board regulation FGA-BR1;

3. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the District to amend their child's or their education records should write the building principal, clearly identify the part of the record they want changed and specify why it should be changed. If the building principal or designee decides not to amend the record as requested by the parent or eligible student, they will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing;

4. The right to provide written consent before the District discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel, a person serving on the Board. A school official also may include a volunteer, contractor, or consultant outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance

⁵⁶ This notice and the district's Notice of Directory Information must be issued to parents annually.

of PII from education records, such as an attorney, auditor, medical consultant, or therapist. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibility.

Upon request, the District may disclose education records without consent to officials of another school district in which a student seeks or intends to **enroll** or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer; and⁵⁷

5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Disclosure of PII without Consent

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the District to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. The District may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student:

1. To other school officials, as defined in #4 above, that the District has determined to have legitimate educational interests. This may include contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1));
2. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2));
3. To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational

⁵⁷ Select option of consistent with policy. FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.

authorities, such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35);

4. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4));
5. To state and local officials or authorities to whom information is specifically allowed to be reported or disclosed by state statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5));
6. To organizations conducting studies for, or on behalf of, the District, in order to: develop, validate, or administer predictive tests; administer student aid programs; or improve instruction. (§99.31(a)(6));
7. To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7));
8. To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8));
9. To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
10. To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10));
11. Information the District has designated as "directory information" under §99.37. (§99.31(a)(11));

End of Jamestown Public School District Exhibit FGA-E2

FGA-E3 - FERPA RELEASE FORM FOR PARENTS

Name of student: _____ Date of birth: _____

Name of child's school: _____ Grade level: _____

Child's mailing address:

Parent's mailing address (if different):

CONSENT TO RELEASE

The Family Educational Rights and Privacy Act (FERPA) establishes certain rights for parents regarding the privacy of their child's educational record. While family members and other individuals serving in a parent's stead as caretaker may have an interest in the child's record, access to or release of the educational record is only by written parental consent. Parents may choose to complete and submit this FERPA Release Form to allow access or release of their child's educational record. A release form must be completed for each individual to whom a parent wishes to authorize access/ release of his/her child's educational records.

I _____ [name of parent/legal guardian] consent to release the information, as indicated below, to:

_____ [list individual's name].

Relationship of this individual to the child:

Contact information for this individual:

(Address) _____

(Phone) _____ (Email) _____

TYPE OF REQUEST (NOTE: By selecting the option to release records, the individual listed above will receive all correspondence related to the child's academic record that is mailed to parents):

Academic records: Access Release

Disciplinary records: Access Release

All information concerning my child's 504 Plan Individual Education Program
 Access Release

All other information placed in my child's education record (e.g., accident reports, emergency contact information, administrative notes, etc.): Access Release

ACKNOWLEDGEMENT AND SIGNATURE

I acknowledge by my signature that I understand that, although I am not required to release my child's records, I am giving my consent to release the information. This release will remain in effect while the child is enrolled in _____ Jamestown Public School unless I revoke such consent.

Parent's signature

Date

RETURN FORM TO:

Date form was returned to school: _____

Received by: _____

End of Jamestown Public School Exhibit FGA-E3

Descriptor Code: FGA-E4

FGA-E4 - NOTICE OF EXECUTIVE SESSION TAPE ON FILE

On _____(date) the Jamestown Public School Board held an executive session involving _____ (student's name). The reason for the executive session was (check one):

- Discussion student educational records, FERPA and NDCC 44-04-19.2 (1)

- Expulsion hearing, FERPA and NDCC 44-04-19.2 (1)

All documents resulting from and recording(s) of this executive session are in a secured file in the superintendent's office. These items will be retained and released in accordance with law and board policy.

End of Jamestown Public School Exhibit FGA-E4

FGA-E5 - STUDENT INFORMATION SHARING REQUEST FORM

Name: _____

Organization (list school building if district employee): _____

Date of request: _____

1. Purpose of request:

2. Information requested (e.g., names, email addresses, de-identified test scores, etc.):

3. If request is for use of software, app, or an online tool, list name of tool, app, or software and manufacturer/developer

4. Information will be collected from which grade levels and/or buildings (list)?

5. Will information be collected only from certain categories of students? If yes, list (e.g., female, Caucasian, students receiving free or reduced meals):

6. How long will the information be used (list dates)?

7. Who will have access to the information?

8. How will the information be collected (e.g., online survey, students complete online registration form, district prepares list)?

9. Describe methods that will be used to protect the information from unauthorized access.

10. Describe method for destroying information after no longer in use.

In order to receive approval, the requestor must agree to the following:

1. The information requested shall be used only as delineated in #1 for the dates specified in #6 after which time the information will be destroyed in accordance with #10 at the requestor's expense. If the requestor is a district employee requesting to share student information with a third party, the third party shall be responsible for destroying the information at its expense after the deadline for use.
2. Only individuals listed in #7 shall have access to the information.
3. The requestor shall comply with any applicable parental consent requirements and/or opt-out requests for directory information.
4. The requestor shall complete any additional information sharing agreements required by law.
5. The Superintendent will be notified as soon as possible if the requestor suspects or knows that the student information was accessed by an unauthorized user or otherwise breached.

NOTE: If you are a district employee requesting to share student information with a third party, the third party must sign this form or you must print the third-party's terms of service and attach them to this document in lieu of signing below.

I agree, on behalf of my organization, to comply with the above requirements.

Signature _____ Date _____

Print Name _____ Organization _____

Terms of service are attached in lieu of signature. Requestor is still responsible for compliance with any applicable parental consent requirements and notifying a privacy officer if terms of service are not followed by the third party. _____ (requestor's initials)

For internal use only

Request approved by board?

Yes, date: _____

Parental consent will be required before requestor can access requested information

Additional agreement required by law. These agreements are required when disclosure is to organizations conducting studies for or on behalf of the District or for purposes of a state or federal audit.

No, date: _____

End of Jamestown Public School Exhibit FGA-E5

FGA-E6 - MODEL FORM FOR DISCLOSURE TO PARENTS OF DEPENDENT STUDENTS

Student's First Name	Middle Initial	Last Name	
Street Address	City	State	Zip Code

Under the Family Educational Rights and Privacy Act (FERPA), the Jamestown Public School District is permitted to disclose information from your education records to your parent(s) if you are under 18 or if your parent(s) claims you as a dependent for federal tax purposes. If you will turn 18 this school year, please indicate whether your parents claim you as a tax dependent.

Please check the appropriate box:

- Yes. I certify that my parents claim me as a dependent for federal income tax purposes.
- No. I certify that my parents do not claim me as a dependent for federal income tax purposes.

Signature: _____ Date: _____

If parents live at the same address, please list both in # 1.

1. _____ Name	2. _____ Name
_____ Address	_____ Address
_____ City, State, Zip	_____ City, State, Zip
_____ Telephone	_____ Telephone

End of Jamestown Public School District Exhibit FGA-E6

FGA-E7 - SCHOOL OFFICIALS' GUIDE TO FERPA AND DATA PRIVACY POLICY

Education Record

- *Education record* is defined as any record that directly relates to a student and is maintained by the District or by a party acting for the District. This definition excludes law enforcement records and records in the sole possession of the maker used only as a memory aid.⁵⁸

Why the definition matters: Only information considered an education record is protected by the Family Educational Rights and Privacy Act (FERPA) and associated district policy.

Scenarios

1. You keep a personal log of a student's behavior in class. Is this an education record?
 Yes No

Answer and explanation: Probably not. The FERPA definition of education record excludes records that are kept in the sole possession of the maker of the record and are not accessible or revealed to any other person. However, once such records are accessed or shared with any other person, the records likely become education records protected by FERPA.

2. You exchange emails with another teacher about a student's performance. Are these emails education records?
 Yes No

Answer and explanation: Probably not but treat emails as education records until clear legal guidance is available. Few courts outside of North Dakota have addressed this matter; therefore, North Dakota does not have clear legal precedent on how emails should be classified under FERPA. However, once emails have been printed out and maintained in a physical file for the student, the emails likely become education records.

3. As part of an assignment, you ask students to create a video and post them on a blog. Are these videos education records?
 Yes No

Answer and explanation: No. In *Owasso Independent School Dist. No. I-011 v. Falvo*, the Supreme Court found that students' assignments are not educational

⁵⁸ 34 CFR 99.3

records under FERPA. However, if the blog host requires submission of student directory information, other than or in addition to name, and/or personally identifiable information, this information is protected by law and may only be released in accordance with the district's student data privacy policy.

4. You have a conversation with a student about a classroom incident that was not documented in the student's education record. Is this conversation an education record?
 Yes No

Answer and explanation: No. In a 2006 opinion, the U.S. Department of Education (ED) clarified that FERPA applies to actual records not to information derived from a source other than the education record such as a conversation.

5. Your district has surveillance cameras installed in buses and in hallways. Is footage from these cameras education records?
 Yes No

Answer and explanation: Generally, no. Video footage captures everything and is therefore typically not considered an education record because it does not relate to a specific student. However, if video footage captures an incident that leads to disciplinary action, such as a fight, or a medical emergency involving a student, the footage becomes an education record for students involved in the incident.

6. Your district tape records IEP meetings. Are these recordings education records?
 Yes No

Answer and explanation: Yes. See the ED Office of Special Education and Rehabilitative Services memo dated June 4, 2003.

7. Student attendance records are recorded and stored in PowerSchool. Are these data education records?
 Yes No

Answer and explanation: Yes. This information is considered personally identifiable information (PII) and can only be released with parental consent or if an exception applies under FERPA.

8. Parents are required to complete a student registration sheet at the beginning of the school year. Are these forms education records?
 Yes No

Answer and explanation: Yes. This information will be placed in the student's paper record and/or recorded in PowerSchool. While much of the information on

this form is considered directory information, directory information may only be released in accordance with the student data privacy policy.

Directory Information v. Personally Identifiable Information (PII)

Definitions:

- *Directory information* is defined as personally identifiable information contained in a student education record that is generally considered not harmful or an invasion of privacy if disclosed.
- *Personally Identifiable Information (PII)* includes information maintained in the student's education record that could be used alone or in combination to trace a student's identity directly or indirectly and would allow a reasonable person, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

Why the definitions matter: Directory information can be released without parental consent (unless a parent or eligible student has opted out). PII can only be released if parental consent is obtained or an exception under FERPA applies. District policy contains disclosure requirements for both PII and directory information.

In the following scenarios, is the information directory information or protected PII?

1. The local newspaper contacts the school to request the names of students involved in a fight at last night's football game.
 Directory Information PII

Answer and explanation: PII. Release of a student's name in this type of situation would be considered an invasion of the student's privacy because it would reveal portions of his/her disciplinary record.

2. A mother requests a list of names of all parents in her child's classroom and their email addresses.
 Directory Information PII

Answer and explanation: PII. FERPA regulations stipulate that parents' names are considered PII and may not be disclosed without parental consent.

3. The local newspaper covers your local science fair, takes pictures of students involved, and asks for their names.
 Directory Information PII

Answer and explanation: Probably directory information but consult district policy. FERPA classifies names and photographs as directory information if

release does not infringe on students' rights to privacy. However, each school district policy defines directory information differently. The district's definition of directory information may be more restrictive than law. Also, eligible students/parents may opt out of the disclosure of directory information without parental consent.

4. A university researcher asks for a list of student tests scores and expulsion records broken down by student ID.

Directory Information PII

Answer and explanation: PII. Anytime test scores or disciplinary records can be linked to a specific student, disclosure absent parental consent would infringe on student privacy.

5. Your district publishes a quarterly honor roll listing students' names and designating if they earned highest honors, high honors, or honors based on GPA ranges contained in district policy.

Directory Information PII

Answer and explanation: Probably directory information but consult district policy. FERPA classifies names and honors/awards received as directory information if release does not infringe on students' rights to privacy. However, each school district policy defines directory information differently. The district's definition of directory information may be more restrictive than law. In addition, parents/eligible students have the right to opt out of disclosure of directory information absent consent.

6. You are contacted by your local park district and asked to release the weights and heights of three students for purposes of a summer wrestling program.

Directory Information PII

Answer and explanation: PII. FERPA only classifies weights and heights as directory information if released in relation to participation in an athletic team. In this case, the students are participating in non-school sponsored athletic program.

7. A classroom parent requests the names and dates of birth of all your students for party planning purposes.

Directory Information PII

Answer and explanation: Probably directory information but consult district policy. FERPA classifies names and dates of birth as directory information if release does not infringe on students' rights to privacy. However, each school

district policy defines directory information differently. The district's definition of directory information may be more restrictive than law. In addition, parents/eligible students have the right to opt out of disclosure of directory information absent consent.

8. A teacher from one of your student's former schools contacts you to request the student's grades to determine if her school's response to intervention (RTI) program is working.
- Directory Information PII

Answer and explanation: PII. A specific student's grades are considered PII.

School Board Consent

Under state law, school boards must approve release of student data to third parties. Local policy clarifies that student data is limited to directory information, other than or in addition to name, and PII.

Is school board consent required to release student educational records under the following scenarios?

1. You are using a new app that requires students to submit their names and email addresses to a third-party developer. Is approval required?
- Yes No

Answer and explanation: Yes. Policy requires that any third-party receiving directory information, other than or in addition to student names, or PII must be approved by the school board. School boards are required to create a master list of all third parties who have been approved to receive student information. NDSBA advises consulting this list before submitting an information sharing request to the school board to avoid duplicative requests.

2. A parent requests names and addresses of all the students in your classroom for purposes of holding a classroom computer fundraiser.
- Yes No

Answer and explanation: Yes. Policy requires that any third-party receiving directory information, other than or in addition to student names, or PII must be approved by the school board. School boards are required to create a master list of all third parties who have been approved to receive student information. We advise consulting this list before submitting an information sharing request to the school board to avoid duplicative requests.

3. You would like your students to complete a classroom survey on their opinions about e-cigarettes for your health class.

Yes No

Answer and explanation: No. The survey is for classroom purposes only, and this information will not be shared with a third party.

When is Parental Consent Required to Release PII?

School districts are required to obtain parental consent to release PII unless an exception applies under FERPA. Such exceptions include, but are not limited to:

1. In connection with a health or safety emergency under the conditions described in 34 C.F.R. 99.36;⁵⁹
2. To a school official who has a legitimate educational interest in the education records if the following conditions are satisfied:
 - a. Access shall be limited to only information the school official has a legitimate need to know;
 - b. School officials shall use the information only for the purposes for which the disclosure was made and shall not redisclose the information to any other party without proper consent or legal authority;
 - c. Titles of individuals and entities considered school officials shall be included on the district's master list of individuals and entities having access to student information⁶⁰;
3. To an organization conducting a study for the District to develop, validate, or administer a predictive test; administer student aid programs; or improve instruction so long as the organization has entered into a written agreement with the Board in accordance with law; if the organization is conducting a survey of students, the District shall ensure parents are notified in compliance with policy GCC and shall obtain parental consent, if applicable⁶¹;
4. To another school in which the student seeks, intends to, or is already enrolled⁶²; and
5. To the parents of a student who is under 18 or a student who is over 18 and is a "dependent student" as defined in IRS Section 152⁶³.

Is parental consent required in the following scenarios?

1. A school board member contacts you to request documentation on a student disciplinary incident that led to suspension. The board member states that he

⁵⁹ 34 CFR 99.36

⁶⁰ 34 CFR 99.31(a)(1)

⁶¹ 34 CFR 99.31(a)(6)

⁶² 34 CFR 99.31(a)(2)

⁶³ 34 CFR 99.31(a)(8)

needs this information to prepare to serve as a hearing officer at the student's expulsion hearing.

Is parental consent required to release this information? Yes No

Answer and explanation: Yes, based on the timing of the request. A school official must have a reasonable need to know to be granted access to PII. In this case, the school board member's request appears to meet this criterion; however, the school board member is not privy to this information from the student's education record prior to the expulsion hearing. All the facts should be presented during the hearing and expulsion decisions should be based solely on the facts as presented.

2. You are approached at the grocery store by the aunt of one of your students. She indicates that she helped her nephew prepare for his English exam and asks how he did.

Is parental consent required to release this information? Yes No

Answer and explanation: Yes. The student's aunt does not meet FERPA's definition of parent. Under FERPA, parent means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.

3. One of your students was the victim of bullying, and the victim's parents contact you to inquire about the outcome of the bullying investigation. They specifically want to know if the bully was disciplined. You received a copy of the investigation report and consequently know that the bully was suspended, and an expulsion hearing is currently being scheduled.

Is parental consent required to release this information? Yes No

Answer and explanation: Yes. FERPA does not permit you to inform the victim's parents about specific discipline given to another child except for information needed to protect the health and safety of other students or individuals.

4. You coach football, and one of your students is injured during practice. When first responders arrive, they ask you if the student has any known allergies or medical conditions.

Is parental consent required to release this information? Yes No

Answer and explanation: No. "If the educational agency or institution determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any

person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.”

End of Jamestown Public School District Exhibit FGA-E7

FGA-E8 - PARTIES APPROVED TO RECEIVE STUDENT DATA

Individual/Entity	Date of Board Approval	Reason requested (if applicable)	Parental Consent Required to Release
ACT		Assessments	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No FERPA exception applies
Associated Press		Student recognition	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No No, if directory information only; check for opt out requests
College Board (PSAT, SAT)		Assessments	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Consent provided when students register for exams directly through College Board
College recruiters			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Directory information only—check for opt out requests
Comptroller General of U.S.		For audit or	<input type="checkbox"/> Yes

Individual/Entity	Date of Board Approval	Reason requested (if applicable)	Parental Consent Required to Release
		evaluation of federal or state supported education programs or for the enforcement of or compliance with federal legal requirements that relate to those programs	<input checked="" type="checkbox"/> No FERPA exception
EduTech			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception
Head Start		For enrollment purposes and providing special education services	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No FERPA exception
Healthcare providers		Health and safety emergencies; screening and developing IEPs, 504 Plans, and behavioral intervention plans; providing medication	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No No, in the event of an emergency; Yes, for all other reasons
Law enforcement		Health and safety emergencies; school resource officers	X Yes X No No, In the event of an emergency: Yes for all other reasons

Individual/Entity	Date of Board Approval	Reason requested (if applicable)	Parental Consent Required to Release
Medicaid		Medicaid school-based services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Military recruiters			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Directory information only—check for opt out requests
ND DPI	N/a, required by law		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
NDHSAA		Extracurricular participation	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No No, if directory information only—check for opt out requests; Yes if PII is requested
North Dakota Center for Distance Education		Provision of educational services	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception
North Dakota Child Protective Services (state, local, and regional offices)		Child abuse/neglect reporting	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Exception under ND law
North Dakota Department of Career and Technical Education			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Exception

Individual/Entity	Date of Board Approval	Reason requested (if applicable)	Parental Consent Required to Release
			under ND law
North Dakota Department of Health and local health units		Reporting significantly contagious and infectious disease as required by law	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Exception under ND law
North Dakota University System	N/a, required by law	NDCC 15.1-07-25.1	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Directory information only—check for opt out requests
Outside school districts		For enrollment and transfer purposes	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No FERPA exception applies
Parents of an eligible student who is also a "dependent student" as defined in IRS Section 152 ⁶⁴		N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No FERPA exception applies
Pearson		Assessments	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No FERPA exception applies
PowerSchool with MBA plugins	N/a, required by law	NDCC 15.1-07-33	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception

⁶⁴ 34 CFR 99.31(a)(8)

Individual/Entity	Date of Board Approval	Reason requested (if applicable)	Parental Consent Required to Release
PTO		Communication with parents/ fundraising	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No Yes, if parent names will be released. No, if directory information only-check for opt out requests
Renaissance Learning			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception
SLDs	N/a, required by law		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
State or federal court system		When the District initiates legal action against a parent/student or a parent/student initiates legal action against the District or to comply with a judicial order or lawfully issued subpoena	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No District must attempt to contact parents when releasing information under a court order or subpoena unless the court instructs

Individual/Entity	Date of Board Approval	Reason requested (if applicable)	Parental Consent Required to Release
			otherwise
U.S. Department of Education		For audit or evaluation of federal or state supported education programs or for the enforcement of or compliance with federal legal requirements that relate to those programs	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No FERPA exception
U.S. Department of Justice		For audit or evaluation of federal or state supported education programs or for the enforcement of or compliance with federal legal requirements that relate to those programs	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No FERPA exception
Final Site		Alert notification system and District App	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception
Jamestown Dollar for Scholars		Scholarships	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No Depends on data requested
Jostens		Graduation vendor And school pictures	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Directory

Individual/Entity	Date of Board Approval	Reason requested (if applicable)	Parental Consent Required to Release
			information only—check for opt out requests
James Valley Career and Technology Center, University of Jamestown, NDSCS, Lake Region and Dakota Colleges at Bottineau		Dual credit	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception
Jamestown Sun		Student recognition	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No No, if directory information only; check for opt out requests
KQDJ, KSJB, KFGO, KVOX, WDAY, Prairie Public Radio		Student recognition	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No No, if directory information only; check for opt out requests
Dakota Central, KCSI TV and KVLV TV		Student recognition	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No No, if directory information only; check for opt out requests
E-Funds		Family payments	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Individual/Entity	Date of Board Approval	Reason requested (if applicable)	Parental Consent Required to Release
			School official exception
ESG		Assessment	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception
South East Education Coop.		Regional Education Association	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception
James River Special Education		For special education/disability services	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception
Neis, Harlow		Student transportation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception
SAVVAS, McGraw Hill, Voyager Sopris, Measure Up Live, IXL, Houghton Mifflin Harcourt, SeeSaw, FAST Bridge Assessment, Read 180, ND NDSA/Measured Progress, Schoology, Renaissance Assessment, Visible Body, WIDA(EL Assessment), Google apps, Microsoft, Achieve 3000, Discovery Education, Fitnessgram (BSN Sports) Scholastic NSGRA, Delta Math,			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No School official exception

Individual/Entity	Date of Board Approval	Reason requested (if applicable)	Parental Consent Required to Release
Great Minds, Amplify, Center for Competency Based Education, Frontline 504, Classlink, Folliet(Destiny)			
ME Photography, Christine Fieber Photography, Captured by Kayla			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Directory information only—check for opt outs

SCHOOL OFFICIALS WHO RECEIVE STUDENT DIRECTORY AND/OR PERSONALLY IDENTIFIABLE INFORMATION
(List by title—list below is sample)

Title	Directory and/or PII
Activities director	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Attendance secretary	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Bus drivers	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Business Manager	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Coaches and advisors	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Counselor	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Interventionist	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Librarian	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Paraprofessionals	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Principals	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII

School board members	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
School food services staff	<input checked="" type="checkbox"/> Directory <input type="checkbox"/> PII
School nurse	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
School psychologist	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Social worker	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Special education director	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Speech language pathologist	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Student teachers	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Substitute teachers	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Superintendent	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Teachers	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Technology director	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Volunteers	<input checked="" type="checkbox"/> Directory <input type="checkbox"/> PII
Assistant coaches and advisors	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Assistant principal	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Assistant superintendent	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Human resources director	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Lunch and playground supervisor	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Medication aide/assistant	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
School resource officers	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
SIMS Coordinator	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Special Education Technician	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Technology Staff	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII

Curriculum Director	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII
Registrars	<input checked="" type="checkbox"/> Directory <input checked="" type="checkbox"/> PII

End of Jamestown Public School District Exhibit FGA-E8 Reviewed 7/15/2024

FGB* RELIGION

Descriptor Code: FGBB

FGBB - STUDENT PRAYER DURING NON-INSTRUCTIONAL TIME

The District, in accordance with state and federal law, shall permit student-initiated recitation of prayer and religious speech in school at any time before, during, and after the school day to the same extent that the District allows secular speech. Restrictions imposed on the time, place, manner, or location of any student-initiated recitation of prayer or religious speech shall not exceed those placed on students' secular speech.

The decision to participate or not participate in student-led or student-initiated religious expression is a matter of individual choice. No student shall be permitted to harass or intimidate other students to participate or refrain from participating in religious expression. School staff shall refrain from encouraging or discouraging students from participating in such activity.

End of Jamestown Public School District Policy FGBBAdopted:2/15/2010 Amended 2/19/2024

FGC* SEARCHES & INTERROGATIONS

Descriptor Code: FGCA

FGCA - SEARCHES OF LOCKERS

The District retains ownership and control of all lockers. Access to all lockers is a legal right of school officials whose responsibility it is to protect the health, safety, and welfare of all students enrolled. Students shall have no reasonable expectation of privacy when using lockers. Student shall be given advanced notice of this policy through student handbooks or another form of notification.

Lockers may be subject to suspicion less searches, inspections for purposes such as routine maintenance, or searches where there is suspicion that locker(s) contains objects/substances that are illegal, violate school policy, or may be detrimental to the health, safety, or welfare of district students.

Search Procedure

When a locker is subject to a search, the principal/Superintendent should be accompanied by at least one other school staff member.

Students' personal items stored in lockers such as, but not limited to, book bags, purses, and coats shall not be searched unless there exists reasonable suspicion that they contain an object(s) or substance(s) in violation of school rules/policy, the law, or which may be detrimental to the health, safety, or welfare of enrolled students

The Administrator who authorized the search shall document the incident and as necessary, notify the Superintendent.

Use of Trained Dogs & Involvement of Law Enforcement

Trained dogs may be used to smell the outside of students' lockers. If the dog detects the possibility of objects/substances that are illegal or violate school policy, the principal/Superintendent shall search the locker in accordance with the search procedure above.

In the event a police officer or other law enforcement officer is to conduct a search of a student's locker, probable cause is necessary unless the search is school-initiated and would pose a safety threat if conducted by school staff.

Illegal substances found in lockers may be turned over to proper authorities.

End of Jamestown Public School District Policy FGCAAdopted: 5-6-2019

FGCB - SEARCHES OF STUDENTS & STUDENTS' PERSONAL PROPERTY

A search of a student's personal property or clothing shall only be undertaken when there is a reasonable and particularized suspicion that the student is concealing an object(s) or substance(s) in violation of school rules/policy, the law, or which may be detrimental to the health, safety, or welfare of enrolled students. The building administrator or Superintendent must authorize all searches.

When the principal/Superintendent has reasonable suspicion that one or more students are carrying a prohibited object, article, or substance or are otherwise in possession of a prohibited object, article, or substance on school property or at a school-sponsored event, all personal property belonging to the suspected student(s) may be subject to inspection. When determining the scope of a search, the principal/Superintendent shall ensure that any measures adopted are reasonably related to the object of the search and not excessively intrusive in light of the age and sex of the student.

Search Procedure

For the purposes of this policy, personal property includes, but is not limited to: a student's vehicle, backpack, book bag, and/or purse. Students may also be asked to empty their pockets; however, strip searches shall not be conducted.

Searches of persons should be conducted in private by a school employee of the same sex as the student with a school employee present as a witness.

Searches of Vehicles

The principal or designee, with a witness present, shall conduct searches of student vehicles if the vehicle is parked on school property and if reasonable suspicion exists. The principal shall make a reasonable attempt to contact the student who owns the vehicle and ensure s/he is present during the inspection unless an emergency situation is deemed to exist. If a vehicle is locked and its owner cannot be contacted or refuses to open it, the principal shall contact law enforcement.

Involvement of Law Enforcement

The principal/Superintendent may request the assistance of law enforcement to conduct any portion of a school-initiated search of a student/student's personal property that would pose a safety threat if conducted by school staff. In all other cases, law enforcement must have probable cause in order to search a student/student's personal property.

Illegal substances found during searches of students/students' personal property may be turned over to proper authorities.

Reporting Requirements

The administrator who authorized the search shall document the incident and as necessary, notify the Superintendent.

Complementing Policies:

- FGA, Student Records
- FGCB-E, Search & Seizure of Students Form

End of Jamestown Public School District Policy FGCB

Adopted:5-6-2019

FGCC - STUDENT INTERVIEWS, INTERROGATIONS, AND CUSTODY BY SCHOOL RESOURCE OFFICERS AND OUTSIDE AUTHORITIES

General Provisions

For all action permitted by this policy and/or law, it is the responsibility of law enforcement officials, not district employees, to assure compliance with procedural and constitutional safeguards.

School Resource Officers (SROs)

When acting in the role of a school official to investigate school policy violations and/or maintain the safety of the school environment, SROs may interview students without parental consent and may search students in accordance with applicable school district policy on searches by school officials. When a student is suspected of a crime, the SRO shall comply with the procedure below pertaining to police interrogations.

Communications with School Resource Officer (SRO)

In all cases where any law enforcement officer, other than assigned SROs, needs to interview or take into custody a student, the law enforcement officer should make every attempt to contact the school's primary SRO and inform them of the need to contact a student unless there is an emergency. If the primary SRO cannot be contacted then the law enforcement officer should continue their attempt in contacting any other district SRO. If available, the SRO will assist and coordinate the interview/taking into custody of the student with school officials.

Police Interviews and Interrogations

To minimize disruptions to the school environment and embarrassment to students involved, all police interviews and interrogations of students on school property shall be held in private unless the urgent nature of the situation prevents compliance with this requirement as determined by the building principal or designee in consultation with law enforcement. Students shall not be subject to coercion or illegal restraint during police interviews and interrogations.

1. When the student is the suspect of a crime (police interrogation): The Superintendent or building principal shall only grant the interrogation request if the following conditions are met:
 - a. The officer properly identifies him/herself to the building principal or designee if the officer is unknown to the school, confirms the identity of the student to be interrogated, and confirms the reason and purpose of the interrogation.

- b. The interrogation relates to a school matter or needs to be held at school because of justifiable law enforcement need that is explained to the building principal or designee.
- c. The student's parent, guardian, or attorney is present for the interrogation. This requirement does not apply to students of legal age.
- d. The student is read *Miranda* rights.

These requirements do not apply to crimes in progress, which are covered under this policy's section on taking students into custody.

2. When a student is a witness or victim of a crime: The Superintendent, building principal or designee may grant requests for a police interview of a student who is a witness or victim of a crime if the following conditions are met:
 - a. The officer properly identifies him/herself to the building principal or designee if the officer is unknown to the school, confirms the identity of the student to be interviewed, and confirms the reason and purpose of the interview.
 - b. The interview relates to a school matter or needs to be held at school because of justifiable law enforcement need that is explained to the building principal or designee.
 - c. At a minimum, a school official is available to be present at the police interview. The building principal or designee should attempt to contact the student's parent or guardian and allow them to attend the interview unless the urgent nature of the situation demands that the interview be conducted as soon as possible. The building principal or designee, in consultation with law enforcement, shall make the determination of whether or not to contact parents/guardians on a case-by-case basis.
 - d. If, during the interview, the student becomes a suspect of a crime, the requirements in #1 shall be implemented as soon as this suspicion arises.

Interviews of Students by Officials of Other Agencies

When the Department of Human Services or an officer acting on the agency's behalf requests to interview a student as part of a child/abuse neglect investigation, the building principal shall:

1. Verify that the purpose of the interview is to investigate child abuse/neglect;
2. Require that the interviewer identify him/herself;
3. Allow a student to be interviewed if the student is the subject of, sibling of, or living with a child the subject of abuse/neglect;
4. School staff shall not share information related to a child abuse investigation with the public or the child's parents.

Students taken into Custody at School

In all of the situations listed below, efforts should be made to minimize embarrassment or loss of class time for the student. The office of the Superintendent and principal should be notified immediately when any of the actions listed below has occurred if not previously aware that these actions were to occur.

1. Student Taken into Custody: Police officers, counselors of the juvenile court, or other authorized law enforcement officials have the right to enter the school to take a student into custody or to make a lawful arrest of a student, provided the officer displays an order signed by a judge of the juvenile court authorizing the taking of the student into custody, displays a warrant for the student's arrest, or has probable cause to make an arrest. If the student is arrested and/or taken into custody at a school, the school officials should make every effort to notify the parents immediately.
2. Right to Serve Subpoena in School: While police officers have the legal right to serve a subpoena at school, the serving officials should be strongly urged to serve these subpoenas off campus whenever possible.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- LBB, Relations with Department of Human Services

End of Jamestown Public School District Policy FGCCAdopted:4/16/2018

FGD* MISCELLANEOUS RIGHTS & RESPONSIBILITIES

Descriptor Code: FGDB

FGDB - STUDENT HANDBOOKS

The Superintendent or designee shall create student handbooks in conformance with the Department of Public Instruction's regulations. The Superintendent shall ensure that student handbooks do not conflict with district policy, state law, and/or federal law. The Board shall review student handbooks prior to dissemination.

Student handbooks shall be disseminated to each student at the beginning of the school year and to each new student upon enrollment in the District.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FGDB-E, Department of Public Instruction Student Handbook Regulations

End of Jamestown Public School District Policy FGDBAdopted:3/1/2010 Reviewed 5/16/16

FGDB-E - DEPARTMENT OF PUBLIC INSTRUCTION STUDENT HANDBOOK
REGULATIONS

67-19-01-42. School policies - Handbooks.

A school must provide to each student a current student and parent handbook that includes the school mission or philosophy, goals, objectives, student rights and responsibilities, and policies on parent and student issues that include attendance, discipline, promotion and retention, and graduation requirements.

End of Jamestown Public School District Exhibit FGDB-E...Adopted 3/1/2010,Reviewed 5/16/16

FGDD - STUDENT PUBLICATIONS & FREEDOM OF EXPRESSION POLICY

School-sponsored media as defined by NDCC Ch. 15.1-06 shall be supervised by a student media advisor but shall not be reviewed by an administrator unless the publication is believed to contain restricted content as listed below.

The following material is prohibited from being published in school-sponsored media:

1. Material that is profane or pornographic
2. Material that is slanderous or libelous in nature.
3. Material that infringes or may infringe on the privacy rights of others
4. Material that violates federal or state law, promotes violence, terrorism, or other illegal activities including, but not limited to, material that promotes tobacco and/or drug and alcohol use by minors
5. Material that is reasonably forecasted to materially and substantially disrupt the educational environment
6. Material that violates or incites the violation of policy.
7. Material that poses a direct safety threat to the District, its students, and/or staff

A decision to prohibit publication and distribution of a student publication with restricted content shall be made by the building principal and may be appealed to the Superintendent. The Superintendent shall investigate and issue a decision in a timely manner. Superintendent's decision is binding.

Policy FGDD Adopted 8-13-2015

G INSTRUCTION

GA* CURRICULUM INCLUSIONS

Descriptor Code: GAAA

GAAA - CURRICULUM DESIGN & EVALUATION

Development

Through the District School Improvement Committee, a sub-committee will be created to assess curricular needs, review curricular inclusions, and make curricular recommendations on expansion and improvement. The committee shall be comprised of a board member, principals, the curriculum director, and teachers.

The curriculum shall include all components/subjects mandated by law and shall provide for the needs of all students, including both vocational and college-bound students. The curriculum/curricular programs shall at least contain the following components:

1. Content standards, which shall, at a minimum, be based upon state standards.
2. Performance objectives, which shall, at a minimum, be based upon state standards. The objectives should highlight core skills and knowledge that the majority of students are expected to acquire. They must provide clear direction to instructors and be concrete enough to allow documentation of student growth.

Curriculum proposals shall demonstrate consistency with the district's mission and education goals, contain a justification for the proposed program, describe conditions and resources necessary to meet performance standards and programming needs, and shall contain an implementation procedure and timeline.

Evaluation

Annually, by a deadline established by the Board, the curriculum committee shall complete an evaluation of the current curriculum and submit recommendations to the Board for action. Evaluation will be performed in order to determine the need for modification to or elimination of current curricular programs and offerings and the need for new curricular offerings and programs.

The curriculum committee may use at least the following indicators during this evaluation process:

1. Testing programs such as national standardized general achievement tests, nationally standardized tests in specific subject areas, and tests administered by other agencies;
2. Study of school achievement records;

3. Study of students' dropout records;
4. Utilization of out-of-system services; participation in regional research studies; contracted evaluation services;
5. Teacher and parent evaluation of student achievement and curricular needs;
6. Recommendations by teachers and/or administrators;
7. Evaluation by other agencies.

All board action on curriculum matters will be taken in accordance with the district's policy on curriculum adoption.

The District has adopted a separate procedure related to complaints about instructional material and resources. This policy shall not supersede or govern that procedure.

Complementing Policies:

- BBBB, Standing Committee/SB Negotiations Team
- GAAB, Curriculum Adoption
- GAAC, Review & Complaints about Instructional & Resource Material
- GAAC-BR, Procedure for Reviewing Complaints about Instructional/ Resource Material

End of Jamestown Public School District Policy GAAAAdopted:5-6-2019

GAAB - CURRICULUM ADOPTION

During the course of the school year, the curriculum sub-committee of District School Improvement Committee(DSIC) may suggest improvements and changes to the curriculum, and such changes may be implemented administratively by the Superintendent and his/her designee(s) as the Superintendent deems necessary and educationally sound. The Superintendent shall report to the Board prior to implementing such changes.

End of Jamestown Public School District Policy GAAB

Adopted:5-6-2019

GAAC - REVIEW & COMPLAINTS OF INSTRUCTIONAL & RESOURCE MATERIAL

In order to consider the opinions of those persons in schools and the community who are not directly involved with the instructional and resource material selection process, and to avoid the possibility of a biased or prejudicial attitude influencing selection, a board-appointed district review committee shall deal with formal complaints about and/or requests for reconsideration of library and instructional materials.

This committee shall be responsible for reviewing all selection standards and procedures and shall work with all departments in clarifying selection criteria.

All citizen requests for reconsideration of and complaints about instructional and resource material will be processed through the District Review Committee.

A procedure for processing and responding to criticism of approved material shall be established and followed. This procedure shall include the use of a formal signed "Request for Reconsideration of Instructional Resources" form.

The District subscribes to the philosophy stated in the School Library Bill of Rights.

Complementing Policies:

- GAAC-BR, Procedure for Reviewing Complaints about Instructional/ Resource Material
- GAAC-E1, Request for Reconsideration of Instructional Resources
- GAAC-E2, Library Bill of Rights

End of Jamestown Public School District Policy GAAC

Adopted:12/18/2017

GAAC-BR - PROCEDURE FOR REVIEWING COMPLAINTS ABOUT INSTRUCTIONAL/RESOURCE MATERIAL

Review Committee

The Board shall appoint an instructional/resource material review committee annually before the commencement of the school year. The committee shall be composed of the following individuals as selected by the Superintendent:

1. A media specialist
2. A teacher or teacher(s)
3. A parent or parents
4. The principal(s)
5. The Superintendent

The committee may obtain the assistance of individuals with expertise in an area/subject that comes before the committee for review and may hold a public forum to receive community input when instructional or resource material is contested.

Review Procedure

When a complaint or request for review of instructional material is made, the following procedure shall be followed:

1. The building principal shall require the complainant to complete a Request for Reconsideration of Instructional/Resource Material form.
2. The building principal shall submit the completed form to the Superintendent who shall call the review committee meeting to initiate the review process as soon as practicable.
3. If the item being contested is a library book, the item may be placed on reserve in the library during the review process, requiring parental permission to check out. If the review relates to curricular material, the principal may issue notice to parents of the instructional material under review and may provide parents the option of electing an alternative assignment for their children during the course of the review process.
4. The review committee shall generate a report of recommendations. Recommendations to remove or restrict access to material must be based on the following criteria:
 - a. The material is pervasively vulgar.
 - b. The material is not educationally suitable.
 - c. The material is not age appropriate.
 - d. The material is part of the curriculum and forces students to profess or deny a belief in what they are reading or engage or refrain from engaging in a practice contrary to their religious belief.
 - e. The material violates the requirements of NDCC 15.1-21-05.1.

Recommendations shall not be made to suppress a viewpoint or limit student exposure to divergent ideas. Mere exposure to an idea does not violate students' rights and the District shall not prescribe what is orthodox in politics, nationalism, religion, or other

matters of opinion. Consequently, the committee should consider alternatives to removing instructional/resource material such as, but not limited to, an opt-out option for curricular material or placing check-out restrictions on library material.

1. If the review committee does not unanimously agree on the recommendations, the dissenting committee members may generate a minority report. This report must contain all components listed above.
2. The review committee shall issue recommendations to the Board as soon as practical.
3. The Board shall review and read as appropriate the challenged material before formal action is taken.
4. The board's ruling is final. All findings and records related to the review process shall be retained by the Superintendent.

End of Jamestown Public School District Board Reg. GAAC-BRAccepted:12/18/2017 Amended 1-16-2023.

GAAC-E1 - JAMESTOWN PUBLIC SCHOOLS REQUEST FOR RECONSIDERATION OF INSTRUCTIONAL RESOURCES

Material Information

Author: _____

Title: _____

Publisher or Producer: _____

Copyright Date: _____

Type of Material: Library book Periodical Movie Textbook
 Other learning aid: _____

Requestor's Information

Name: _____

Telephone numbers

Home: _____

Work: _____

Cell: _____

Address: _____

City: _____

Requestor represents: Self Group/organization: _____

Reason for Request

- I do not feel material is educationally suitable for the following reasons.
- I do not feel the material is age-appropriate for the following reasons.
- The material is part of the curriculum, and I feel it violates students' rights for the following reasons.
- I feel that the material is vulgar. Explain.

Familiarity with Material

Did you read, listen, or view the work in its entirety? If not, what parts?

Yes No:

What are the benefits to be derived from study of this material?

What do you believe is the theme of this material?

Are you aware of the judgment of this material by professional critics? If yes, explain.

Yes No:

Proposed Remedies

What would you like the school to do about this material?

- Do not assign/lend it to my child
- Withdraw it from all students
- Other:

In its place, what material of equal literary or scientific value would you recommend that would convey as valuable a picture and perspective of the subjects treated?

Signature of Requestor: _____ Date _____

FORM MUST BE RETURNED TO THE BUILDING PRINCIPAL

GAAC-E2 - LIBRARY BILL OF RIGHTS

The American Library Association Affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

1. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
2. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
3. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
4. Libraries should cooperate with all persons and groups concerned with resisting abridgement of free expression and free access to ideas.
5. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
6. Libraries that make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

End of Jamestown Public School District Exhibit GAAC-E2

GAAD - SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS

The Jamestown Public School Board is legally responsible for all matters relating to the operation of its public schools. This includes the selection and adoption of textbooks, supplementary, and other educational materials used in the school system.

The Board delegates responsibility for the selection of educational materials to the professionally trained personnel of the school system. The Superintendent shall bring all instructional material recommendations to the Board for final approval.

Instructional materials include all print and non-print materials used for the education of the student in the teaching-learning process, including library material.

Selection Objectives

The primary objective for the selection of instructional materials is to implement and enrich the curriculum and further the achievement of the district's instructional goals. It is the district's desire to provide a wide range of materials on appropriate levels of difficulty, with diversity of appeal, and the presentation of different points of view.

The District subscribes to the philosophy stated in the School Library Bill of Rights. (See GAAC-E2). When reviewing and selecting educational materials, the objectives will be to:

1. Select materials that will provide improvements in content, organization, and teaching methods and be aligned to the state standards and benchmarks.
2. Ensure accurate and up-to-date content and provide for the needs of a wide range of learners.
3. Provide for sequential growth and continuity from level to level.
4. Provide a fair representation of the many religious, ethnic, and cultural groups and their contributions to our country and world. There will be no discrimination or bias or prejudice on the basis of sex, race, religion, marital status, age, disability, national origin, color, or other class protected by law.
5. Present a balance of opposing sides of controversial issues so that young citizens may develop, under guidance, the practice of critical thinking.

Consideration will be given to readability and levels of difficulty, appropriateness of content, skills or prior learning required of students, skills or inservice required of teachers, provisions for ascertaining mastery of content by students, and aesthetic quality of materials.

Gift materials are to be judged by the same selection standards, and are accepted or rejected by these standards.

Selection Process

School personnel may, at least, consult the following sources as part of the instructional material selection process:

1. Use of library selection aids (e.g., *Book List* and the *School Library Journal*)

2. Exchange of materials with other schools
3. Visits to book exhibits and displays
4. Text and courses of study within the District
5. Teachers
6. Students
7. Educational organizations

All selections must be consistent with the selection objectives listed in this policy.

Complaints

Any citizen who objects to the final selection made by the Board or who objects to materials already in use should follow the procedures outlined in the board's policy on Review of Instructional Materials (GAAC).

Complementing Policies:

- GAAC, Review of Instructional Materials
- GAAC-BR1, Procedure for Reviewing Complaints about Instructional/ Resource Material
- GAAC-E1, Request for Reconsideration of Instructional Resources
- GAAC-E2, School Library Bill of Rights

End of Jamestown Public School District Policy GAAD

Adopted:1/18/218

GAAE - CRITICAL RACE THEORY

Definitions

For the purpose of this policy:

- *Critical race theory* is as defined in NDCC 15.1-21-05.1 and means the theory that racism is not merely the product of learned individual bias or prejudice, but that racism is systematically embedded in American society and the American legal system to facilitate racial inequality.
- *Curriculum* means the knowledge and skills students are expected to learn and includes the collection of subjects and academic content taught by teachers in the District. District curriculum is designed and evaluated in accordance with policy GAAA and adopted by the Board pursuant to policy GAAB.
- *Instructional/resource materials* means all print and non-print materials, including textbooks, as well as supplementary, library and other educational materials, used for the education of students in the teaching-learning process.

Requests to View

The Board shall make available for public viewing district curriculum and instructional/resource materials used in the school system to ensure compliance with the requirements set forth in NDCC 15.1-21-05.1.

Curriculum and instructional/resource materials shall be made available for public viewing upon request. When a request to view is made, the building principal shall direct the requester to complete a Request to View Instructional/Resource Material form in which the individual must identify the specific material the individual wishes to view. The completed Request form must be returned to the building principal. Once a completed Request form is received, the building principal shall inform the requester of a time during which the individual may review the requested material at the district office. The time for review must occur within thirty (30) days of receipt of the completed Request form.

Complaint Procedure

Any complaints that district curriculum or any instructional/resource material does not comply with the requirements of NDCC 15.1-21-05.1 must be submitted and handled in accordance with the process and procedures outlined in GAAC-BR (Procedure for Reviewing Complaints About Instructional/Resource Material).

Professional Development

All district-led or district-sponsored professional development must comply with the requirements of NDCC 15.1-21-05.1.

Complementing policies:

- GAAA, Curriculum Design and Evaluation
- GAAB, Curriculum Adoption
- GAAC, Review and Complaints of Instructional and Resource Material

- GAAC-BR, Procedure for Reviewing Complaints about Instructional/Resource Material
- GAAD, Selection and Adoption of Instructional Materials
- GAAE-E1, Request to View Instructional/Resource Material

End of Jamestown Public School District Policy GAAE

Adopted:2/6/2023

GAAE-E1 - JAMESTOWN PUBLIC SCHOOL DISTRICT REQUEST TO VIEW INSTRUCTIONAL/RESOURCE MATERIAL

Material Information

Title or Description of Materials: _____

Publisher or Producer: _____

Copyright Date: _____

Type of Material: Library book Periodical Movie Textbook

Other learning aid: _____

Requestor's Information

Name: _____

Telephone numbers

Home: _____

Work: _____

Cell: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Requestor represents: Self Group/organization: _____

Signature of Requestor: _____

Date: _____

FORM MUST BE RETURNED TO THE BUILDING PRINCIPAL

GAB* REQUIRED CURRICULAR PROGRAMS

Descriptor Code: GABAA

GABAA – SERVICES FOR ENGLISH LEARNERS

It is the policy of the Jamestown Public School District to provide the appropriate educational services as required by law. Students are guaranteed equal educational opportunities regardless of race, color, religion, gender, national origin, ancestry, disability, or other status protected by law. Students identified as lacking the necessary language proficiency to learn and interact in the classroom shall be provided necessary services.

The District provides appropriate educational services and parity in programs/services/resources provided to students who are Limited English Proficient (LEP) and/or English Learners (EL). The District has developed a plan that describes the process of identifying and assessing students who are LEP or EL. The plan is consistent with state and federal requirements.

The plan also includes a procedure for ensuring participation by identified students in state mandated assessments and a description of methods used to assist with language proficiency and academic achievement, including a description of the instructional model chosen, method of developing individual student instructional plans, teacher assessment, instructional planning, parental involvement, and program exit criteria. The plan assures that a trained ESL or bilingual education teacher shall oversee the LEP and EL program. The plan will be monitored to ensure that portions that fail to meet the needs of LEP and EL students are revised or discontinued.

Parents or guardians of EL and LEP students shall be notified upon identification and be informed of the student's needs, services available, and annual progress in English and academic achievement. Parents or guardians shall be communicated with, to the extent practicable, in their native language or a language that they can understand.

Complementing Policies:

- AAC, Nondiscrimination and Anti-Harassment Policy
- FAB, School Assignment
- FACA, Placement and Adjustment of Transfer Students
- GABAA-AR, English Learners (EL) Communication Procedure

End of Jamestown Public School District Policy GABAA.. Adopted:2/6/2017 Amended 4/15/2024

GABAA-AR - ENGLISH LEARNERS (EL) COMMUNICATION PROCEDURE

The following policies, forms, and rules shall be communicated in writing to EL and Limited English Proficient (LEP) students (and when applicable, their parents) in their language of origin. The District should maintain documentation verifying that students (or, when applicable, parents) have received and understand these documents. This communication should occur as soon as practical, except as otherwise specified below, subject to the availability of translation services. Any delays in providing such written communication to EL-students (and, when applicable, parents) should be documented in writing with an explanation of the reason for the delay and a description of how the District intends to accommodate and/or protect the student until this communication can occur.

1. School enrollment forms (forms will be translated on a case-by-case basis as needed)
2. All school district policies and regulations related to student conduct, student rights and responsibilities, and general student health and safety protocols (e.g., medication in schools, student supervision, etc.)
3. Test administrators recommend meeting with parent or guardians prior to testing.
4. Documents pertaining to EL identification procedures, services, and opt-out procedures
5. Parental consent and waiver forms (forms will be translated on a case-by-case basis as needed)
6. All safety rules applicable to curricular and extracurricular activities in which an EL student participates (e.g., lab safety, shop safety, pool safety, extracurricular participation safety rules, etc.). These rules should be communicated prior to the student participating in the activity in which such rules apply.

End of Jamestown Public School District Administrative Regulation GABAA-AR.....Amended 6/17/2024

Description Code: GABBA

GABBA - CHILD FIND REFERRAL PROGRAM FOR STUDENTS WITH DISABILITIES

Every child with a disability residing within the Jamestown Public School District is entitled to a free, appropriate public education. A comprehensive program to locate children with disabilities residing within the school district is an on-going commitment of the Board.

Referrals for special education programs may be made by classroom teachers, guidance counselors, or other school personnel through the principal of the school in which the child is enrolled or may be requested by the child's parent. All procedures relative to the assessment and placement of children with disabilities will comply with the regulations of federal and state law and the Department of Public Instruction. The special education program shall consist of special classes, special equipment, and itinerant services as needed.

Policy GABBA Adopted 5-21-2018

GABC - SEX EDUCATION

Parents have the prime responsibility to assist their children in developing knowledge and moral values with regard to sex education. The schools shall support and supplement parents' efforts in the areas of family life and sex education by offering students factual information and opportunities to discuss concerns, issues, and attitudes inherent in family life and sexual behavior. Instruction dealing with family life and sex education, including sexually transmitted diseases, may be offered in several different courses and shall be offered in accordance with 20 U.S.C. 7906.

In elementary courses where human reproductive organs and their functions and processes are described, illustrated, or discussed, opportunity will be provided for all parents or guardians to request in writing that their children not attend. Instructional materials to be used in family life and sex education will be available for inspection by the parent or guardian during school hours prior to the commencement of the instructional program. Teachers who provide instruction in family life and sex education will have professional preparation in the subject area.

Policy GABC Adopted 3-1-2010

GABC-E - SEX EDUCATION LAW

20 U.S.C. 7906

Prohibitions

None of the funds authorized under this chapter shall be used:

1. To develop or distribute materials, or operate programs or courses of instruction directed at youth, that are designed to promote or encourage sexual activity, whether homosexual or heterosexual;
2. To distribute or to aid in the distribution by any organization of legally obscene materials to minors on school grounds;
3. To provide sex education or HIV-prevention education in schools unless that instruction is age appropriate and includes the health benefits of abstinence; or
4. To operate a program of contraceptive distribution in schools.

Local control

Nothing in this section shall be construed to:

1. Authorize an officer or employee of the Federal Government to mandate, direct, review, or control a State, local educational agency, or school's instructional content, curriculum, and related activities;
2. Limit the application of the General Education Provisions Act [20 U.S.C.1221 et seq.];
3. Require the distribution of scientifically or medically false or inaccurate materials or to prohibit the distribution of scientifically or medically true or accurate materials; or
4. Create any legally enforceable right.

Policy Exhibit GABC-E Adopted 3-1-2010

GABDA - STUDENT ACHIEVEMENT

The Board recognizes that the key work of school boards is to establish and promote a clear vision of student achievement as the top priority of the District.

The Superintendent will ensure development and implementation of a district-wide program for student achievement improvement that engages district stakeholders in a continuous improvement planning process that provides for annual review, revision as needed, and reports to the community. The district's program will be reflected in school and district improvement plans if applicable and will include, but not be limited to, the following:

1. Self-evaluation of current and prior student achievement and behavioral data, including student and community demographics, student access to and utilization of educational opportunities to meet standards, district progress toward development and implementation of improvement programs, and stakeholder satisfaction.
2. Data-driven goal setting utilizing methods recommended by the Department of Public Instruction or local methods.
3. Action planning including provisions for accountability, professional staff development, steps to assure a safe educational environment conducive to learning, identification of local efficiencies and resources, steps to assure all students have access to the educational opportunities needed to meet the high standards of the State and District, resource allocation and realignment strategies needed to support improvement efforts, and steps to improve methods of student assessments and/or to better utilize student assessment results.

The district's program will be consistent with any North Dakota Department of Public Instruction requirements and reflected in school and district improvement plans if applicable.

The Board will, in striving for continuous improvement of student achievement, annually review district and individual school data on student achievement. In addition, the Board will prioritize, allocate, and realign resources as necessary.

GABDB - FEDERAL TITLE PROGRAMS DISPUTE RESOLUTION PROCEDURE

Process

Any individual who believes that the Jamestown Public School District has violated the regulations or law governing a federal Title program should submit a detailed complaint supporting the allegation to the Superintendent at 207 2nd AVE SE, Jamestown, ND 58401, 701-252-1950. The Superintendent shall investigate the complaint and provide the individual with a written response within 30 calendar days.

If the individual wishes to appeal the determination of the Superintendent, the individual should submit a written complaint via mail or email to:

Director of Specific Title Program
North Dakota Department of Public Instruction
600 E Boulevard Ave., Dept. 201
Bismarck, ND 58505-0440

The Superintendent shall provide the individual with the appropriate name and email address of the director of the specific title program. Any complaint must include the following:

1. Date;
2. Name of school district, unit, or individual the complaint is against;
3. Name, address, and telephone number of the individual filing the complaint;
4. Detailed description of the complaint, including specific facts; and,
5. Signature of the person making the complaint.

When a written complaint is filed, the appropriated ND DPI Title Director will investigate and issue a written response within sixty (60) calendar days from the date the complaint is received.

Reconsideration

Once a response is received from ND DPI staff, the person making the complaint may submit a reconsideration request in writing to the State Superintendent with thirty (30) days of the title director’s response. The State Superintendent will issue a final decision within thirty (30) days of the request for reconsideration.

If the complaint is not resolved to the satisfaction of the individual, the individual may forward the complaint to:

Secretary of Education
U.S. Department of Education
555 New Jersey Avenue, NW
Washington, DC. 20208

GAC* OTHER CURRICULAR PROGRAMS

Descriptor Code: GACB

GACB - PATRIOTIC EXERCISES

The Board authorizes the voluntary recitation of the pledge of allegiance by a teacher or one or more students at the beginning of each school day. The building principal and/or classroom teacher may provide a daily program for the voluntary pledge of allegiance. Students may also receive instruction concerning the words and music of the national anthem, so they are able to recite or sing the words and recognize the music.

The Board recognizes that the beliefs of some students and teachers prohibit their participation in these patriotic exercises. No person shall be required to participate in these exercises. All persons, however, are expected to show respect to the flag and to the participation of others in the exercise.

Schools may hold ceremonies and/or integrate information into the curriculum related to historically significant and/or patriotic holidays such as, but not limited to, Martin Luther King Day, President's Day, Flag Day, and Columbus Day.

End of Jamestown Public School of District Policy GACB Adopted:4/5/2010 Amended 2/19/2024

GACC - POST-SECONDARY DUAL CREDIT

It is the belief of the Board that any student who is capable of, and wishes to do, college-level work while in high school should be permitted to do so and given assistance in enrolling in advanced courses. Therefore, the Jamestown Public School District will participate in the Post-secondary Enrollment Options Program allowed by North Dakota law. The Superintendent is authorized to enter into agreements with post-secondary institutions to provide post-secondary courses in the high school and to count post-secondary courses toward high school graduation.

Any 11th or 12th grade student whose admission to a college-level course is recommended by a counselor or principal and who maintains a minimum grade-point average of 3.2 may enroll in a course at any of the eligible institutions for post-secondary credit. Permission from the Superintendent will be required to apply the course toward high school graduation requirements. The Superintendent shall develop criteria for approval of courses. Although a course may count toward both high school graduation and post-secondary degree, no post-secondary course may be substituted for a required high school course unless approval is granted by the superintendent.

In addition to allowing students to enroll in college-level courses taught at post-secondary institutions, this District may offer courses that qualify for dual credit in cooperation with eligible institutions. Students enrolled in these courses may apply to the post-secondary institution for dual credit. Information about the requirements set forth by the post-secondary institution will be available from counselors and the teachers of the qualified courses.

Legal Ref: NDCC 15.1-25-01 Post-Secondary Options Program

Cross Ref: Policy GBEIA Programs for Gifted and Talented

Policy GACC amended 2-20-2003

GACD - SUMMER SCHOOL

The District may conduct a summer school program each year. Its purpose is to provide additional opportunities for students to receive remedial instruction and participate in enrichment activities. Summer school attendance does not in any way guarantee promotion for students.

Preregistration shall precede the issuance of teacher contracts, and only the number of staff required for operation of the program shall be employed.

The Board will only approve summer school courses that are eligible for state aid or other forms of funding (grants, federal funding, etc).

Complementing Policy:
ABAB, School Year & Calendar

End of Jamestown Public School District Policy GACD

Adopted:12-7-2020

GACDA - SUMMER SCHOOL ATTENDANCE BY GRADUATED SENIORS

Graduated Seniors may participate in regularly scheduled Jamestown Public School summer school activities that are provided to the students of the Jamestown Public Schools during the summer of the year in which they graduate from high school provided the following conditions are met:

1. High School students will have first priority for all seats, roles, or positions in classes or activities of the summer school. No high school student will be excluded from any seats, roles or positions.
2. There must be enough high school students enrolled to cause the summer school course to be offered as a credit course.
3. Graduated seniors must pay a minimum fee of sixty dollars plus any other expenses to cover full cost of participating in the program.
4. Graduated seniors, even though they are adults, must sign and follow all of the guidelines for conduct and the Code of Conduct that exists for regular high school students attending summer school. Violations will be cause for immediate removal from the course at the administrators' discretion without refund.

Policy GACDA amended 3-15-2021

Descriptor Code: GACE

GACE - GED CREDIT FOR HIGH SCHOOL GRADUATION AND CURRICULUM REQUIREMENTS

The Board may allow high school students to receive credit for taking relevant portions of the GED (General Education Development) assessment to satisfy corresponding graduation requirements set forth in NDCC 15.1-21-02.2 and NDCC 15.1-21-02.3. The Board delegates overall authority to the Superintendent to make all GED assessment credit allowance decisions on a case-by-case basis, based on the criteria developed by the Superintendent as set forth in administrative regulations.

End of Jamestown Public School District Policy GACE

Adopted:10-4-2021

GACE-E - Jamestown Public School GED for Credit Criteria

Students eligible for the GED credit portion in policy GACE must meet the following criteria. Students must have reached senior status in credits (16 credits). The GED credit portion may replace the last credit of each of the required courses outlined in policy GACE and n NDCC 15.1-21-02.2 and NDCC 15.1-21-02.3 Students and parents (if applicable) will be provided a recommendation from JHS staff based on a review of standardized and other assessments. Students are encouraged to take the GED pretest at their own expense. Students will also be advised that the GED test also requires a fee. Students and parents (if applicable) must meet with a counselor to advise on the decision and sign a form acknowledging the advisement.

Students enrolling or re-enrolling in a JPS high school program who have obtained GED passing tests can produce documentation of this to record credit in accordance with GACE and NDCC 15.1-21-02.2 and NDCC 15.1-21-02.3

JPS Advisement Form

I understand and received advisement from my (my child's) counselor on GED credit in the following areas:

- Advisement based on a review of standardized assessments and other evidence.
- Advisement of applicable fees for pre-testing and testing
- Advisement of equivalency preparation vs classroom experience in career and life preparation
- Advisement if applicable on meeting graduation requirements or optional curriculum requirements.

Student Signature _____ Date _____
Parent Signature _____ Date _____
Counselor Signature _____ Date _____
Administrator Signature _____ Date _____

GACG - EDUCATIONAL OPPORTUNITIES THROUGH SPONSORING ENTITIES

Definitions

For the purpose of this policy:

- *Educational opportunity* means instruction outside of the classroom that meets course standards, as determined by the Superintendent of Public Instruction. This includes work-based learning, pre-apprenticeships, apprenticeships, internships, industry certifications, and community programs.
- *Sponsoring entity* means a business, for-profit organization, nonprofit organization, trade association, parent of a student, teacher, or administrator that partners with a school district to provide educational opportunities for students.
- *Teacher of record* means a teacher employed by the District and licensed to teach the course for which the student will be receiving credit. The teacher of record must oversee the educational opportunity process. The teacher of record does not need to be physically present at the site where the student is performing the learning activities but must be instrumental in coordinating and communicating with the sponsoring entity. The teacher of record is also responsible for issuing the grade to the student. Because the student is learning through hands-on activity, the student would be learning from both the teacher of record as well as the sponsoring entity during the experience.

Purpose

The Board recognizes that while traditional classroom learning is important, students have the ability to learn through a variety of experiences and develop knowledge and skills in a hands-on way outside the classroom. Pursuant to state law and in accordance with applicable administrative rules, the District may allow students enrolled in grades six through twelve to earn course credit through educational opportunities with an eligible sponsoring entity. The student's learning experience may occur during school hours, outside of school hours, or a combination of both. Course credit shall be awarded, provided that content standards are met, and the student has fulfilled the mandatory hours set forth in NDCC 15.1-21-03.

Sponsoring Entity Eligibility

A sponsoring entity that wishes to submit a proposal to provide educational opportunities for students in the District must require any staff who will have unsupervised contact with students during the educational opportunity to undergo a criminal history background check. All required criminal history background checks must be completed prior to the provision of educational opportunities to students. Sponsoring entities who employ staff who are registered sex offenders or who have committed an offense involving a child victim shall be deemed unsuitable and ineligible to provide educational opportunities to students. Sponsoring entities must also meet applicable federal and state health and

safety requirements. Sponsoring entities must agree to comply with all relevant school board policies, including those relating to student education records and privacy.

Proposal Process

At any time during the year, a sponsoring entity may submit a written proposal (GACG-E) to the Board for consideration. A sponsoring entity may only submit one proposal even if they provide more than one learning opportunity course. The Board shall act upon proposals at a regular or special board meeting twice a year prior to the deadlines established in law. A sponsoring entity need only submit their proposal to the Board once unless the proposal has been denied by the Board or the North Dakota Department of Public Instruction (Department).

The Board must approve the proposal before submitting it to the Department for final review and approval. The proposal must include:

1. Name of and information regarding the sponsoring entity, including but not limited to, a general description of the business of the sponsoring entity, the primary address of the sponsoring entity, the location(s) at which the educational opportunity will be provided, and the primary contact person for the sponsoring entity;
2. Course title and state course code number for each course provided by the sponsoring entity;
3. A teacher of record employed by the District that is licensed in the course being offered, and has agreed to be responsible for coordinating the educational opportunity;
4. Assurance that the course(s) will meet North Dakota Course Content Standards;
5. A statement of how students will demonstrate proficiency and be evaluated; and
6. Information on how the proposal provides increased educational opportunities and improves academic success for the students who participate.

The Board may accept a proposal from any eligible sponsoring entity. To be approved, the proposal must:

1. Provide increased educational opportunities for students;
2. Improve the academic success of a students; and
3. Identify a teacher of record who is employed by the District, is licensed under NDCC chapter 15.1-18, and has approved the proposal.

Following approval by the Board, the proposal must be submitted to the Department for final review and approval.

Following approval by the Department, the District may implement the educational opportunity program and allow students to participate in the educational opportunity for course credit.

Reporting Requirements

No later than June 30 of each school year, the District shall provide educational opportunity program evaluation data to the Department in the manner requested. Program evaluation data submitted may include:

1. Academic indicators such as:
 - a. Proficiency scales,
 - b. Self-assessments,
 - c. Assessments from supervisor,
 - d. Career-ready standards met, and/or
 - e. Content standards met;
2. Descriptions of how the program:
 - a. Improved the delivery of education,
 - b. Improved the administration of education,
 - c. Provided increased education opportunities for students, and/or
 - d. Improved the academic success of students; and/or
3. Other evaluation measures such as attendance, disciplinary incidents, student engagement, student voice, student and parent surveys, and evidence of improved instructional practices.

Revocation

The Department may revoke program approval if they determine the District or sponsoring entity failed to comply with the agreed upon terms of the educational opportunity proposal, district policy, or law. The District may revise and resubmit the proposal to the Department for approval.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- GACG-E, Sponsoring Entity Application Proposal

End of Jamestown Public School District Policy GACG Adopted:6/20/2022 Amended 10/16/2023

GACG-E - JAMESTOWN PUBLIC SCHOOL DISTRICT SPONSORING ENTITY PROPOSAL APPLICATION

Contact Information

Name: _____

Address: _____

Primary Contact: _____

Phone: _____

Email: _____

Organization Description and Mission

Describe your sponsoring entity and its mission.

Program Description

Describe your program. What is the experience you are offering to students? You should include information about the program schedule, program location(s) and how often students meet.

Course Titles & State Course Code

Please list the course title(s) and [course code\(s\)](#) for each course provided.

1. _____
2. _____
3. _____

Teacher of Record Approval

Please list a teacher of record who is employed by the school district, is licensed under [NDCC chapter 15.1-18](#), and has approved this proposal.

Name: _____

School: _____

Phone: _____

Email: _____

Student Proficiency

For each course, explain how students will demonstrate proficiency. How will a student demonstrate they have attained the desired level of mastery?

Student Evaluation

For each course, explain how your instructors will evaluate student progress. Do your students do projects or performances which can be evaluated? Do your students take tests or submit some kind of written work? Do your instructors determine mastery by careful observation of student participation in your program? These methods are some examples of acceptable assessment practices. Describe what you will do in order to confirm student proficiency.

Affirmation of Content Standards

I affirm that the course(s) meets course content standards, as determined by the Superintendent of Public Instruction.

Acknowledgement

I certify that the information included on this form is accurate to the best of my knowledge. I acknowledge that I have read, understand, and agree to comply with all relevant school board policies, including those relating to student education records and privacy. I understand and agree that failure to comply with any of the district’s policy requirements may cause the partnership with the District to end and denial of future requests to participate in this program.

Sponsoring entity signature Date

FOR DISTRICT USE ONLY – DO NOT WRITE BELOW THIS SECTION		
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	Date:

End of Jamestown Public School District Exhibit GACG-E

GBA - ACADEMIC FREEDOM

Teachers shall abide by the curriculum standards adopted by the Board. They shall only select issues for study that contribute to the attainment of course objectives, are consistent with state standards and the district's mission, and are appropriate for classroom presentation. Teachers shall determine the appropriateness of a topic based on the following criteria:

1. There are adequate and age-appropriate materials available that will allow students to learn about all sides of an issue.
2. The topic is age-appropriate, considering the emotional, intellectual, and social capacities of the class as a whole.
3. Teachers are equipped personally and academically to present the topic objectively, allowing students to formulate their own opinions.

Controversial Topics

Controversial topics are issues that are often a matter of opinion and are subjects of public dispute, debate, or contention. When a topic is of a controversial nature, teachers shall receive administrative approval prior to presenting it in the classroom.

Teachers may offer an opinion on issues discussed in the classroom provided that the teacher clarifies that the opinion should not be construed as an authoritative answer, that the teacher is speaking on their own—not the district's—behalf, and encourages students to form their own opinions, stressing that students are free to express their own views without fear of academic reprisal.

Teachers that violate this policy or whose speech compromises the district's ability to provide a safe and non-disruptive educational environment may be subject to disciplinary action up to and including discharge.

Complementing Policies:

- DEBF, Employee Speech
- GAAA, Curriculum Design & Evaluation
- GBAA, Teaching About Religion

End of Jamestown Public Schools Policy GBA.....Adopted:2-6-2017 Amended 4-20-2020

GBAA - TEACHING ABOUT RELIGION

Factual and objective teaching about religion, and the impact of religion may be included in classroom instruction if such information is presented as part of the curriculum and is in keeping with the district's educational goals and student learning objectives. Staff members may not teach religion or advocate religious doctrine or practice. This prohibition against teaching extends to curricular decision which promote religion or religious beliefs.

Requests to display religious objects in classrooms or schools shall be filed in accordance with the district's policy governing religious displays.

Religious musical selections, literature, documents of historical significance, artwork, and other learning aids may be included in the curriculum on the basis of their particular educational value and/or traditional secular usage and shall be presented with works that are nonreligious in nature, shall be selected and performed as works of art, not as acts of veneration, and shall be presented prudently and objectively, with background information explaining their purpose.

School programs, performances, and celebrations must serve an educational purpose. The inclusion of religious music, symbols, art, or writing is permitted, if the religious content has a historical or independent education purpose which contributes to the objectives of the approved curriculum. School programs, performances, and celebrations cannot promote, encourage, discourage, persuade, dissuade, or discriminate against a religion or religious activity and cannot be oriented to religion or a religious holiday.

A student or parent who believes that inclusion of religious material in the instructional program infringes on the student's free exercise of religion shall be given the option of opting-out by filing a request with the building principal. The building principal shall direct the classroom teacher to provide the student with an alternative assignment.

Any staff member, citizen, or student who believes that a particular school program may have violated this policy may submit a complaint in accordance with the procedures established by board policy for complaints about instructional material.

Complementing Policies:

- ABBE, Displays of Religious Objects or Documents
- GAAA, Curriculum Design & Evaluation
- GAAC, Review & Complaints about Instructional & Resource Material
- GAAC-BR, Procedure for Reviewing Complaints about Instructional/ Resource Material

End of Jamestown Public School District Policy GBAA.....Adopted:9-18-2023

GC* STUDENT EVALUATION

GCA* Placement

Descriptor Code: GCAA

GCAA - GRADE PROMOTION, RETENTION, & ACCELERATION

The Jamestown Public School District School District is committed to fostering the continuous educational and personal growth of its students. Student progress shall be continually evaluated based on state and local achievement standards, course content standards, and education goals and objectives as established by administration and the teaching staff.

The Board recognizes that at every grade level there are differences among students in their intellectual and personal development and that individual students may be more proficient in some content areas than in others. Therefore, assignment of a student to a grade level shall be based on the best educational interest of the student, which shall be determined by using the criteria established below.

Criteria for Determining Promotion & Retention

The decision to promote or retain a student shall be based on at least the following criteria:

1. Has the student completed course requirements at the presently assigned grade;
2. Has the student demonstrated proficiency in enough course content areas to warrant promotion;
3. Has the student sufficiently met achievement standards and other educational goals/objectives established for the student's current grade level; and
4. Does the student demonstrate the degree of social, emotional, and physical maturation necessary for successful learning experiences in the next grade level.

The decision to promote or retain a special education student shall be made by the Individual Education Program (IEP) team in accordance with applicable law.

Under no circumstances shall a student be retained for the sole purpose of improving the student's ability to participate in the district's athletic program.

Procedures for promoting and retaining students shall be developed by the Superintendent and delineated in administrative regulations.

Acceleration

The Superintendent shall develop grade acceleration criteria and approval/denial procedures, which shall be delineated in administrative regulations.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- GCAA-AR, Grade Promotion, Retention & Acceleration Procedure

End of Jamestown Public School District Policy GCAA Adopted:2/19/2018 Amended
3/21/2022

GCAA-AR - GRADE PROMOTION, RETENTION & ACCELERATION PROCEDURE

Procedure for Determining Promotion & Retention

If a teacher believes retention is a possibility, s/he shall contact the student's parent(s) and inform the building principal as early as possible. The principal shall inform the parents of remediation options. Advancement to the next grade may be made conditional upon successful remediation or demonstrated proficiency within a timeframe established by the principal.

Principals and Teachers, in consultation with parents, are responsible for making promotion and retention recommendations based on promotion and retention criteria contained in policy. Recommendations shall be submitted to the Superintendent for approval.

A parent who is dissatisfied with the decision may appeal to the Superintendent. The Superintendent's decision shall be final. Appeals must be initiated within 30 days of receiving notice of the principal's promotion or retention decision. Failure to timely present the appeal shall be deemed to be a waiver of the appeal process.

Promotion & Retention of Special Education Students

The decision to promote or retain a special education student shall be made by the Individual Education Program (IEP) team in accordance with applicable law. Parents wishing to appeal the IEP's decision shall follow appeal procedures under the Individuals with Disabilities Education Act.

Acceleration

Decisions regarding acceleration shall be made by the principal in consultation with the student's parent(s)/guardian(s), teacher(s) and guidance counselor. The principal's decision shall be binding but may be reconsidered by the principal should new evidence indicate such a need.

When making acceleration decisions, principals shall take into account at least the following criteria: current and historical assessment data

- attendance records
- classroom performance
- social adjustment
- teacher perception.

End of Jamestown Public School District Administrative Regulation GCAA-AR

GCAB - RANKING OF STUDENT

In order to qualify as a high ranking student, a senior must complete units in high school for three years and must attend Jamestown High School for the full senior year. This rank is to be based on full-time courses with the following point system: A-4, B-3, C-2, D-1. The total number of grade points is then divided by the total number of units the student has earned in full-time courses. The student with the highest quotient ranks first.

GCBA - GRADING

The Jamestown Public School District School District is committed to fostering the continuous educational and personal growth of its students. Student progress shall be continually evaluated based on state and local achievement standards, course content standards, and education goals and objectives as established by administration and the teaching staff.

The Board recognizes that at every grade level there are differences among students in their intellectual and personal development and that individual students may be more proficient in some content areas than in others. Therefore, assignment of a student to a grade level shall be based on the best educational interest of the student, which shall be determined by using the criteria established below.

Criteria for Determining Promotion & Retention

The decision to promote or retain a student shall be based on at least the following criteria:

- Has the student completed course requirements at the presently assigned grade;
- Has the student demonstrated proficiency in enough course content areas to warrant promotion;
- Has the student sufficiently met achievement standards and other educational goals/objectives established for the student's current grade level; and
- Does the student demonstrate the degree of social, emotional, and physical maturation necessary for successful learning experiences in the next grade level.

The decision to promote or retain a special education student shall be made by the Individual Education Program (IEP) team in accordance with applicable law.

Under no circumstances shall a student be retained for the sole purpose of improving the student's ability to participate in the district's athletic program.

Procedures for promoting and retaining students shall be developed by the Superintendent and delineated in administrative regulations.

Acceleration

The Superintendent shall develop grade acceleration criteria and approval/denial procedures, which shall be delineated in administrative regulations.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- GCAA-AR, Grade Promotion, Retention & Acceleration Procedure

End of Jamestown Public School District Policy GCAA Adopted:2/19/2018 Amended 3/21/2022

GCC - PROTECTION OF PUPIL RIGHTS AMENDMENT

Definitions

- *Eligible student* means a student who has reached the age of 18 or becomes an emancipated minor under applicable State law.
- *Instructional material* means instructional content that is provided to a student, regardless of format, including printed or representational materials, audiovisual materials, and materials in electronic or digital formats (such as materials accessible through the Internet), e.g., teacher’s manuals, films, tapes, or other supplementary material, which will be used in connection with any survey, analysis, or evaluation. The term does not include academic tests or academic assessments.
- *Parent* means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.
- *Personal Information* means individually identifiable information. This includes, but is not limited to, a student or parent’s first or last name; a home or physical address (including street name and the name of the city or town; a telephone number; or a social security identification number.

Protection of Pupil Rights Amendment

The District adheres to the Protection of Pupil Rights Amendment(PPRA), a federal law that affords parents and eligible students certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. An overview of these rights follows:

1. Receive regular notification of the districts policies on PPRA;
2. Provide input in the development of this policy;
3. Consent to federally funded surveys concerning protected information. The District must obtain written consent from the parent or eligible student prior to requiring the student to participate in a survey that is funded in whole or part by a program administered by the Department of Education (Department)if the survey concerns one or more of the following protected areas of information (“protected information survey”):
 - a. Political affiliations or beliefs of the student or student’s parent;
 - b. Mental or psychological problems of the student or student’s family;
 - c. Sex behavior or attitudes;
 - d. Illegal, anti-social, self-incriminating, or demeaning behavior;
 - e. Critical appraisals of others with whom respondents have close family relationships;
 - f. Legally recognized privileged or analogous relationships, such as with lawyers, doctors, or ministers;
 - g. Religious practices, affiliations, or beliefs of the student or student’s parents/guardians; or

- h. Income, other than as required by law to determine program eligibility;
4. Opt out of certain surveys and exams even if not federally funded. Parents and eligible students must receive advance notice of any of the following activities and have the right to opt out of them:
- a. Any protected information survey, regardless of funding;
 - b. Any non-emergency, invasive physical exam or screening that is required as a condition of attendance, administered by the District or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
 - c. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others. This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or the District; and
5. Inspect certain materials. Upon request, parents and eligible students have the right to inspect the following before the District administers or uses them:
- a. Protected information surveys of students;
 - b. Surveys created by a third party;
 - c. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 - d. Instructional materials used as part of the educational curriculum.

Notification

The District shall directly notify parents and eligible students of this policy at least annually at the beginning of the school year, either through the U.S. mail or e-mail, and shall provide updates within a reasonable time period after any substantive changes to the policy.

In this notification, the District must inform parents or eligible students of the specific or approximate dates when the activities or surveys are scheduled or expected to be scheduled during the school year. For surveys and activities scheduled after the school year starts, parents or eligible students will be provided reasonable notification of the planned activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys and shall be provided an opportunity to opt their child out of the following activities and surveys:

1. Collection, disclosure, or use of personal information collected from students for the purpose of marketing or sale (or otherwise distributing such information to others for that purpose), with some exceptions;
2. Administration or distribution to a student of any protected information survey not funded as part of a program administered by the Department or funded as part of a program administered by the Department but to which students are not required to submit; and

3. Certain non-emergency, invasive physical examinations or screenings, as described above.

Inspection of Surveys/Instructional Materials

Parents or eligible students who wish to exercise their right to inspect surveys and instructional materials as provided above may do so by sending a written request to the building principal. The principal shall respond to requests within a reasonable period of time after receiving the request and arrange for the parent or eligible student to inspect the applicable materials at the school or district administrative office.

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material, which will be used in connection with any survey, analysis, or evaluation as part of any applicable program shall be available for inspection by the parents or eligible student.

Protection of Student Privacy

The Superintendent or designee shall ensure that applicable district confidentiality and data protection policies are in place to protect student privacy in the administration of protected information surveys and in the collection, disclosure, or use of personal information for marketing, selling, or other distribution purposes.

All survey requests shall be submitted to the Superintendent or designee for review and/or approval. Surveys created by a third party or entity must receive board approval prior to district administration or distribution to students. The Superintendent shall develop criteria to determine if the administration of the survey is appropriate and beneficial for district students and employees, and is conducted in accordance with state or federal law and district policy.

Violation of Rights

Parents or eligible students who believe their rights under the PPRA have been violated may file a complaint with the Superintendent or designee.

Complaints may also be filed with:

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

Complementing Policies:

- FGA, Student Education Records & Privacy
- GAAA, Curriculum Design & Evaluation
- GCC-AR, Criteria for Considering Third Party Student Surveys and Research GCC-E1, Model Notification of Rights Under the Protection of Pupil Rights Amendment
- GCC-E2, PPRA Model Notice and Consent/Opt-Out for Specific Activities

End of Jamestown Public School District Policy GDD

Adopted: 4/18/2022

GCC-AR - CRITERIA FOR CONSIDERING THIRD PARTY STUDENT SURVEYS AND RESEARCH

Surveys and educational studies can serve as a valuable tool for determining student needs and developing educational services. The Superintendent shall take the following criteria into consideration when a request has been made to conduct a survey and/or research studies:

1. The study/survey is conducted for the purpose of improving the education or general welfare of students;
2. The party proposing the study/survey has a purpose and mission that is in keeping generally with the district's mission, goals, and objectives;
3. The study/survey proposal is sufficient in scope and depth to justify the use of the time and effort of district students and staff;
4. The party conducting the study/survey will provide a copy of the survey instrument and/or any instructional material that will be used including, but not limited to, textbooks, teachers' manuals, films, software, and/or other supplementary material. Such material must be provided prior to the initiation of the survey/study and in a timely manner, allowing the Superintendent and other relevant school officials ample opportunity to review such material, and comply with any applicable parental notification and consent requirements under the Protection of Pupil Rights Amendment (PPRA) if the survey concerns a protected area or is for marketing purposes;
5. Neither the study/survey nor its findings are reasonably predicted to exploit or compromise the safety of district students or staff; and
6. The party conducting the study/survey agrees to provide a copy of the outcome/results to the District within a reasonable time after the study/survey's completion.

The Superintendent shall also take into account the amount of instructional time the survey/study will consume, if it will unduly disrupt district operations and/or the educational environment, the level of supervision the District will have to provide to third parties conducting the survey/study, the amount of protected/confidential information that will be gathered, and whether or not the agency conducting the survey/study has developed appropriate safeguards for collection, protection, disclosure, and use of protected/confidential information.

Teachers may use surveys in classes to determine student knowledge and/or attitudes prior to teaching provided that responses will not be used in a manner that would breach student confidentiality requirements under law and/or district policy.

End of Jamestown Public School District Administrative Regulation GCC-AR Adopted 4/18/2022

GCC-E1 - MODEL NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

PPRA affords parents certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

1. Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (Department):
 - a. Political affiliations or beliefs of the student or student’s parent;
 - b. Mental or psychological problems of the student or student’s family;
 - c. Sex behavior or attitudes;
 - d. Illegal, anti-social, self-incriminating, or demeaning behavior;
 - e. Critical appraisals of others with whom respondents have close family relationships;
 - f. Legally recognized privileged or analogous relationships, such as with lawyers, doctors, or ministers;
 - g. Religious practices, affiliations, or beliefs of the student or parents; or
 - h. Income, other than as required by law to determine program eligibility.
2. Receive notice and an opportunity to opt a student out of:
 - a. Any other protected information survey, regardless of funding;
 - b. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the District or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
 - c. Activities involving collection, disclosure, or use of personal information w2obtained from students for marketing or to sell or otherwise distribute the information to others. This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or the District.
3. Inspect, upon request and before administration or use:
 - a. Protected information surveys of students and surveys created by a third party;
 - b. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 - c. Instructional material used as part of the educational curriculum.

These rights transfer from parents to a student who is 18 years old or an emancipated minor under State law.

Jamestown Public School District has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes.

The District shall directly notify parents of these policies at least annually at the start of each school year and within a reasonable time after any substantive changes. The District shall also directly notify, either through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt their child out of participation of the specific activity or survey. The District will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys.

The following is a list of the specific activities and surveys covered under this requirement:

1. Collection, disclosure, or use of personal information for marketing, sales, or other distribution;
2. Administration of any protected information survey not funded in whole or in part by the Department; and
3. Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-8520

End of Jamestown Public School District Exhibit GCC-E

GD* GRADUATION

GDA* GRADUATION REQUIREMENTS

Descriptor Code: GDAA

GDAA - EARLY GRADUATION

This Board believes that with rare exception the many benefits of a high school education cannot be fully realized in less than four years. Further, it views the entire senior year as an important period during which the student should be able to enjoy many experiences providing academic growth and enrichment, exploration of new areas, and social growth and maturity.

Only in unusual or extenuating circumstances should a student forego the opportunities available during the senior year. But for those who may have special needs or goals and who would benefit from early graduation, the following policy is established.

Requirements

The candidate must have:

1. Completed 7 semesters of high school attendance. Summer school shall not be used to achieve early graduation.
2. Satisfied all of the requirements of a four-year graduate. The student must have completed all graduation requirements by the end of the 1st semester of the senior year or after the second semester of the junior year.
3. Earned at least a 3.5 grade point average.
4. Qualified by virtue of extenuating circumstances or special goals.

OR

The candidate must be an alternative education student who:

1. Acquired a minimum of 16 earned credits one semester prior to desired graduation date.
2. Satisfied all graduation requirements as set forth by Jamestown Public Schools.

Procedures

If the applicant meets the above requirements, the student will submit a written request for early graduation to the high school principal. The request must contain a statement of endorsement and the signatures of the parents or legal guardian and must clearly express the reasons for the request.

The matter will be thoroughly reviewed in conference to include the student, counselor, parents, and the high school principal. After a complete evaluation of the request, the principal will forward recommendations to the Superintendent for approval or denial.

Graduation

If early graduation is approved, the student may participate in commencement exercises on the same basis as other graduates. Students who do not participate in commencement will receive their diplomas as soon as practical.

Complementing Policy

- GDB, Graduation Exercises

End of Jamestown Public School District Policy GDAA Adopted:11-5-2017 Amended 2-19-2024

GDAA-E1 - APPLICATION FOR EARLY GRADUATION JAMESTOWN PUBLIC SCHOOLS

Jamestown Public Schools will grant early graduation under limited circumstances to students who meet the following criteria. Students whose applications are accepted will be allowed to take part in graduation ceremonies and will receive a Jamestown High School Diploma.

Requirements

The candidate must have:

1. Completed 7 semesters of high school attendance. Summer school shall not be used to achieve early graduation.
2. Satisfied all of the requirements of a four-year graduate by the end of the 1st semester of the senior year or after the second semester of the junior year.
3. Earned at least a 3.5 grade point average.
4. Qualified by virtue of extenuating circumstances or special goals.

Procedures

If the applicant meets the above requirements, the student will submit a written request for early graduation to the High School Principal. The request must contain a statement of endorsement and the signatures of the parents or legal guardian and must clearly articulate the reasons for the request.

The matter will be thoroughly reviewed in conference to include the student, counselor, parents, and the High School Principal. After a complete evaluation of the request, the principal will forward recommendations to the Superintendent for approval or denial. The student must attach a current transcript to this application.

The application must be filed with the principal by May 1st of the year preceding graduation. The application must be typed and must be signed by the applicant and the parent or legal guardian, if the applicant is under the age of 18 at the time of application. The application will be considered by a committee consisting of the principal, a counselor, and at least two teachers. All applicants will be notified of the decision of the committee by May 31st of the current school year.

APPLICATION

Signature of Student: _____

Signature of Parent or Legal Guardian: _____
(Required if the student is under 18 years of age at the time of filing.)

Name of Student: _____

1. At the conclusion of the current school year, how many credits will you have earned toward graduation? _____

2. What is your desired early graduation date? _____

3. Present a plan in the space provided below outlining the credits and classes you need to graduate. How will you meet the requirements for graduation? Note: Any credits from outside Jamestown Public Schools must be approved by the principal.

4. Why do you wish to graduate early? Include your academic plans for the future and explain how an early graduation will assist you in those plans.

5. Include any other information that may assist the committee in making a final determination.

OFFICE USE ONLY: Date application submitted: _____

Decision of the Committee: _____ Approved _____ Denied

GDAA-E2 - APPLICATION FOR EARLY GRADUATION ALTERNATIVE EDUCATION PROGRAM, JAMESTOWN PUBLIC SCHOOLS

Jamestown Public Schools will grant early graduation under limited circumstances to students who meet the following criteria. Students whose applications are accepted will be allowed to take part in graduation ceremonies and will receive a Jamestown High School Diploma.

Requirements

The candidate must be an alternative education student who:

1. Acquired a minimum of 16 earned credits one semester prior to desired graduation date.
2. Satisfied all graduation requirements as set forth by Jamestown Public Schools.

Procedures

If the applicant meets the above requirements, the student will submit a written request for early graduation to the Alternative Education Director. The request must contain a statement of endorsement and the signatures of the parents or legal guardian and must clearly articulate the reasons for the request.

The matter will be thoroughly reviewed in conference to include the student, counselor, parents, Alternative Education Director and/or High School Principal. After a complete evaluation of the request, the Alternative Education Director will forward recommendations to the Superintendent for approval or denial. The student must attach a current transcript to this application.

The application must be filed with the Alternative Education Director one semester prior to the desired graduation date. The application must be typed and must be signed by the applicant and the parent or guardian, if the applicant is under the age of 18 at the time of application. The application will be considered by a committee consisting of the Alternative Education Director, a counselor, and High School Principal. All applicants will be notified of the decision of the committee within two weeks of application submission.

APPLICATION

Signature of Student: _____

Signature of Parent or Guardian: _____
(Required if the student is under 18 years of age at the time of filing.)

Name of Student: _____

- 6. At the conclusion of the current school year, how many credits will you have earned toward graduation? _____

- 7. What is your desired early graduation date? _____

- 8. Describe why you wish to graduate early. Include your plans after high school and explain why leaving Jamestown High School at the time requested will assist you in those plans.

- 9. Include any other information that may assist the committee in making a final determination.

OFFICE USE ONLY: Date application submitted: _____

Decision of the Committee: _____ Approved _____ Denied

GDB - GRADUATION EXERCISES

The Board wishes to recognize the achievement of high school graduation by annually holding a graduation ceremony.

Participation Criteria

Only students who have completed all district graduation requirements shall participate in the ceremony. The Superintendent is authorized to make exceptions to this policy under the following circumstances:

1. A Student approved for early graduation as outlined in Policy GDAA
2. A special education student who is unable to meet graduation requirements but will receive a certificate of attendance or special education diploma.

Additional exceptions may be approved by the Board, upon recommendation of the Superintendent. Students allowed to participate in graduation as a result of one of these exceptions shall not be issued a diploma unless the student has met district graduation standards, and is attending district schools

Participation in the graduation ceremony is a privilege not a right. Students who violate student conduct policies/regulations may be denied the privilege of participation in the ceremony at the principal's or superintendent's discretion.

Graduation Speakers

Student graduation speakers shall be selected based on neutral criteria. Student speakers shall have primary control over their speech and the District's policy on student speech at student assemblies shall apply to graduation ceremonies.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FF, Student Conduct & Discipline
- FFG, Student Assemblies

End of Jamestown Public School District Policy GDB Adopted:11/6/2017Amended 2/19/2024

H FISCAL MANAGEMENT

HA* BUDGET

Descriptor Code: HAA

HAA - BUDGET PLANNING, PREPARATION, & ADOPTION

The budget shall be based upon the needs of the District and the reasonable financial ability of the community to support its schools. In formulating the budget, all expenditure items shall be considered in their relationship to the total school program, including short and long term goals of district schools.

The Superintendent shall determine the manner in which the annual district budget is to be compiled, issue instructions to staff, and establish a time schedule for preparation of the budget to be known as the "budget calendar." This calendar shall assure that all deadlines established by law for adoption and for certification of amounts to be raised by school tax levies are met by the District.

To facilitate the preparation of the budget, the Board may give direction to the administration concerning the projected mill levy. The Superintendent shall prepare and submit to the Board the proposed allotments of personnel prior to the adoption of the tentative budget.

Adoption

Various budget proposals may be brought to the Board for tentative approval prior to the completion of the budget. The final budget adoption shall be dependent on revenue projections.

Complementing Policy

- BCBA, Public Participation at Board Meetings

End of Jamestown Public School District Policy HAA

Adopted: 1/15/2018

HB* FUNDING

Descriptor Code: HBAA

HBAA - FEDERAL FISCAL COMPLIANCE

The Jamestown Public School District shall appoint one individual annually to serve as the authorized representative for the Title I and related federal Title programs in accordance with state and federal Title I requirements. This individual shall have the responsibility for ensuring Title program compliance, shall have official signature authority over the Title I program and the District's Title I funds, shall serve as the District's main contact for the State Title I office/ND Department of Public Instruction, unless the District specifies otherwise, and shall receive Title I updates and mailings.

The Jamestown Public School District Board approves the authorization of the Superintendent as the authorized representative for the following federal Title programs: Title I, Title II Part A, Title III, Title IV Part A, RLIS funds[1], School Food Service, Comprehensive School Reform, and Federal Vocation Program.

NOTE: Districts that receive additional federal funds, such as formula or competitive grants, must also assign an authorized representative for those programs and grants.[2]

Annually, the Board shall review and approve the consolidated application for Title I, Title II Part A, Title III, Title IV Part A, and RLIS funds. Upon approval, the Board shall grant permission to the authorized representative to submit the application. The Board shall also review and approve all competitive grant applications prior to their submission.

All purchases made on behalf of the District using federal funds shall conform to applicable state and federal laws and the District's purchasing policy (HCAA). When District policies and procedures are more restrictive than state or federal laws, Districts policies must be followed.

The District's designated Title I representative shall ensure requested Title expenditures are within compliance with state and federal laws and the District's policies. The Business Manager shall track all federal expenditures and assure that the District follows all budgetary requirements under the specific program and all purchases adhere to District policy.

The Business Manager shall ensure that the budgetary requirements have been appropriately documented, submit all federal program reports to the ND Department of Public Instruction, as required, and ensure that the District's federal programs comply with the federal Maintenance of Effort regulation.

The Business Manager shall also ensure that all other federal funds, such as those received through grants, are expended as intended in the grant application or budget

revision and will verify that the budgetary information for these federally funded programs matches the budgetary information on file with the state.

The Business Manager shall track all items purchased with federal funds. These items will be labeled as purchased with these specific federal program funds. The District shall maintain a formal inventory description list of equipment and all computers purchased with federal funds.

All employees paid with federal funds shall document the time and effort they expend towards federal programs in accordance with federal law.

Record Retention

The District shall retain federal financial and program records to show compliance with program requirements. Records and source documents for financial data must be kept for a period of 5 years after submission of final expenditure report, the starting date of which begins on the day the final report is submitted (exception is litigation or audit findings and records held in resolution). Acceptable forms of source documentation include, but are not limited to, cancelled checks, paid billings or invoices, time and attendance records (for payroll), and contracts/leases.

Complementing Policies:

16. ABCD, Record Retention
17. ABCD-E, Record Retention Schedule
18. HBAA-AR1, Federal Fund Expenditures & Inventory Requirements
19. HBAA-AR2, District Personnel Time and Effort
20. HBAA-E, District Personnel Time and Effort Form
21. HCAA, Purchasing

End of Jamestown Public School District Policy HBAA.....Adopted: 5/3/2010 Amended 11/18/2024

[1] Rural and Low-Income School grant program, AKA, Rural Education Achievement Program (REAP) - <https://www2.ed.gov/programs/reaprlisp/index.html>

[2] Remove NOTE prior to adopting final version.

HBAA-AR1 – TITLE I FISCAL & INVENTORY REQUIREMENTS

Definition

22. *Equipment* means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the District for financial statement purposes, or \$5,000.

Federal Expenditure Requirements

Federal funds, including federal competitive grant expenditure requirements are as follows:

7. Funds expended as they are intended;
8. Funds are expended within the appropriate performance period;
9. Expenditures are coded to the appropriate fiscal line items;
10. Expenditures are an allowable use of federal funds;
11. Expenditures align with what has been approved on the District's application or most recent contract amendment;
12. Financial line items are identical to what the District has on file in the State Federal Program office; and
13. Amounts for contracted services over \$5,000 must be evidenced by an actual contract on file with the District and be handled in accordance with the District's purchasing policy.

Equipment Inventory Requirements

Districts that expend federal funds on equipment are required to maintain an equipment inventory system. Any equipment purchased over \$5,000 and all computer equipment (printers, iPads, white boards, etc.), regardless of the cost, must be tracked on an inventory system. The inventory must include at a minimum:

5. Description of the equipment;
6. Serial number or other identification number;
7. Source of funding (including the federal award identification number (FAIN));
8. Who holds the title;
9. Purchase date;
10. Cost of equipment;
11. Percentage of federal participation in cost of equipment;
12. Location of the equipment;
13. Ultimate disposition data of the property, including the disposal date and sale price of the equipment.

A physical inventory of the property must be taken, and the results reconciled with the property records at least once every two years.

A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated.

Adequate maintenance procedures must be developed to keep property in good condition.

For the purposes of equipment inventory, the District may choose to manage and track equipment purchased in whole or part using federal funds separately from equipment purchased using local or State funds.

End of Jamestown Public School of District Administrative Regulation HBAA-AR1 Amended 11/18/2024

HBAA-AR2--DISTRICT PERSONNEL TIME AND EFFORT

HBAA-AR2 - DISTRICT PERSONNEL TIME AND EFFORT

Federal law requires that districts document time and effort for all employees, including teachers, paraprofessionals and other staff, who are paid with federal funds, no matter the percentage of time for which they are paid. The portion of the federally paid salary must be reflective of the time and effort the employee has expended towards the federal program.

Time and Effort Records

District expenditures of federal funds for employee salaries and wages must be based on records that accurately reflect the work performed. Time and effort records must:

23. Be supported by a system of internal controls which provides reasonable assurance charges are accurate, allowable, and properly allocated;
24. Be incorporated into official district records;
25. Reasonably reflect total activity for which employee is compensated by the District;
26. Encompass 100% of all activities (federal and non-federal) compensated by the District;
27. Comply with the District's established accounting policies and practices; and
28. Support the distribution of the employee's salary or wages among specific activities or cost objectives if the employee works on more than one federal award.

The first five criteria listed above may be satisfied through payroll, accounting, and related systems. The last criterion applies when an employee distributes time among multiple programs. A good internal control measure for this would be daily logs and/or a permanent schedule and a supervisor assurance.

Employee certifications are not required when the District has other records that can satisfy the criteria above; however, the District may continue to use employee certifications as an internal control.

For monitoring purposes, the District must submit documentation of the employee's time and effort that is paid with federal funds. The HCAA-E time and effort assurance form will be used when multiple individuals are supervised by one constant individual who has direct knowledge of the work performed.

End of Jamestown Public School District Administrative Regulation HBAA-AR2....Adopted 11/18/2024

HBAA-E – DISTRICT PERSONNEL TIME AND EFFORT FORM

DISTRICT PERSONNEL TIME AND EFFORT FORM

Name of District:

Supervisor Name:

Supervisor Title:

Time Period:

The following employees spent [%] time working on federal grant compliance objectives, goals, and programs.

Employee Name(s)	Employees Signature (not required)

I hereby certify the above is an accurate representation of the work performed during the time period indicated

Supervisor Signature

Date

End of Jamestown Public School District Exhibit HBAA-E.....Adopted:11/18/2024

Descriptor Code: HBCA

HBCA - EMPLOYEE BLANKET BOND

The bonds of the business manager, the district administrator, the principals and directors shall be reviewed annually.

Legal Ref: NDCC 26.1-21-10; NDCC 15.1-07-23; NDCC 15.1-14-01

HBCC - FUNDRAISING

School-Sponsored Fundraisers

1. Curricular Fundraisers

Students or staff wishing to raise funds for curricular purposes shall submit such proposals to the Superintendent for approval. The Superintendent shall develop standards for approving and denying curricular fundraising proposals, which shall, at a minimum, require that fundraising be conducted in compliance with district policy and law, require adequate insurance coverage and adult supervision, prohibit proposals that interfere with the instructional program, and prohibit door-to-door sales.

2. Extracurricular and Co-Curricular Fundraisers

School-sponsored groups must request and receive permission from the Superintendent or per designee prior to initiating an extracurricular or co-curricular fundraising campaign. The principal shall approve or deny the request based on the criteria established for curricular fundraisers.

3. Reporting

All proceeds from approved fundraising campaigns shall be deposited with and accounted for by the Business Manager and reported to the Board in accordance with NDCC 15.1-06-15. Funds generated through school-sponsored fundraising are district funds and are subject to all district policies and laws governing district fund management.

Fundraising by Non-School Sponsored Groups

For the purposes of this policy, non-school sponsored groups are those entities whose membership is other than students and staff participating in curricular, co-curricular, or extracurricular activities. Non-school sponsored groups include, but are not limited to, booster groups, the PTO/PTA, and other parent groups. These groups are required to obtain their own tax identification number and manage and account for all monies raised. No employee of the district is authorized to sign checks on behalf of non-school sponsored groups. The District disclaims any liability for non-school sponsored group activities.

The District may accept gifts from non-school sponsored groups as long as the gifts comply with the district's policy on gifts and bequests and the fundraising activity is consistent with the district's mission and applicable policies. The non-school-sponsored group is requested to consult with the Superintendent or per Designee to ensure that the District will be able to accept funds raised from a non-school sponsored fundraising activity before beginning such activity.

Complementary Documents

- DD, Gifts & Bequests
- HEAC, Management of Student Activities Funds

End of Jamestown Public School District Policy HBCC

Adopted:12/3/2018

HBCC-E - JAMESTOWN PUBLIC SCHOOLS Fund Raising Request Form
(if additional space is needed, use attachments)

Request made by: _____

Date of Request: _____

Description of all fund raising methods to be used:

Date/s of fund raising activity: _____

Will students be used in this fund raising attempt? Yes ___ No ___

If you answered Yes above, explain in what capacity the students will be used :

Funds will be used for:

Will there be a need for a permit? Yes ___ No ___

If you answered Yes to the above, has the permit been secured? Yes ___ No ___

APPROVED: _____ Date _____
Activities Director

District Administrator or Designee Date

DISAPPROVED:

Activities Director Date

District Administrator or Designee Date

Reason: _____

HBCC-E2 - FUNDRAISING ACTIVITIES

Money-Raising Activities

Money-raising activities must first be approved by the district administrator's office. The District shall encourage only those fundraising activities which contribute to the educational programs of the school.

Contests, Walk-a-Thons, Etc.

Non-Profit Organizations will receive approval to hold contests, walk-a-thons, etc., if the following stipulations are followed:

- a. The teachers accept the program voluntarily.
- b. No pressure shall be placed on the students to participate.
- c. No pressure shall be placed on the parents to have their child participate.
- d. The program shall benefit the school or group as a whole. Funds earned should be payable to the Jamestown School District and will be placed in the school Activity Fund.

General Announcements and Solicitations

Announcements made for a school organization or for an organization outside of school life must have the approval of the principal or director in that building. There will be no soliciting or sales of any type unless prior approval has been granted through the school district administrator's office. Soliciting or selling is discouraged.

Fund Raising by Activity Groups

All fundraising for co-curricular activities (athletic/non-athletic) must be approved by the Activity Director prior to engaging in the project.

Equipment Purchased by Fundraising

All equipment received through direct donation or purchased with dollars collected through fundraising must be placed in the school district's inventory.

HC* EXPENDITURE OF SCHOOL FUNDS

Descriptor Code: HCA

HCA - PURCHASE OF SUPPLIES AND EQUIPMENT

Supplies and equipment are to be purchased through the district administrator's office. Purchases which fall under state bidding requirements must receive Board approval. Purchases in lesser amounts may be approved as portions of the general budget.

Legal Ref: NDCC 15.1-09-34; NDCC 54-40-08

HCAA - PURCHASING

All purchases made on behalf of the District shall be executed in a fair, equitable, and legal manner using a process that helps ensure the best value for the District and its taxpayers. The purpose of this policy and accompanying regulation is to establish such procedures.

Establishment of a Purchasing System

The Board delegates overall purchasing authority to the Business Manager who shall serve as the district's Chief Procurement Officer. The Chief Procurement Officer shall be responsible for developing and administering the purchasing program of the District, including the development and implementation of a requisition and purchasing system that is efficient, economical, and meets the standards below. A complete purchasing record system shall be maintained by the Chief Procurement Officer. To ensure adequate checks and balances, the procurement officer shall have authority to approve district employee's purchases but shall not directly make purchases for the District.⁶⁵

General Requirements for Purchases

1. All purchases must conform to all applicable state laws (see HCAA-E), including, but not limited to, laws prohibiting disclosure of confidential and proprietary information.
2. All parties involved in purchasing shall act in good faith, and purchases at all levels shall be made in a manner and form that permits the highest degree of fair competition possible.
3. All purchases must be documented through the purchase card (p-card) system, a purchase order, contract, invoice, or receipt. All records of purchases must be submitted to the Chief Procurement Officer.
4. All purchases made through the purchasing system must have budget appropriations adequate to cover the cost of such obligations. Purchases not meeting this criterion must be approved by the Board.
5. Prior to making a purchase, the purchaser shall check current inventories to ensure that the purchase is necessary and determine if the item can be obtained through existing cooperative purchasing agreements under NDCC 54-44.4-13 or federal agencies contracted under 21-06-08. Purchases made through such agreements are exempt from the procurement procedures contained in this policy.
6. Procurement requirements may not be artificially fragmented as to constitute a small purchase or to avoid competitive purchasing requirements. Artificial fragmentation means splitting purchase requirements or splitting an invoice to stay below a certain dollar level to avoid competition or stay within delegated authority

⁶⁵ Districts should consult with their auditors for guidance and review p-card rules if considering modification to these recommended checks and balances.

limits. Fragmentation must be based on an actual need of the District, and documentation of this need shall be filed with the procurement officer.

7. If purchases are made using restricted funds (e.g., grant dollars), purchases must conform to any requirements associated with those funds.
8. This policy is not applicable to legal services or public improvement or construction purchases, which are covered by separate policies HCAB, HCAC, HCAD.
9. Purchases requiring contracts must comply with the contracting standards contained in this policy and in law.

Purchasing Authority Thresholds

The Chief Procurement Officer or designee shall evaluate the procurement needs and estimate the amounts to be purchased to ensure the appropriate purchasing authority threshold is followed. Estimated price may be based upon previous purchases, market research, a published price list, or asking a vendor for a budgetary estimate.

1. **P-Cards:** The Chief Procurement Officer is authorized to implement a purchase card system. While most purchases with p-cards shall conform to the purchasing standards contained in this policy, the Chief Procurement Officer is authorized to make exceptions to this policy as follows. The Chief Procurement Officer may issue cards to school staff not listed in this policy, ensuring that their cards have adequate spending caps in place given the nature of their positions and may waive specification and solicitation requirements for p-card purchases for items or services that are difficult or impossible to obtain through competitive purchasing (e.g., travel expenses). In addition to these p-card requirements, the Board has adopted a separate p-card policy, HCAG.
2. **Purchases less than \$10,000:** These purchases may be delegated by the Chief Procurement Officer to building-level administrators and Athletic Director. Purchasers shall obtain at least one fair and reasonable quote. To the extent feasible, the District must rotate vendors solicited on an equitable basis. The Board has developed criteria if multiple informal bids or proposals are necessary (HCAA-BR).
3. **Purchases \$10,000 to \$50,000:** These purchases may only be made by the **[list positions of district-level administrators who are not the Chief Procurement Officer (e.g., Superintendent)]** who shall develop specifications and solicit at least three vendors, insofar as practical, to submit oral or written informal bids or proposals. If receiving three bids or proposals is not feasible or practical, the purchaser shall document an explanation and file it with the Chief Procurement Officer who has authority to require the purchaser to seek additional solicitations. The Board has developed criteria for purchaser to evaluate informal bids or proposals (HCAA-BR).
4. **Purchases greater than \$50,000:** These purchases shall only be made in accordance with NDCC 15.1-09-34 and board policy HCAB.

Delegation of Purchasing Authority when Conflict of Interest Declared

In the event that an individual with purchasing authority has a conflict of interest under law, they shall contact the Chief Procurement Officer who shall appoint another qualified

district employee without a conflict to oversee the procurement process of the good or service at issue.

Purchases Requiring Contracts

Any purchase requiring a contract with a vendor shall be approved by the Board prior to execution. When a vendor supplies the contract, the Chief Procurement Officer or designee shall review and make recommendations to the Board prior to approval. Contracts for purchases or services of \$10,000 or more or contracts that contain the option for extension or renewals shall be reviewed by the district's legal counsel prior to board adoption.

Contracts shall be no longer than one year in term unless permitted by law and may contain options for renewals or extensions in accordance with law. The District shall not enter into contracts containing indemnity obligations on the part of the District and additional insured status when these clauses will benefit another party.

Unauthorized Purchases

Unauthorized purchases are prohibited by Policy DEBJ.

Complementary Documents

- DEBJ, Unauthorized Purchases
- HCAA-BR, Evaluation of Bids or Proposals
- HCAA-E, Purchasing Laws for Schools
- HCAB, Bidding Requirements & Procedures
- HCAG, Purchase Cards
- HEAA, Line-Item Transfer Authority

End of Jamestown Public School District Policy HCAA . Adopted: 1/15/2018 Amended 3/21/2022

HCAA-BR - CRITERIA FOR EVALUATING INFORMAL BIDS OR PROPOSALS

Determination of Responsible Sellers/Vendors

For the purpose of this regulation, responsible seller/vendor is determined based on investigation of financial responsibility, insurability, effective equal employment opportunity, capacity to produce, sources of supply, performance record in the business or industry, and other matters relating to the vendor/seller's probable ability to deliver in the quantity and at the time required. Each district purchaser is authorized to determine if a vendor/seller is responsible and may consult the chief procurement officer as part of the decision-making process.

Criteria for Awarding Informal Bids and Proposals

Awards are made to the responsible seller/vendor whose proposal is determined to be most advantageous. This determination shall be based upon evaluation criteria established by this policy except as otherwise indicated below.

Generally, the purchaser shall use the following criteria and weights, and this information should be included in the informal bid/proposal specifications, if developed. If the purchaser deems modification of these criteria and weights necessary, s/he shall provide a written explanation to the chief procurement officer.

- Experience & Qualifications – 40%
- Quality of the Proposal – 20%
- Cost – 40%

Discussion, negotiations, and best and final offers may be requested for informal bids/proposals.

Complementary Documents

- HCAA, Purchasing
- HCAB, Bidding Requirements & Procedures
- HEAA, Line Item Transfer Authority

End of Jamestown Public School Board Regulation HCAA-BR

Adopted:12/18/2017

HCAA - AR - INFORMAL BIDS OR PROPOSALS PROCESS

This administrative rule serves as a guide on how to conduct informal bids or proposals. Informal bids or proposals mean those bids or proposals not required by law or other board policy, and when the estimated value of the purchase is less than \$50,000.

The Board delegates overall authority to the Chief Procurement Officer to oversee the informal bidding and proposal process. Informal bids or proposals shall be received in the manner specified by the chief procurement officer or designee. The Chief Procurement Officer or designee may, but is not required, to prepare bid or proposal specifications, advertise, notify the public, require sealed bids, or have a public bid opening.

Determination of Responsible Vendor

For the purpose of this regulation, a responsible vendor is determined based on investigation of financial responsibility, insurability, effective equal employment opportunity, capacity to produce, sources of supply, performance record in the business or industry, and other matters relating to the vendor's probable ability to deliver in the quantity and at the time required. The Chief Procurement Officer or designee may request submission of written statements from the bidder or other persons concerning any related matter to assist in this determination. The chief procurement officer or designee is authorized to determine if a vendor is responsible.

Preference to North Dakota Bidders

The District shall give preference to bidders when purchasing any goods, merchandise, supplies, or equipment of any kind, or contracting to build or repair any building or other real property. The preference must be equal to the preference given or required by the state of the nonresident bidder.

Awarding Bids or Proposals

Awards are made to the responsible vendor with the lowest responsive bid or whose proposal is determined to be most advantageous. This determination shall be based upon evaluation criteria established by this policy except as otherwise indicated below.

Generally, the Chief Procurement Officer or designee shall use the following criteria and weights, and this information should be included in the informal bid or proposal specifications, if developed, unless otherwise provided by law.

1. Experience & Qualifications—30%
2. Quality of the Proposal—20%
3. Cost—50%

The Chief Procurement Officer may modify these criteria and weights in their discretion. If the Chief Procurement Officer designee deems modification of these criteria and

weights necessary, they shall provide a written explanation to the chief procurement officer.

An award may be made to multiple vendors when it is determined to be in the best interest of the District to award multiple contracts to two or more responsive bidders of similar products or services. The intent of the award must be stated in the solicitation. A multiple award may be appropriate under circumstances in which more than one vendor is required to ensure adequate delivery, service, or product compatibility.

If only one responsive bid or proposal is received in response to solicitation, the procurement officer or designee may:

1. Make an award to the vendor upon determination that the specifications were not restrictive in accordance with applicable laws and district practices, other prospective bidders had a reasonable opportunity to respond, the bidder is responsible, and the price submitted is fair and reasonable;
2. Reject the bid or proposal and solicit new bids or proposals; or
3. Cancel the procurement.

If the price submitted is not fair and reasonable and there is no time for re-solicitation, or it is unlikely that re-solicitation will increase the number of bids or proposals, the Chief Procurement Officer or designee may award the contract to the sole responsive vendor.

Discussion, negotiations, and best and final offers may be requested for bids or proposals. The District shall make a contract award as soon as practical after the evaluation and determination of the received bids or proposals.

Rejection of Bids or Proposals

Any bid or proposal that does not meet the requirements of the solicitation, other than mistakes determined to be minor informalities, will be rejected.

If it appears to be in the best interest of the District, all bids or proposals may be rejected and invitations for bid or requests for proposal containing all the same or rewritten specifications, terms, and conditions may be issued. The Chief Procurement Officer or designee shall send a written notice to all the bidders stating the reason all bids and proposals were rejected. The rejected bids or proposals shall be retained in the procurement file in accordance with district retention requirements.

End of Jamestown Public School District Administrative Reg. HCAA-AR Adopted:10-17-2022

HCAA-E - PURCHASING LAWS FOR SCHOOLS

NOTE: This exhibit does not contain laws related to public improvement/ construction, sale/lease of school property, or cooperative purchasing.

BIDDING REQUIREMENTS

15.1-09-34. Contracts by school boards - Bids - Penalty.

1. Except as provided in this section, the board of a school district may not enter a contract involving the expenditure of an aggregate amount greater than twenty-five thousand dollars unless the school board has given ten days' notice by publication in the official newspaper of the district, received sealed bids, and accepted the bid of the lowest responsible bidder. This section does not apply to contracts for:
 - a. The personal services of district employees.
 - b. Textbooks and reference books.
 - c. Articles not sold on the open market.
 - d. Patented, copyrighted, or exclusively sold devices or features required to match articles already in use.
 - e. Patented, copyrighted, or exclusively sold articles so distinctive that only one brand can be purchased.
 - f. Building construction projects under chapter 48-01.2.
 - g. School transportation services purchased under section 15.1-30-11.
 - h. Vehicle fuel purchased under section 15.1-09-34.1.
 - i. Heating fuel purchased under section 15.1-09-34.1.
 - j. The purchase of a used motor vehicle, including a schoolbus, motorbus, or van, intended primarily for the transportation of students.
 - k. Cooperative purchases with the office of management and budget under chapter 54-44.4.
2. For purposes of this section, a "used motor vehicle" means a motor vehicle that has been previously owned or leased and which has an odometer reading in excess of eighteen thousand miles [28967 kilometers].
3. A board member who participates in a violation of this section is guilty of a class B misdemeanor.

44-08-01.1. Bids to be sealed - Designation of time and place for opening – Preference for tie bids.

Notwithstanding any other provisions of the North Dakota Century Code, the governing bodies of the political subdivisions of the state of North Dakota shall accept only sealed

bids, whenever by law or administrative decision they are required to call for, advertise, or solicit bids for the purchase of personal property and equipment. Whenever a political subdivision of this state calls for, advertises, or solicits sealed bids, it shall designate a time and place for the opening of such bids. If all of the bids are not rejected, the purchase must be made from the bidder submitting the lowest and best bid meeting or exceeding the specifications set out in the invitation for bids. In the event that two or more bids contain identical pricing or receive identical evaluation scores, preference must be given to bids submitted by North Dakota vendors.

CONFLICT OF INTEREST LAWS AND PROPRIETARY INFORMATION

15.1-07-17. School district contracts - Conflict of interest - Penalty.

1. A school board member or other school officer who has a conflict of interest in any contract requiring the expenditure of school funds shall disclose the conflict to the board and may not participate in any discussions or votes regarding that contract without the consent of all other board members.
2. For purposes of this section, a conflict of interest means the personal, professional, or pecuniary interest of an individual, the individual's spouse or relative, or the individual's business or professional associate.
3. Any person who violates this section is guilty of a class A misdemeanor.

44-04-22. Conflict of interest law.

A person acting in a legislative or quasi-legislative or judicial or quasi-judicial capacity for a political subdivision of the state who has a direct and substantial personal or pecuniary interest in a matter before that board, council, commission, or other body, must disclose the fact to the body of which that person is a member, and may not participate in or vote on that particular matter without the consent of a majority of the rest of the body.

12.1-13-01. Disclosure of confidential information provided to government.

A person is guilty of a class C felony if, in knowing violation of a statutory duty imposed on him as a public servant, he discloses any confidential information which he has acquired as a public servant. "Confidential information" means information made available to the government under a governmental assurance of confidence as provided by statute.

12.1-13-02. Speculating or wagering on official action or information.

1. A person is guilty of a class A misdemeanor if during employment as a public servant, or within one year thereafter, in contemplation of official action by himself as a public servant or by a government agency with which he is or has been associated as a public servant, or in reliance on information to which he has or had access only in his capacity as a public servant, he:
 - a. Acquires a pecuniary interest in any property, transaction, or enterprise which may be affected by such information or official action;

- b. Speculates or wagers on the basis of such information or official action; or
 - c. Aids another to do any of the foregoing.
2. A person is guilty of a class A misdemeanor if as a public servant he takes official action which is likely to benefit him as a result of an acquisition of a pecuniary interest in any property, transaction, or enterprise, or of a speculation or wager, which he made, or caused or aided another to make, in contemplation of such official action.

44-04-18.4. Confidentiality of trade secret, proprietary, commercial, and financial information.

- 1. Trade secret, proprietary, commercial, and financial information is confidential if it is of a privileged nature and it has not been previously publicly disclosed.
- 6. Unless made confidential under subsection 1 or made exempt under subsection 5, bids or proposals received by a public entity in response to a request for proposals by the public entity are exempt until all of the proposals have been received and opened by the public entity or until all oral presentations regarding the proposals, if any, have been heard by the public entity. Records included with any bid or proposal naming and generally describing the entity submitting the proposal are open.

MOTOR VEHICLES

39-22-05.2. When bid bonds not required in bids to state or political subdivisions.

A person who submits a bid to the state, any of its agencies, or any of its political subdivisions to sell any type of motor vehicle is not required to submit a bidder's bond or a certified or cashier's check if that person is already bonded pursuant to section 39-22-05. If the buyer requires a performance bond, then within ten days of the awarding of the contract, the successful bidder shall submit a performance bond to the appropriate state agency or political subdivision in an amount equal to the contract price.

39-22-25. Direct manufacturer sales prohibited - Penalty.

A manufacturer or franchiser may not offer to sell directly or sell indirectly, any new motor vehicle to a consumer in this state, except through a new motor vehicle dealer holding a franchise for the line make covering the new motor vehicle. This section does not apply to manufacturer or franchiser sales of new motor vehicles to the federal government, charitable organizations, or employees of the manufacturer or franchiser. Any person violating this section is guilty of a class A misdemeanor.

Also see NDCC 15.1-09-33, 15.1-09-34, 15.1-09-34.1

NONDISCRIMINATION

14-02.4-01. State policy against discrimination.

It is the policy of this state to prohibit discrimination on the basis of race, color, religion, sex, national origin, age, the presence of any mental or physical disability, status with regard to marriage or public assistance, or participation in lawful activity off the employer's premises during nonworking hours which is not in direct conflict with the essential

business-related interests of the employer; to prevent and eliminate discrimination in employment relations, public accommodations, housing, state and local government services, and credit transactions; and to deter those who aid, abet, or induce discrimination or coerce others to discriminate.

NORTH DAKOTA VENDOR AND VETERANS PREFERENCE

43-07-20. Employment preference in contract.

In all contracts, except those which involve federal-aid funds and when a preference or discrimination would be contrary to a federal law or regulation, hereafter let for state, county, city, school district, or township construction, repair, or maintenance work under any laws of this state, there shall be inserted a provision by which the contractor must give preference to the employment of bona fide North Dakota residents, as determined by section 54-01-26, with preference given first to honorably discharged disabled veterans and veterans of the armed forces of the United States, as defined in section 37-19.1-01, who are deemed to be qualified in the performance of that work. The preference shall not apply to engineering, superintendence, management, or office or clerical work.

No contract shall be let to any person, firm, association, cooperative, corporation, or limited liability company refusing to execute an agreement containing the aforementioned provisions.

44-08-01. Preference to North Dakota bidders, sellers, and contractors.

1. The office of management and budget, any other state entity, and the governing body of any political subdivision of the state in purchasing any goods, merchandise, supplies, or equipment of any kind, or contracting to build or repair any building, structure, road, or other real property, shall give preference to bidders, sellers, or contractors resident in North Dakota. The preference must be equal to the preference given or required by the state of the nonresident bidder, seller, or contractor.
2. A state entity authorized to accept bids shall give preference to a resident North Dakota bidder when accepting bids for the provision of professional services, including research and consulting services. The preference must be equal to the preference given or required by the state of the nonresident bidder.
3. The office of management and budget, any other state entity, and the governing body of any political subdivision of the state in specifying or purchasing any goods, merchandise, supplies, or equipment, may not specify any trademarked or copyrighted brand or name, nor the product of any one manufacturer, nor any patented product, apparatus, device, or equipment, when the same will prevent proper competition, unless bidders also are asked for bids or offers upon other articles of like nature, utility, and merit. When it is advantageous that the purchase be of a particular brand of product or products of a particular manufacturer to the exclusion of

competitive brands or manufacturers, the purchasing board or entity must document those circumstances and provide written justification for the proprietary specification or purchase. The purchasing board or entity shall procure the proprietary product through a competitive process unless the needed product is available exclusively from one source of supply or other circumstances exist under which competition can be waived.

44-08-02. Resident North Dakota bidder, seller, and contractor defined.

The term "a resident North Dakota bidder, seller, or contractor" when used in section 44-08-01, unless the context thereof clearly provides otherwise, means a bidder, seller, or contractor who has maintained a bona fide place of business within this state for at least one year prior to the date on which a contract was awarded.

PURCHASING AUTHORITY

- Bus storage: **15.1-09-45**
- Coal purchases: **48-05-02.1**
- Health insurances: **15.1-09-53**
- Real property, equipment, and other property and services: **15.1-09-33**
- School board members only have powers conferred on them by statute: *Pronvost v. Brunette*
- School officers may only exercise powers expressly or impliedly granted by statute: *Kretchmer v. School Board, Gillespie v. Common School District*
- Transportation services: **15.1-30-06, 15.1-30-11, and 15.1-30-12**
- Vehicle and heating fuel: **15.1-09-34.1**

DISBURSEMENT OF FUNDS

15.1-07-12. Negotiable instruments - Disbursement of moneys by business manager.

1. a. The board of a school district may adopt policies governing the disbursement of school district moneys by the business manager.
 - b. The policies adopted under subdivision a may include:
 - (1) The authorization, creation, and approval of negotiable instruments;
 - (2) The use of credit or debit cards;
 - (3) The payment of invoices;
 - (4) The use of petty cash;
 - (5) The use of electronic payments; and
 - (6) The use of facsimile signatures.
 - c. The policies adopted under subdivision a must include internal controls to safeguard school district moneys.
-
2. If the board of a school district has not adopted policies to govern the disbursement of school district moneys by the business manager, the business manager may disburse moneys only by issuance of a negotiable instrument upon presentation of a bill or invoice, the payment of which has been authorized by the president of the school board, and only

if there are sufficient moneys available for the disbursement. Upon issuing a negotiable instrument, the business manager shall make a record of the instrument.

44-08-05.1. Payments - Purchasing card authority - Penalty.

The director of the office of management and budget, the state board of higher education, the governing body of any political subdivision, and the board of any school district may establish and administer a purchasing card system for use by its officers, employees, representatives, or agents.

Any public officer or employee who fraudulently uses a purchasing card or knowingly approves a payment for false or unlawful claims or which does not otherwise meet the requirements of this section for approval may be subject to criminal prosecution under title 12.1. Any public officer or employee who, without the use of ordinary care and diligence, uses a purchasing card or approves a payment for false or unlawful claims or which does not otherwise meet the requirements of this section for approval is personally liable for any funds improperly expended. Any public officer, employee, or any other individual who has knowledge of an actual or possible violation of this section shall make that information known to the attorney general or the appropriate state's attorney. The attorney general or appropriate state's attorney shall investigate any alleged violation. If there is probable cause to believe that a violation has occurred, the attorney general or appropriate state's attorney shall initiate a criminal prosecution under title 12.1 or a civil suit against the public officer or employee for the recovery of the funds as may actually have been improperly paid, or may initiate a prosecution and a civil suit.

REWARDS FROM VENDORS PROHIBITED

15.1-07-18. Offer of reward - Purchase of school supplies - Penalty.

It is a class A misdemeanor for any person to give or offer to a county superintendent of schools, a school board member, or a school district employee a commission, fee, or other reward for the purchase by the district of any textbooks, furniture, or school supplies.

15.1-07-19. Reward for purchase of school supplies - Penalty.

It is a class B misdemeanor for a county superintendent of schools, a school board member, or a school district employee to accept a commission, fee, or other reward for the purchase by the district of any textbooks, furniture, or school supplies.

End of Jamestown Public School District Exhibit HCAA-E

HCAB - BIDDING REQUIREMENTS & PROCEDURES

Requests for Bids

All requests for bids shall include at least the following components so long as such components are applicable:

1. Term (i.e., number of days, months, etc) for which prices must be available;
2. Disclaimers regarding:
 - a. Ownership of proposal forms;
 - b. Propriety of information contained within the proposal;
 - c. Responsibility for expenses related to preparation and award of contract.
3. Requirements to include any security instrument (bond or check).
4. A requirement to break down costs, specifically:
 - a. Delivery charges, installation fees, warranties, etc.
 - b. Unit pricing.
5. Delivery and installation guidelines (time of day, place or places, period of time within which delivery and installation must be made).
6. Guidelines for properly submitting invoices for payment.
7. Right of the District to reject any and all bids.

Bid notices for construction, repair, remodeling or demolition of a facility shall not contain criteria related to organized labor nor shall the Board or District discriminate against a bidder or subcontractor based on his/her participation or lack thereof in organized labor.

Bidding Opening & Review

Unless otherwise stipulated by law, the procedure for bidding and bid openings is as follows. The District shall only accept sealed bids and shall designate a time and place for the opening of such bids. The bid opening will not be held during a meeting of the Board unless the meeting has been properly noticed in accordance with law. Bids shall not be awarded at a bid opening but at a future meeting of the Board to allow the Superintendent or other designee an opportunity to compare and investigate the bids. The Superintendent or designee shall make recommendations to the Board regarding the awarding of bids. The Board may interview bidders in accordance with 44-04-19.2 prior to awarding the bid. All contracts which require public advertising and competitive bidding shall be awarded by board motion.

HCAE - DISBURSEMENT OF MONIES

The Board authorizes the Business Manager to disperse district monies by issuance of a negotiable instrument, electronic payment, or credit/debit card that has been issued in the district's name. In addition, the Superintendent is authorized to disperse district monies through the use of a card. Money shall only be dispersed if the following conditions are met:

1. There are sufficient moneys available in the fund from which monies will be withdrawn.
2. Money shall only be dispersed when authorized by the Board through policy or prior approval.
3. All bills/invoices shall be signed by the authorized purchasing agent.
4. Electronic payments are recorded in a format that can be reviewed and verified by the Board.
5. An itemized listing of all bills paid shall be given to the Board each month for approval.
6. Negotiable instruments shall be signed by the Business Manager and Board President.

Online Banking

The Business Manager is authorized to use online banking to manage district monies provided that all online transactions (e.g., transfers, withdrawals, etc.) are recorded in a format that can be reviewed and verified by the Board.

Petty Cash

The Board authorizes the Business Manager to establish a petty cash fund not to exceed \$400 to be kept in the school office for payment of incidental expenses. Access shall be limited to Administrative Assistant to the Superintendent, Business Manager and Career and Technology Center Office Manager and a complete account of the petty cash fund shall be provided to the Business Manager twice each year.

Facsimile Signature

The Board President is authorized to provide a facsimile signature in accordance with law. This signature shall not be used by nor shall it be in the custody of the Business Manager. The Superintendent shall develop measures to ensure compliance with this policy. The signature shall only be used on negotiable instruments that have received approval in accordance with this policy.

The Business Manager shall read and agree to this policy as a condition of employment.

Complementing Policy

- HCAA, Purchasing

HCAE-AR - DISBURSEMENT OF MONIES REGULATIONS

The district administrator may delegate limited authority in expenditure of funds to the directors of:

- * James Valley Multi-District Career and Technology Center
- * James River Special Education Unit
- * Food Service
- * Athletic/Activity, and
- * Other building level administrators

All bills must be vouchered and approved by the director, and business manager before payment takes place. The district administrator may authorize pre-approved vouchers with an amount to be determined for each director.

Policy Regulations HCAE-AR Amended 7-18-2018

HCAG - PURCHASING CARDS

In accordance 44-08-05.1, the Board authorizes the Business Manager and Superintendent to institute a purchasing card system. The Business Manager and/or Superintendent shall establish rules governing the use of purchase cards to protect district funds and other assets. These rules shall be placed in administrative regulations; shall identify categories of employees authorized to use purchase cards; shall establish limits on use, which, at a minimum, comply with prohibitions on fraudulent purchases contained in 44-08-05.1, prohibit other forms of personal purchases, and prohibit purchases that exceed the bidding thresholds under law; shall contain rules related to card security; shall contain disciplinary consequences for misuse; and shall require that employees agree to purchase card regulations as a condition of card issuance and use.

Use of purchase cards are a privilege, not a right. The Board or Superintendent is authorized to revoke any employee's purchasing card privileges with or without cause.

Complementing

- HCAG-AR, Cardholder Manual

End of Jamestown Public School District Policy HCAG

Adopted:1/15/2018

HCAG-AR - JAMESTOWN PUBLIC SCHOOL DISTRICT CARDHOLDER MANUAL

Authorized cardholders of the Jamestown Public School District may use purchasing cards to acquire goods and services from suppliers. Cardholders are identified by the Superintendent, must complete training, and sign a cardholder agreement as a condition of card issuance and use.

What is a Purchasing Card?

The purchasing card is a method of payment for school employee use to make purchases for official school business, and the administration encourages the use of the purchasing card.

The purchasing card payment system is an individual bill/central payment system. The cardholder may receive a monthly account statement for information and reconciliation purposes only. The Business Manager obtains a consolidated electronic billing file and makes payment to JP Morgan Chase on behalf of all cardholders. Expenditure transactions are processed through our business software and posted to the appropriate school accounting records.

A purchasing card IS

1. Authority delegated by Superintendent to individual school employees.
2. For official Jamestown Public School use only.
3. Authorized for use with only certain categories of merchants.
4. Authorized for purchase of goods and services for Jamestown Public School

A purchasing card IS NOT

1. A means to avoid appropriate payment procedures.
2. A means to access cash or credit.
3. A right of employment.
4. For personal use.

What are the Benefits of a Purchasing Card?

The purchasing card enables personnel to perform more effectively and focus on the value-added aspects of their jobs by:

1. Reducing administrative costs for the school district.
2. Eliminating purchasing delays.
3. Reducing the amount of paperwork.
4. Improving supplier relations.
5. Receiving increased information about purchasing transactions.
6. Reducing the number of checks issued.
7. Revenue cost sharing.

Who are Likely Cardholders?

Cardholders are identified by Superintendent, must complete training, and sign a cardholder agreement as a condition of card issuance and use.

1. Administrators
2. Directors: Child Nutrition, Transportation, Activities, Maintenance

3. Departments/Programs: Before and After School, Athletic Departments, Library, etc.

Cardholder Limits

A\$750 single purchase limit and a \$2,000 monthly maximum limit are the basic Pcard amounts. To fund your Pcard or request higher limits, contact the Business Manager. Pcards are limited to business type categories. For example: your Pcard may not be authorized to purchase gas, airline tickets, etc.

Travel Requests

Travel requests are to be reviewed and approved by your building administrator in accordance with applicable policy prior to making travel arrangements. After the approved travel, you may e-mail a balance sheet to the business office or hand-deliver it. On the balance sheet, list your expense items by category: fees, travel, lodging, event tickets, student per diem and miscellaneous expenses. Once approved, the Pcard administrator will load your Pcard and indicate the reason for the amount in the account memo section. Pcards are web based.

Local Purchasing and Purchases Not Authorized on P-Cards

The traditional purchase order process is followed for those purchases not included or not authorized in the purchasing card process. Cardholders will be required to follow board policy on local purchasing to acquire goods and services from local suppliers.

Cardholder Credit Rating

When uses of the purchasing card result in a liability to Jamestown Public School; it is not a personal liability for the cardholder. The cardholder's credit rating will not be affected. However, it is important to remember that the cardholder agrees to the terms and conditions of using a purchasing card and is personally liable for any misuse of the purchasing card as outlined in NDCC 44-08-05.1.

The JP Morgan Chase Purchasing Card Program provides liability protection to the school district once notification of any loss, theft, or fraudulent use is made. However, the same level of liability protection does not apply to cards that are made available to multiple users. Therefore, only the person whose name appears on the card is allowed to use that card. If multiple users are allowed to use a card, for example a card assigned to a summer school program, the person who signed the cardholder agreement is held responsible for charges made on that account.

Guidelines for Purchasing Card Use

The following items cannot be purchased with a purchasing card without School Board approval:

1. Legal services
2. Tax reportable services – 1099 (service with individuals, sole proprietorships, partnerships, estates and trusts, medical and legal services, consultants, engineers, etc.)
3. Motor vehicles
4. Non-business/personal items
5. Any item requiring formal bidding under NDCC 15.1-09-34 or Ch. 48.01.2, in which case formal bidding procedures must be followed before purchasing is authorized.

The Superintendent may place additional purchase card limits on individual card holders on a case-by-case basis. Unauthorized and personal purchases shall become the responsibility of the card holder.

Merchant Category Code Standards

All vendors are assigned a merchant category code (MCC) by their bank. Attempting to buy from merchants that are excluded will cause the transaction to be denied.

Occasionally a bank may have wrongly assigned a vendor's MCC. If a transaction is rejected for an appropriate purchase, the school Pcard administrator should ask the vendor to check with their bank to request a code change, if necessary.

Each cardholder will be assigned a MCC category which allows certain item(s) for purchase.

General Instructions for Card Use

Cardholders should give vendors their purchasing card number and expiration date, or present the card at the point of sale and tell the vendor that the school district is exempt from sales tax.

NOTE: Jamestown School's tax-exempt number is embossed in the on the front of the card.

1. Jamestown Public School District's policies, rules, and guidelines must be followed.
2. All large purchases must be competitively bid according to NDCC 15.1-09-34 or Ch. 48.01.2.
3. If the material is to be shipped or delivered, tell the vendor to enclose or mail a copy of the receipt/invoice with each shipment. Have the vendor mark it "Credit Card Order-Paid" to avoid duplicate payments. If the material is to be picked up, obtain the itemized receipt indicating the purchase price.
4. Retain a copy of the original receipts/invoices for reconciliation of the monthly statement purposes and forward the original receipts/invoices to the Business Manager.

Statement Verification

1. A monthly account statement will be sent directly to individual cardholders. (Business Office obtains an electronic billing file for payment processing.)
2. It is the cardholder's responsibility to reconcile the monthly account statement with the copies of the receipts/invoices and then forward the statement to the Business Manager. If inaccuracies and/or erroneous information exist, the cardholder must immediately notify the Business Office.

Vendor Does Not Accept Credit Cards

Not all vendors accept purchasing cards. If this happens:

1. Complete the transaction using traditional purchasing procedures. (PO's with approval)
2. Choose another vendor who accepts the Pcard.

Returns, Credits and Disputed Items

Individual cardholders are responsible for notifying the Business Manager on any erroneous charges, disputed items, or returns as soon as possible. Disputed billings can result from failure to receive the goods charged, defective merchandise, incorrect dollar amounts, duplicate charges, credits not processed, as well as fraud and misuse.

Credits: Referring to the receipt/invoice, request the merchant place a credit on the card account.

Returns: A credit should be issued for any item that the vendor has approved for return. The credit will appear on a subsequent cardholder statement. Any returned item purchased with the purchasing card must be returned for credit. **Do not accept a refund in cash or check.**

Maintain documentation of all credits, returns, and exchanges. This is to be attached to the monthly account statement that reflects the transaction.

Disputed Items: If the cardholder has a disputed charge and the business Manager cannot reach resolution with the vendor, the Jamestown Public School District Business Manager will complete the JP Morgan Chase online Dispute Form within 60 days of the post date. If 60 days have passed, the Business Manager should still complete the form. It will be honored at JP Morgan Chase's discretion.

Declines at the Point of Sale

If a cardholder's card is declined at the point of sale, the cardholder should contact the Business Manager, who can determine why it is being declined and will be able to make account adjustments as needed. Some reasons for a decline include:

1. The cardholder has failed to activate the card by calling the toll free number listed on the sticker placed on the front of the card.
2. The cardholder has exceeded the designated single or monthly transaction limit.
3. The cardholder attempts to use the card for a blocked supplier category.

Purchasing Card Security

The purchasing card is to be treated with the same level of care that is afforded personal credit cards.

1. Do not lend the purchasing card to anyone. The only person authorized to use the card is the person whose name appears on the front of the card.
2. Do not post or write the purchasing card account number in any location that is accessible to others.
3. Use only secure web sites when sending the purchasing card account number over the Internet.

Reporting Lost or Stolen Cards

The cardholder must notify the Business Manager and JP Morgan Chase immediately when a card is discovered lost or stolen. Report a lost or stolen card to JP Morgan Chase Cardholder Support Team by calling 1-800-270-7760. This number is available 24 hours a day, 365 days a year. Cardholders will have to provide their full account number; last 4 digits of employee ID and password. (Contact a Business Manager for assistance if unable to provide correct information.)

Random Audits

Jamestown Public School District Superintendent or the Business Manager, the State Auditors Office, and the JP Morgan Chase may conduct random audits of purchasing card use. The primary purpose of the audit is to ensure that purchasing card program procedures are being followed and that:

1. Jamestown Public School procedures are being followed.
2. The purchasing card is being used for appropriate transactions.
3. Supporting documentation is complete.

Failure to Comply with Program Guidelines

Any misuse of the purchasing card or failure to comply with the applicable policies and procedures may result in the following:

1. Revocation of the purchasing card.
2. Appropriate disciplinary actions, which may include a recommendation for termination, which shall be handled in accordance with applicable policy and law.
3. Repayment of transactions resulting from personal use of the purchasing card. Repayment will include any applicable taxes.

Termination of Employment with the School District

If the cardholder's employment is terminated with the school district, the cardholder must return the purchasing card to the Business Manager, who will cancel and destroy the card.

Jamestown Public School Pcard Resources

For assistance with the following, please contact the Business Manager.

1. For questions concerning policies and procedures.
2. To replace damaged cards.
3. For assistance with suppliers.
4. For account inquiries.
5. For billing information.
6. To report a lost or stolen card.

JP Morgan Chase Cardholder Support Team –1-800-270-7760

1. Report Lost/Stolen Cards;
2. Balance Inquiry;
3. Dispute Assistance;
4. Fraud Inquiry;
5. Declined Cards.

You will have to provide your full account number; last 4 digits of employee ID and the correct password. (Contact a card administrator for assistance if unable to provide correct information.)

End of Jamestown Public School District Administrative Regulation HCAG-AR

HCAG-E - JAMESTOWN PUBLIC SCHOOL DISTRICT CARDHOLDER EMPLOYEE AGREEMENT

Your signature below is verification that you have received the Purchasing Card and agree to comply with the following requirements:

1. I understand the card is for District/School use only, and I agree not to use the card for personal business.
2. Improper use of this card can be considered misappropriation of district funds. This may result in cancellation of Procurement Card privileges, reimbursement to the District for improper use, disciplinary action up to and including termination in accordance with applicable policy and law and possible criminal charges.
3. If the card is lost or stolen, I will immediately notify the card company and my Card Administrator.
4. All coaches will turn their card into the office after their season ends.
5. I agree to surrender the card immediately upon termination of employment.
6. The card is issued in my name. I am responsible for all charges against the card.
7. As the card is district property, I understand that I may periodically be required to comply with internal control procedures designed to protect district assets. This may include being asked to produce the card to validate its existence and account number.
8. I am responsible for submitting a purchase order, when able, prior to the purchase and obtaining a receipt for all transactions. Receipts must be turned in to the business office.
9. The District will receive a Monthly Statement, which will report all activity during the period. If a discrepancy is found, since I am responsible for all charges (but not for payment) on the card, I will resolve any discrepancies by either contacting the vendor or card company.
10. Requests for single transaction and/or monthly credit limit increases must be submitted in writing, preferably by email, to the Superintendent for approval.

I understand that the Jamestown Public School District does not authorize, permit or otherwise consent for me to obtain cash advances or to be issued checks from any Cardholder Account issued under this Purchasing Card Agreement. Further, I understand that in the event of an erroneous charge, return or other adjustment to the account, I must not accept cash as a refund; only a credit to the card account is acceptable.

I have been given a copy of the Jamestown Public School District Pcard Manual and understand the requirement for using the Pcard system.

Cardholder Signature _____ Date _____

Cardholder Printed Name _____

HPS Card Administrator Signature _____ Date _____

HDD - GIFTS & BEQUESTS

The Board may accept on behalf of and for the District any bequest or gift of money or property for a purpose deemed by the Board to be suitable and to utilize such money or property so designated. The Board reserves the right to refuse any gift that, in the opinion of the Board, is not in the best interests of the District or unnecessarily restricts the actions or decisions of the Board. Unless otherwise provided, no part of such property nor the income from the property shall be diverted or used for any other purpose.

To be acceptable, a gift must satisfy the following criteria:

1. Has a purpose consistent with those of the school.
2. Is offered by a donor acceptable to the Board.
3. Will not add to staff load unless the District is willing to assume financial responsibility for compensating staff for additional duties associated with the gift.
4. Will not begin a program which the Board would be unwilling to take over when gift or grant funds are exhausted.
5. Will not bring undesirable or hidden costs to the District.
6. Will place no restrictions on the school program or operations; will not restrict the district's ability to comply with law, including Title IX; and will not remove control from the Board.
7. Will not be inappropriate or harmful to the education of students.
8. Will not be in conflict with any provision of the school code or public law.
9. Will become district property.
10. If the gift is school equipment or supplies, it was procured in an ethical manner as determined by the Board or its designee. The Board or designee may request documentation from the donor to verify compliance with this requirement.
11. If generated through a fundraising activity, the fundraising activity was conducted in compliance with any applicable law, did not violate school district policy, does not conflict with the district's mission and goals, and did not jeopardize the safety of any district students or staff involved.
12. Any money raised for the District must be accounted for using proper checks and balances and best accounting practices. The Board or designee may request documentation from the donor to verify compliance with this requirement.

The Superintendent may establish additional criteria to be met in the acceptance of gifts and the procedure for examining and evaluating offers of gifts to the District.

The District will seek partnerships with businesses where possible.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- HDD-AR, Donated Playground Equipment
- HDD-E, IRS Receipt for Charitable Contributions

HDD-AR - DONATED PLAYGROUND EQUIPMENT

Parent groups or other organizations wishing to donate playground equipment on any school property must prepare and submit a schematic drawing of the equipment and its placement to the principal. The principal will review the plan for appropriate equipment related to the size of the site, the age of the students, and recognized safety requirements. The principal shall seek input from the physical education department, the district insurance carrier and any other sources deemed appropriate. The principal shall then submit the plan to the Superintendent with a recommendation for acceptance or refusal. The Superintendent will bring the plan to the Board for final action.

In addition to planning for the design and placement of the equipment, the organization involved must provide for installation, ground surface preparation, and proper drainage.

After equipment is in place, the principal will conduct a safety inspection of the equipment before students return to school each fall and thereafter as deemed appropriate during the remainder of each school year. Any irregularities, such as sharp points, excessive wear of fasteners, insufficient amount of ground surface, or any other hazard should be immediately reported to the Superintendent for repair or referral to the Board.

End of Jamestown Public School District Administrative Regulation HDD-AR

HDD-E - JAMESTOWN PUBLIC SCHOOL DISTRICT IRS RECEIPT FOR CHARITABLE CONTRIBUTIONS

- 1. **Donor Name:**
Address of Donor
Contact Person (if donor is an organization)
Phone #:
- 2. **Receiving Organization:** Jamestown Public School District
207 2nd Ave SE, Jamestown ND 58401
- 3. **Receiving Campus/Building & Address:**
- 4. **Date of Contribution:**
- 5. **Monetary Donations: Check#** _____ **Amount of Contribution: \$** _____
- 6. **Description (not value) of Any Property Other Than Cash Contributed.** Please list one type of item per line. Attach an additional sheet if necessary.

Quantity	Description
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NOTE: Donors are responsible for establishing the Fair Market Value of all donated items for IRS purposes. Items 7-8 generally do not apply to donations to Jamestown Public School District. These items and the estimate of value apply to goods and/or services the donor received from Jamestown Public School District.

- 7. Did the Jamestown Public School District provide any goods and/or services to the donor in consideration for any of the cash and/or property contributed?
 YES NO Estimate of Value: \$ _____ **See NOTE in box above.**
- 8. Donor: Provide a description and good faith estimate of any goods and/or services referred to in item 7.
 Description: _____ **See NOTE in box above.**

Jamestown Public School District, is a municipality and political subdivision of the State of North Dakota. Jamestown Public School District is a non-profit public school district. Federal tax#:45-6001634. This form is intended to facilitate compliance with Internal Revenue Code Section 170 (f)(8) "Substantiation Requirement for Certain Contributions," applicable to charitable contributions made on or after January 1, 1994. Any questions regarding this form should be referred to the Business Manager of the Jamestown Public School District, 701-252-1950. **(Give Original to Donor)**

HE* ACCOUNTING & REPORTING

HEA* FUNDS & ASSET MANAGEMENT

Descriptor Code: HEAA

HEAA - LINE ITEM TRANSFER AUTHORITY

All transfers of monies between the major classifications of the general fund budget shall be subject to the approval of the Board. The Board shall be provided with complete information regarding the funds available, the proposed expenditure, and reserves.

Complementing Policies:

- HAA, Budget Planning, Preparation, & Adoption
- HCAA, Purchasing

End of Jamestown Public School District Policy HEAA Adopted:1/15/2018

HEAB - REVOLVING ACCOUNTS

School level administrators receive limited authority from the district administrator in expending funds from Activity Revolving (self supporting) Accounts. Activity Revolving Accounts are not supported by general fund monies and the balance in each account must remain positive. The business manager will notify the district administrator when a negative balance occurs. The school level administrator may be responsible for the shortfall as outlined in the last paragraph of this policy.

Employees may not establish a new revolving expense and/or revenue account numbers without the approval of the finance committee. The business manager will take the request of the employee to the finance committee for approval/disapproval.

HEAC - MANAGEMENT OF STUDENT ACTIVITIES FUNDS

The Jamestown Public School Board shall establish a student activity fund for the support of school-related extracurricular activities.

The Superintendent shall establish procedures for the operation and maintenance of student activity accounts.

The Athletic Director is responsible for the overall operation of the student activity funds, including approving disbursements, fundraising plans, and assigning faculty advisors to each student activity.

The faculty advisor for the student activity shall supervise all activities and finances. The faculty advisor shall have the Athletic Director approve all transactions of the student activity and shall maintain proper supporting financial documentation. The faculty advisor shall promptly collect, receipt, and deposit all monies with the Business Manager.

All checks for an extracurricular activity should be made payable to Jamestown Public Schools.

The Business Manager shall deposit all student activities funds into the appropriate student activity account. Funds generated through student activities are district funds and are subject to all district policies and law governing district fund management.

Records of receipts and disbursements shall be part of the annual district audit. Payments for the audit must be made from district funds. The Business Manager shall give the Board a monthly report of receipts, expenditures, and balances in the activities fund.

When a student activity is terminated, the Business Manager shall submit an account of those funds to the Superintendent, the principal, and the Board. An unencumbered student activity account will revert to District Administrator when a class graduates or the student activity is discontinued.

Complementing Policies:

29. HBCC, Fundraising
30. HCAA, Purchasing
31. HCAE, Disbursement of Monies
32. HEBB, Cash in School Buildings
33. HEBD, Audits

End of Jamestown Public School District Policy HEAC.....Adopted:1/15/2018
Amended 11/18/2024

HEB* INTERNAL CONTROLS

Descriptor Code: HEBA

HEBA - SYSTEM OF ACCOUNTS

The Business Manager shall prepare a monthly statement of budget appropriations, expenditures, encumbrances, and balances of each account classification, as well as a statement of actual receipts and estimated receipts for the information of the administrators and the Board. The status of the records shall be current and available at all times to the Board and administrators for planning and evaluating the operation of the school system. The Business Manager shall file all fiscal reports with the county, state, or federal agencies, as required.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- HCAE, Disbursement of Monies
- HEBD, Audits

End of Jamestown Public School District Policy HEBA

Adopted: 3-4-2019

HEBB - CASH IN SCHOOL BUILDINGS

All monies collected during the day for any purpose shall be turned in to the office as soon as possible, properly receipted and kept in locked safes provided for safekeeping of valuables. Accounting to the Business Manager for monies collected shall be done daily and all monies shall be promptly deposited in the proper account.

In no case shall large amounts of money be left overnight in schools. All schools shall provide for making bank deposits after regular banking hours in order to avoid leaving money in school overnight.

End of Jamestown Public School District Policy HEBB

Adopted:1/15/2018

HEBC - FRAUD PREVENTION & INVESTIGATION

The District prohibits board members, employees, vendors, contractors, consultants, and others seeking or maintaining a business relationship with the District from committing or participating in fraud and financial impropriety as defined below.

Fraud and financial impropriety include, but are not limited to:

1. Forgery or unauthorized alteration of any document or account belonging to the District.
2. Forgery or unauthorized alteration of a check, bank draft, or any other financial document.
3. Misappropriation of funds, securities, supplies, or other district assets.
4. Impropriety in the handling of money or reporting of district financial transactions.
5. Profiteering as a result of insider knowledge of district information or activities.
6. Unauthorized disclosure of confidential financial information (e.g., account numbers).
7. Inappropriately destroying, removing, or using records or equipment.
8. Failure to provide financial records required by state or local entities.
9. Any other dishonest act regarding the finances of the District.

Financial Oversight and Controls

The Superintendent shall maintain a system of internal controls to identify potential risks, manage potential risks, and deter and monitor fraud and financial impropriety in the District. Internal controls shall be subject to board review.

The Superintendent is authorized to order a complete forensic audit if, in his/her judgment, such an audit is necessary or would be beneficial to the District.

Reports

Any person who suspects fraud or financial impropriety in the District shall report this information to an immediate supervisor, principal, Superintendent, or, in instances where the Superintendent is suspected of committing such acts, the Board President. Individuals may also report suspected fraud/financial impropriety activity to local law enforcement.

Individuals who report potential fraud/financial impropriety shall not be retaliated against, including instances when a complaint is not substantiated. However, employees who knowingly make a false fraud/financial impropriety report may be subject to disciplinary action.

Reports of suspected fraud/financial impropriety shall be treated as confidential to the extent permitted by state law on administrative investigations of school personnel. All individuals involved in an investigation shall be advised to keep information about the investigation confidential.

Investigation

The Superintendent shall investigate reports of suspected fraud/financial impropriety. If the Superintendent is suspected of fraud/financial impropriety, the Board President shall investigate the report.

The investigator shall coordinate investigation efforts with appropriate district personnel, legal counsel, the state fraud auditor, insurance carrier, and other internal and external departments and agencies as deemed necessary.

If an investigation substantiates the occurrence of fraud/financial impropriety, the investigator shall promptly notify the State Bond Fund and shall recommend responses to the investigation findings, including disciplinary action up to and including termination from district employment. These recommendations shall be documented in the investigator's report. The report shall be submitted to the appropriate district authority for action. The District may file a criminal complaint in cases where fraud/financial impropriety is substantiated. In cases involving monetary loss to the District, the District may seek to recover lost or misappropriated funds.

Analysis of Fraud

After any investigation that substantiates a report of fraud or financial impropriety, the Board shall appoint an individual to analyze conditions/factors that allowed for the activity to take place. This individual shall update internal controls to ensure measures are put in place to better protect district assets and deter future fraud/financial impropriety activities.

Complementing Policy

- HEBD, Audits

End of Jamestown Public School District Policy HEBC

Adopted: 1/15/2018

HEBD - AUDITS

All financial records of the District will be audited following the close of each fiscal year.

The Board will appoint an independent auditor, who shall be a Certified Public Accountant, to conduct this audit in accordance with law. The audit shall be presented to the Board upon completion and submitted to the state auditor in accordance with law.

NOTE: Law contains an exception to state audit requirements for districts with less than one hundred enrolled students. See NDCC 54-10-14 for details.

End of Jamestown Public School District Policy HEBD

Adopted:1/15/2018

I GENERAL OPERATIONAL PROGRAMS

IA SCHOOL PROPERTY

Descriptor Code: IAC

IAC - LEASE OF SCHOOL PROPERTY

The use of buildings or equipment by others for non-education purposes shall be without cost to the District.

The Board may consider possible alternative uses for school facilities that are not immediately needed to maintain a quality educational program but should wisely be saved for future use.

The Board may lease any school building or part of building not needed for the instructional program or support services of the District, so long as such leasing does not interfere with the District's needs or with the instructional program.

Criteria for Determining Space Available

The following criteria will be applied in the determination of space available for leasing and joint occupancy:

1. The space is projected to be surplus for at least one year;
2. The space is located in a portion or a section of the building that can be isolated and will not interfere with the ongoing educational program (A separate building entrance is desirable); and
3. The space is not required for the conduct of a quality educational program. The Superintendent will develop specific standards as a basis for this determination.

Priorities for Leasing Space

Given the constraints of the school setting, certain types of lessees will be more desirable than others. The following is a priority listing to aid in the selection of users of available space. This order will be applied to best meet the needs of the students and the educational program and to ensure prudent utilization of resources; the school program and/or personnel needs will always come first.

1. Other educational programs that will benefit students enrolled in the regular public school programs and that may enhance their learning experiences (e.g., day care centers, preschool programs, data-processing schools, foreign language programs, or college-based programs).
2. Community programs that will enhance learning experiences for students or provide needed community services (e.g., senior citizen center, counseling centers).
3. Housing or other city or county agency functions (e.g., park and recreation department, health services).
4. Private enterprise:

- a. Private offices (e.g., real estate, attorney, consultant);
- b. Private medical practice/community services (e.g., physician, physical therapist, artist); or
- c. Other private groups or organizations.

In those instances where two or more candidates for the same space within the same priority category are equally desirable the space will be provided to the candidate making the most beneficial offer to the District.

Each user of the available space will be expected to reimburse the District on a prorated basis for applicable costs related to this use that may include normal building upkeep, custodial services, utility expenditures, restroom supplies, insurance, administrative costs, and other such items on a square foot basis that may be identified and included in the lease negotiated with the user. The lease cost will be negotiated and be reflective of public schools costs and comparable market prices. The income from the leasing of space will be deposited in the general fund of the District.

The period of the lease will be related to the best estimate of how long the space may not be needed for public school programs but shall not be for longer than one year, subject to renewal.

The lease for each user will include appropriate language to hold the Board and the District harmless against any and all claims, demands, suits or other forms of liability that may arise out of this use of school space. Each proposed tenant must comply with all appropriate legal and zoning requirements.

The lease may be made on sealed bids from qualified lessees. The Board at its discretion may require a bond from the lessee, conditioned upon the payment of charges made for such lease and indemnifying the District against damage or destruction of the building or any part of it.

End of Jamestown Public School District Policy IAC Adopted:10-4-2021

IAD – SALE OF DISTRICT REAL PROPERTY

Purpose

The purpose of this policy is to establish guidelines and procedures for the sale of real property owned by the Jamestown Public School District. This policy aims to ensure transparency, accountability, and the responsible management of District assets while complying with all relevant laws and regulations.

Definitions

For the purposes of this policy:

- *Real Property* is land, buildings, structures, and other permanent improvements owned by the District.
- *Appraisal* is a valuation of real property by the estimate of an authorized person.
- *Public Sale* is a sale conducted openly through auction or sheriff's sale. Usually, public notice and advertisement are made before the sale as notice to general public. In a public auction sale there will be competitive bidders and the real property is sold to the highest bidder.
- *Fair Market Value* is the most probable price that real property can be sold for in the open market by a willing seller to a willing buyer, neither acting under compulsion and both exercising reasonable judgement. Given these conditions, an asset's fair market value should represent accurate valuation or assessment of its worth.

Property Valuation

Prior to the sale of district real property, the District shall obtain a professional appraisal of the real property to determine its value. The appraisal shall be conducted by a certified appraiser with experience in valuing real estate in the local market. The District may also consider obtaining multiple appraisals to ensure an accurate valuation. Real property belonging to the District shall be sold for no less than the fair market value unless the sale would fall under the exception contained in NDCC 15.1-12-19 or another lawful exception. The Superintendent may hire a broker to assist with the sale and pay the broker from the proceeds of the sale.

Board Approval

The sale of any real property owned by the District shall require the approval of the Board. The Board shall review the appraisal(s) and any other relevant information before making a decision on the sale. The Board shall make a final determination on whether to proceed with the sale of the real property after considering all relevant factors, including educational needs, financial considerations, and community feedback.

Competitive Bidding

The Board may advertise for bids or may sell the real property outright at a public sale. All potential buyers shall be invited to submit sealed bids in accordance with the District's bidding procedures. The bid process shall be transparent, and all bids shall be opened publicly, with the winning bid being awarded to the highest responsible bidder. If bids are requested and none are received, then the real property may be sold at a private sale.

Private Sale

If the Board determines competitive bidding is not necessary, the real property may be sold at a private sale. The Board may determine competitive bidding is not necessary due to:

- The use of the real property;
- The location of the real property;
- The characteristics of the real property;
- The value of the real property;
- The existence of a potential buyer;
- Other relevant factors deemed relevant by the Board.

Terms and Conditions of Sale

The terms and conditions of the sale shall be established in a written agreement, subject to the approval of the Board. The agreement shall include, at a minimum, the purchase price, payment terms, closing date, and any conditions or contingencies. The District shall ensure that all legal requirements, including environmental assessments and zoning approvals, are met before completing the sale.

Use of Sale Proceeds

The proceeds from the sale of real property shall be deposited into the District's general fund.

Compliance with Applicable Laws

The District shall comply with all federal, state, and local laws and regulations governing the sale of real property. The District may seek legal counsel to ensure compliance with all legal requirements.

Recordkeeping

The District shall maintain records of all transactions related to the sale of real property, including appraisals, bids, agreements, and financial transactions, in accordance with applicable record retention policies. The District shall also contact the appropriate county recorder(s) to ensure the sale of the real property is properly recorded.

End of Jamestown Public School District Policy IAD..... Adopted:10/4/2021
Amended 2/3/2025

ICCB - DISPOSAL OF SCHOOL EQUIPMENT AND SUPPLIES

Effective use of school building space, and consideration for the safety of personnel and students, will at times require disposal of surplus or obsolete equipment and material. The Board will dispose of surplus or obsolete equipment, materials, and supplies no longer required to accomplish the mission of the school system as outlined herein.

The building principal or person in charge of the department where such school property is located will inform the Business Manager of the availability of the property. The Business Manager shall inform the Board of the property available for disposal.

The Business Manager shall post a listing of all property available for disposal throughout the District. Any department or building in the District that can use such equipment or supplies may request the material. Reassignment of the property will be made by the Business Manager.

Those items not requested by other District departments or buildings will be disposed of as follows:

1. Items having minimal or no resale value may be offered without cost to charitable and civic organizations or disposed of by the most efficient method by the Superintendent or a designee. When such a donation or disposal is made, the organization receiving the donated or disposed of property must pay all costs associated with the donation or disposal of the obsolete property, including, but not limited to, any costs associated with loading or unloading the property, shipping the property, storing the property, and/or insuring the property.
2. Items having resale value may be sold to the highest bidder either through sealed bids, at auction, or through another form of public sale. The Business Manager shall establish procedures for the sale. All items for sale shall be advertised.
3. Items may be sold through private sale if the District deems it appropriate

Recordkeeping

The District shall maintain records of all transactions related to the sale, donation, or disposal of items in accordance with applicable record retention policies. The Board shall be given a list of all items disposed of either through sale or donation.

Use of Sale Proceeds

The Proceeds from the lease, rental, or sale of real property shall be deposited into the District's general fund.

End of Jamestown Public School District Policy ICCB . . . Adopted:3/18/2019 Amended 2/17/2025

IDC - DATA PROTECTION & SECURITY BREACHES

Definitions:

For the purpose of this policy:

- *Breach* means unauthorized access or acquisition of computerized data that has not been secured by encryption or other methods or technology that renders electronic files, media, or databases unreadable or unusable. Good-faith acquisitions of personal information by an employee or agent of the employee is not a breach of security of the system if the personal information is not used or subject to further unauthorized disclosure.
- *Private information* is defined as information protected under federal laws such as, but not limited to, the Family Educational Rights and Privacy Act (FERPA), information defined as confidential or exempt in NDCC Ch. 44-04, and data defined as “personal information” in NDCC 51-30-01(4). Private information does not include publicly available information that is lawfully made available to the general public pursuant to state or federal law or regulation.
- *Security system plan* includes:
 - Records, information, photographs, audio and visual presentations, schematic diagrams, surveys, recommendations, communications, or consultations relating directly to the physical or electronic security of a public facility, or any critical infrastructure, whether owned by or leased to the state or any of its political subdivisions, or any privately owned or leased critical infrastructure if the plan or a portion of the plan is in the possession of a public entity;
 - Information relating to cybersecurity defenses, or threats, attacks, attempted attacks, and vulnerabilities of cyber system operations relating directly to the physical or electronic security of a public facility, or any critical infrastructure, whether owned by or leased to the state or any of its political subdivisions, or any privately owned or leased critical infrastructure if the information is in the possession of a public entity;
 - Threat assessments;
 - Vulnerability and capability assessments conducted by a public entity, or any private entity;
 - Threat response plans; and
 - Emergency evacuation plans.

Data Protection

The Jamestown Public School District will take reasonable security measures to guard against the foreseeable loss of private information. In determining the reasonableness of the district’s security measures, the Board will consider the value of private information in the district’s possession and the potential damages associated with the loss or compromise of this data. All security measures will be delineated in a security system plan, which is exempt from North Dakota open records law. Creation of, discussion of, and revision to this plan will occur in executive session in accordance with North Dakota law.

Security Breach

Any identified or suspected breach or cybersecurity incident that affects the confidentiality, integrity, or availability of information systems, data, or services must be reported immediately to the Superintendent. The Superintendent shall put procedures in place to notify state residents affected by the breach and any state agencies as required by law.

Complementing Policies

- ACDA, Technology Acceptable Use for Staff and Students
- BCAD, Executive Session
- IDC-AR, Security Breach Procedure

End of Jamestown Public School District Policy IDC

Adopted:9-6-2022

IDC-AR - SECURITY BREACHES PROCEDURE

Procedure for Identifying Security Breaches

In determining whether or not private information has been acquired, or is reasonably believed to have been acquired by an unauthorized person or a person without valid authorization, the District shall consider:

1. Indications that the information is in the physical possession and control of an unauthorized person, such as a lost or stolen computer, or other device containing information;
2. Indications that the information has been downloaded or copied;
3. Indications that the information was used by an unauthorized person, such as fraudulent accounts opened or instances of identity theft reported; and
4. Any other factors that the District shall deem appropriate and relevant to such a determination.

Procedure for Security Breach Notification

The Superintendent or designee shall ensure that the District provides notice of any security system breach, following discovery, to any state resident whose unencrypted personal information was or is reasonably believed to have been acquired by an unauthorized person. In addition, the Superintendent or designee shall disclose to the attorney general by mail or e-mail any breach of the security system which exceeds two hundred fifty individuals. The disclosure will be made in the most expedient time possible and without unreasonable delay, except when a law enforcement agency determines and advises the District that notification will impede criminal investigation.

The District shall provide notice to the affected state residents by at least one of the following methods:

1. Written notice to the last known home address of the resident;
2. Electronic notice, if the notice is consistent with the provisions regarding electronic records and signatures set forth in section 7001 of title 15 of the United States Code; or
3. Substitute notice if the District can demonstrate that the cost of providing notice would exceed \$250,000 or that the affected class of subject persons to be notified exceeds 500,000, or the District does not have sufficient contact information. Substitute notice shall consist of e-mail notice, conspicuous posting of the notice on the district's web site⁶⁶, and notification to major statewide media.

In addition, the following cybersecurity incidents must be disclosed to the North Dakota Information Technology Department in accordance with law as soon as reasonably possible:

⁶⁶ If your district has a web site, include this item in your regulations.

1. Suspected breaches;
2. Malware incidents that cause significant damage;
3. Denial of service attacks that affect the availability of services;
4. Demands for ransom related to a cybersecurity incident or unauthorized disclosure of digital records;
5. Identity theft or identity fraud services hosted by entity information technology systems;
6. Incidents that require response and remediation efforts that will cost more than ten thousand dollars in equipment, software, and labor; and
7. Other incidents the entity deems worthy of communication to the department.

End of Jamestown Public School District Administrative Regulation IDC-AR

IE – TRANSPORTATION SERVICES

Descriptor Code: IEAB

IEAB - PERSONNEL USE OF DISTRICT VEHICLES

A school vehicle is to be used for school employees and board members and only for school business. No school vehicle shall be used for personal business, unless the personal business is incidental to a school-related trip. On a space-available basis for out-of-town trips, an employee may have his/her family ride with him/her upon approval of the Superintendent or principal. Only school board members, district employees, or individuals independently contracted for transportation purposes may drive the vehicle.

Unless otherwise approved an employee will not be reimbursed for mileage on a personal vehicle if a district vehicle is available for use.

A school vehicle shall not be taken to an employee's home at night unless the employee is on duty, or has permission from the Superintendent.

Accident Reporting

Any accident, no matter how minor, in a school vehicle or in any private vehicle while on school business is to be reported immediately to the business office, or to an administrator if the accident occurs after school hours. The business office shall immediately report the accident to the district's insurance company.

End of Jamestown Public School District Policy IEAB

Adopted:2-18-2019

IEAC - BUS SCHEDULING AND ROUTING

The Superintendent shall ensure that prepared descriptions of district school bus routes and schedules are prepared annually and as needed.

Bus routes shall be established through the District to best accommodate the majority of eligible students.

The Board may elect to pay family transportation to families who meet the bus at a scheduled bus stop in order to minimize the length of time all students are on the bus or to avoid running a bus on secondary roads.

End of Jamestown Public School District Policy IEAC

Adopted: 2-18-2019

IEAC-AR - TRANSPORTATION REGULATIONS

The regulations as developed by the transportation contractor will be followed by the district.

Bus Fees

The Board will contract to provide transportation for resident students living ten blocks or more from the school. Charges for urban students will be established by a fee schedule. These charges are to be paid in advance by the semester.

Reorganization Plan

The provision of the reorganization plan shall also be followed by contractor for the operation of the transportation system.

*Door to door transportation is defined as pick-up of the student at the designated area to disembarking of the student at the unloading area.

Door to door transportation will be furnished for students living in rural areas, with these provisions:

- A. There must be a reasonable, passable driveway into the farmyard of the student to be transported.
- B. The farmyard must have an adequate turn-around area so the bus has easy access and return.
- C. Door to door transportation may include student pick-up from the road if the school patron does not desire in-the-yard pick-up. When weather conditions make travel on rural roads dangerous, the students may be met and dropped off by the bus at a main road location, subject to patron approval.

The District does not guarantee an intracity transportation system.

Non-Resident Students

The Jamestown School District may contract for the transportation of non-resident students attending the Jamestown Public Schools when there is no additional cost to the School District. The Jamestown School District will claim the regular state foundation payment plus charge a fee to cover the additional cost, or charge the same rate as students living within the city limits, whichever is the greater.

Noon Transportation

Transportation is not provided during the noon hour for regular school programs.

Transportation Personnel

Contracted transportation personnel will be employed by a bus contractor.

Supervision and assignment of transportation personnel is to be provided by the contractor.

IEAF - EXTRACURRICULAR TRANSPORTATION

The District at its discretion may provide transportation for extracurricular activities including, but not limited to, transporting student participants to and from extracurricular practices or events. Students participating in extracurricular activities, other than those held at district facilities, may be transported to/from the extracurricular activity by a district vehicle or by another means approved by the Superintendent or designee.

Students are not allowed to drive to/from extracurricular activities unaccompanied by a parent/guardian without prior approval from the Superintendent or designee. The safety of the student is of utmost importance, and the parent/guardian should exercise their wisdom, good judgment and discretion when planning travel arrangements.

Students, who are provided extracurricular transportation in a district vehicle, must ride both to and from the event in the district vehicle unless arrangements have been made with the Athletic Director or designee prior to the event. In order for a student to be transported to and/or from an extracurricular event by means other than the district approved transportation the following must occur:

1. The parent/guardian provides a written request to the Athletic Director or designee that includes a signature from the parent/guardian;
2. The parent/guardian signs a waiver of district liability in the event an injury and/or accident occurs while the parent/guardian or designated individual is providing extracurricular transportation; and
3. The Athletic Director or designee verifies the authenticity of the parent/guardian signature required under criterion 1. and 2. above; or
4. A student's parent/guardian personally appears before the District's Athletic Director or designee and requests to transport the student home from a school-sponsored event in which the student traveled to the event in a district vehicle.

J FACILITY DEVELOPMENT

Descriptor Code: JC

JC - NAMING-RENAMING SCHOOL FACILITIES

The Board recognizes its responsibility to name or rename buildings and other school facilities.

The Board shall develop name selection procedures, which may include guidelines for forming a committee to screen name suggestions and make final recommendations to the Board. The Superintendent shall develop a timetable for the naming process in order to lessen any community or factional pressures that may build up when a selection is delayed or seems uncertain

Ordinarily, a building will not be renamed unless the current name becomes obsolete or inappropriate because of the community it serves or the program it houses.

The Board retains the right to make final determinations when naming buildings and other school facilities. The board's decision will not be influenced by personal prejudice or favoritism, political pressure, or temporary popularity in choosing a name. Names of buildings and other school facilities shall only be approved by a majority vote of the Board.

End of Jamestown Public School District Policy JC

Adopted:1-21-2019

JC-BR - NAMING/RENAMING SCHOOL FACILITIES

The Jamestown Public School Board's criteria to consider approving naming or renaming a facility will be as follows:

- A. The person or organization has a sound reputable character and standing in the community.
- B. The person or organization has contributed a significant amount of the funds to construct and or support to the facility, or a service to the Jamestown Public School District #1.
- C. Naming requests will require a 6 to 12 months' time period for review before action.

K PUBLIC RELATIONS

KA* SCHOOL-COMMUNITY RELATIONS

KAA* Community Involvement

Descriptor Code: KAAA

KAAA - VISITORS IN THE SCHOOLS

The Board encourages parents and community members to visit district schools to become better informed about day-to-day operations and observe the educational process. Because schools are places of work and learning, visitors shall observe the following requirements when visiting district schools, which are created to ensure the educational environment is not disrupted:

1. Visitors shall comply with applicable state law and district policy/regulations while on school property. No person shall enter school property for unlawful purposes or for purposes unauthorized by the Board. The District shall enforce state law on willful disruption of schools. The Superintendent shall make a reasonable effort to keep the public informed about district policies pertaining to visitors such as, but not limited to: drug, alcohol, and tobacco use; sexual offenders; patron grievances; and other policies designed to maintain order.
2. Visitors are prohibited from engaging in disruptive conduct that is interfering or interrupting the orderly operation/management of the District, or that is insulting, harassing, or threatening toward district personnel. Visitors who engage in such conduct will immediately be asked to leave school property.
3. Solicitors are not permitted on school property except under the terms of the district's solicitation policy.
4. Visitors shall be prohibited from videotaping and/or otherwise electronically recording district students and staff. This policy does not apply to visitors electronically recording school-sponsored events not governed by copyright laws and non-school-sponsored activities and events held on school property. The Board may also create an exception to this policy for members of the press.
5. Public visits to classrooms shall not be for the purpose of evaluating teachers, teaching methods, or curriculum. Visitors who wish to observe a classroom shall schedule their visits in advance according to administrative regulations. Visitors shall agree to follow this policy and any administrative regulations governing classroom observation prior to receiving classroom observation privileges.

Policy Violations

Individuals who violate any portion of this policy or applicable administrative regulations shall receive a warning that they are in violation of a district policy/regulation and may be asked by the Superintendent, building principal, or designee to leave school property. The Superintendent, building principal, or designee shall ask visitors who repeatedly violate district policy/regulations or willfully disrupt school operations to leave school property. If an individual refuses to leave when asked, school administration

shall seek the assistance of law enforcement to remove the individual from school property. The Board reserves the right to limit or restrict an individual's ability to access school property if their conduct is in violation of this policy.

Complementing Policies

- ACCA, Sexual Offenders on School Property
- ACCA-BR Criteria for Granting Parent Offenders Privileges to Enter School
- DEAA, Drug & Alcohol Free Workplace
- FFA, Alcohol & Other Drug Use/Abuse
- KACB, Patron Complaints about Personnel
- KBA, Relations with the News Media

End of Jamestown Public School District Policy KAAA..... Adopted:4-17-2017

KAAC - GOLDEN AGE PASS

The Board wishes to encourage participation in and attendance at school events by the senior citizens of the community. Accordingly, the Board directs the establishment and maintenance of a system of passes to school events made available at no cost to interested individuals age 65 and over. This pass shall be designated a "Golden Age Pass."

The administration shall use a variety of media and information sources to inform the public of the existence of these passes each year before the start of school. Passes will be issued through the District Office.

The Golden Age Pass shall admit the individual to regular season athletic contests and all drama productions.

Golden Age Passes may not be used for tournament or other post-season events under the jurisdiction of the North Dakota High School Activities Association.

The administration of the distribution of the Golden Age Passes shall be overseen by the Business Manager.

Life time passes issued prior to 1996 shall be honored.

Policy KAAC Amended 5-21-2018

Descriptor Code: KAAD

KAAD - DISTRIBUTION & POSTING OF NON-CURRICULAR MATERIAL IN SCHOOL

This policy is not applicable to student distribution of non-curricular material. The Board has established a separate policy governing this matter.

The Board prohibits all solicitations, advertising, and distribution of non-curricular material by non-student groups.

This prohibition applies to paid advertising of commercial products/services and direct solicitations in school buildings, on school grounds, and on

End of Jamestown Public School District Policy KAAD

Adopted: 1-21-2019

KAB - PARENT AND FAMILY ENGAGEMENT POLICY

JAMESTOWN PUBLIC SCHOOL DISTRICT-SCHOOLS PARENT AND FAMILY ENGAGEMENT POLICY

In support of strengthening student academic achievement, the District which receives Title I, Part A funds, hereafter referred to as “District-Schools”, must jointly develop with, agree on with, and distribute to parents and family members of participating children a written Parent and Family Engagement Policy that contains information required by the Every Student Succeeds Act (ESSA). The policy establishes the district-school’s expectations and objectives for meaningful parent and family engagement and describes how the District will implement a number of specific parent and family engagement activities.

Definitions

This policy defines the following:

- *Parent* means a biological, adoptive, step or foster father or mother, or any other individual who stands in loco parentis to the student.
- *Parental involvement* means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring:
 - a. Parents play an integral role in assisting their child's learning;
 - b. Parents are encouraged to be actively involved in their child's education at school;
 - c. Parents are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child; and
 - d. Other activities are carried out, such as those described in ESSA.
- *Family/family members* are adults living in a student’s household who are related to the student and/or adult relatives living outside the student’s household who, based on a school administrator’s knowledge, play a direct and active role in the student’s education (e.g., volunteer in school, attend school meetings).

District-Schools Parent and Family Engagement Policy Requirements

Jamestown Public Schools agree to implement the following requirements as outlined in law:

1. The District-Schools shall put into operation programs, activities, and procedures for the engagement of parents and family members in all of its school with Title I, Part A programs. These programs, activities, and procedures must be planned

and operated with meaningful consultation with parents and family members of participating children;

2. The District-Schools shall work to ensure that the required District-Schools Parent and Family Engagement Policy meets the Title I, Part A requirements, and includes as a component, a school-parent compact;
3. The District-Schools shall incorporate this District-Schools Parent and Family Engagement Policy into its district plan;
4. The District-Schools shall involve parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of programs under Title I, Part A, including the planning, review, and improvement of the District-Schools Parent and Family Engagement Policy and the joint development of the targeted assistance or schoolwide program plan;
5. The District-Schools shall update the District-Schools Parent and Family Engagement Policy periodically to meet the changing needs of parents and the school, distribute it to the parents of participating children, and make the Parent and Family Engagement Policy available to the local community;
6. The District-Schools shall provide full opportunities for the participation of parents with limited English proficiency, limited literacy, disabilities, of migratory children, who are economically disadvantaged, or are of any racial or ethnic minority background, including providing information and school reports required under ESSA in an understandable and uniform format including alternative formats upon request and, to the extent practicable, in a language parents understand; and
7. If the District-Schools plan for Title I, Part A is not satisfactory to the parents of participating children, the District shall submit any parent comments with the plan when the District submits the plan to Department of Public Instruction.

Required District-Schools Parent and Family Engagement Policy Components

The District-Schools Parent and Family Engagement Policy includes a description of how the school may implement or accomplish each of the following components:

1. **Joint Development**

The District-Schools shall take the following actions to involve parents and family members in jointly developing its district-school plan, and in the development and review of support and improvement plans:

- a. Parenting—Professional workshops, training opportunities, and other ideas to assist families in parenting and assisting their child.
- b. Communicating—Conferences, report cards and academic progress, and other verbal communication with parents about their child.
- c. Learning at Home—Homework support, library resources, and other outside learning contacts to help parents assist their child.
- d. Volunteering—Through supporting school events, involvement with classroom activities, and other community opportunities for students and parents.

- e. Decision Making—Through attendance at school meetings, participation in PAC meetings to address concerns, and by helping other parents.
- f. Collaborating with Community—Using community resources for school/family assistance, involvement of community groups in schools, and community/school mentoring programs.

2. **Annual Title I, Part A Meeting**

Each district school who receives Title I, Part A funds shall take the following actions to conduct an annual meeting, at a convenient time, and encourage and invite all parents of participating children to attend to inform them about the school's Title I program, the nature of the Title I program, the parents' requirements, the District-Schools Parent and Family Engagement Policy, the school wide plan, and the school-parent compact.

Each School shall hold an annual parent meeting every year to inform parents of Title I requirements school's provide. Schools must document this meeting with minutes, agendas, sign-in sheets, etc.

For further information see: <https://www.nd.gov/dpi/education-programs/federal-title-programs/titleI>

3. **Technical Assistance**

The District-Schools shall provide the following coordination, technical assistance, and other support necessary to assist and build capacity of all Title I, Part A schools in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in education:

District-Schools may provide support and technical assistance to its Title I schools in planning and implementing effective parent and family involvement practices inclusive of Parent and family Engagement Policies/plans, school-parent compacts, and all Title I parent and family engagement requirements.

4. **Annual Evaluation**

The District-Schools shall take the following actions to conduct, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of this District-Schools Parent and Family Engagement Policy in improving the academic quality of its Title I, Part A schools. The evaluation must include identifying barriers to greater participation by parents in activities (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background). The evaluation must

also include identifying the needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers and strategies to support successful school and family interactions. The District may use the findings of the evaluation about its District-Schools Parent and Family Engagement Policy to design evidence-based strategies for more effective parental involvement, and to revise, if necessary, its District-Schools Parent and Family Engagement Policy.

Evaluation will be conducted with Title I Coordinator in coordination with stakeholders.

5. **Reservation of Funds (only applicable to districts with Title I allocations of \$500,000 or more)**

If applicable, the District-Schools shall involve the parents and family members of children served in Title I, Part A schools in decisions about how the 1 percent of Title I, Part A funds reserved for parent and family engagement is spent and will ensure that not less than 90 percent of the 1 percent reserved goes directly to Title I schools.

The District-Schools will share with parents and family members the budget for parent and family engagement activities and programs and how parents and family members will be involved in providing input into how the funds are used during PAC meetings.

6. **Coordination of Services**

The District-Schools shall, to the extent feasible and appropriate, coordinate and integrate parent and family engagement programs and activities with other relevant Federal, State, and local laws and programs such as Head Start or other public preschool programs, parent resource centers, and other programs that encourage and support parents in more fully participating in the education of their children by:

The District-Schools will coordinate with other organizations, businesses, and community partners to provide additional supports and resources to families.

7. **Building Capacity of Parents and Family Members**

The District-Schools shall build the schools' and parents' capacity for strong parent and family engagement by providing materials and training on such topics as literacy training and using technology to help parents work with their children to improve their children's academic achievement. Assistance will also be provided to parents in understanding the following topics:

- a. The challenging State academic standards;
- b. The State and local academic assessments including alternate assessments;

- c. The requirements of Title I, Part A;
- d. How to monitor their child's progress; and
- e. How to work with educators to improve the achievement of their child.

All necessary communication regarding building capacity among parents and family members will be done at District-Schools PAC meeting.

The District-Schools shall provide parent and family engagement of participating children, if requested, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such request as soon as practically possible:

District-Schools may provide other opportunities for regular meetings at the request of parents and family members.

8. **Building Capacity of District Staff**

The District-Schools shall, with the assistance of its schools and parents, educate its teachers, specialized instructional support personnel, principals and other school leaders, and other staff in the value and utility of contributions of parents, and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and schools by:

District-Schools Title 1 staff may attend activities such as workshops, conferences, trainings, webinars, parent-teacher meetings, and online resources that build their capacity to work with parents as equal partners. The district and/or schools may provide information related to school and parent programs, meetings, and other activities to parents in a format, to the extent practicable, and in a language that parents can understand.

The District-Schools shall provide other reasonable support for parent and family engagement activities as parents may request by:

The District-Schools may provide other reasonable support for parent and family engagement activities by allowing parent and community members to have input during PAC meetings.

9. **School-Parent Compact**

Each district school who receives Title I, Part A shall take the following actions to jointly develop with parents of participating children a school-parent compact (KAB-E) that outlines how parents, the entire school staff, and students may share the responsibility for improved student academic achievement and the means by which the school and parents may build and develop a partnership to help children achieve the state's high standards.

The school with jointly develop a school-parent compact with parents.

10. **Communications**

Each district school who receives Title I, Part A shall take the following actions to provide parents of participating children the following:

- a. Timely information about the Title I programs,
- b. Flexible number of meetings, such as meetings in the morning or evening, and may provide with Title I funds, transportation, child care or home visits, as such services relate to parent and family engagement, and
- c. Information related to the school and parent programs, meetings, and other activities, is sent to the parents of participating children in an understandable and uniform format, including alternative formats upon request and, to the extent practicable, in a language the parents can understand.

District-Schools Parent and Family Engagement Policy may be distributed to parents.

Building Capacity for Engagement

The District-Schools Parent and Family Engagement Policy may include additional paragraphs listing and describing other discretionary activities that the district, in meaningful consultation with its parents, choose to undertake to build parents' capacity for involvement in the school to support their children's academic achievement, such as the following discretionary activities listed in ESSA. The District shall implement the following District-Schools Parent and Family Engagement Policy components to improve family-school partnerships⁶⁷:

1. Involve parents in the development of training for teachers, principals, and other educators to improve the effectiveness of that training;
2. Provide necessary literacy training for parents from Title I, Part A funds if the school has exhausted all other reasonably available sources of funding for that training;
3. Pay reasonable and necessary expenses associated with local parent and family engagement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions;
4. Train parents to enhance the engagement of other parents;
5. Maximize parent and family engagement and the participation in their child's education, arrange school meetings at a variety of times or conduct in-home conferences with teachers or other educators who work directly with participating children and parents who are unable to attend conferences at school;

⁶⁷

6. Adopt and implement model approaches to improving parent and family engagement;
7. Establish a districtwide parent advisory council to provide advice on all matters related to parent and family engagement in Title I, Part A programs; and
8. Develop appropriate roles for community-based organizations and businesses, including faith-based organizations, in parent and family engagement activities.

Policy Adoption and Dissemination

The Board shall annually review this policy and any associated policy templates. The District-Schools will distribute this policy annually to all parents of participating Title I, Part A children.

Complementing Policies

- FDC, Education of Migrant Students
- GABAA, English Learners
- KAB-E, School-Parent Compact Requirements

End of Jamestown Public School District Policy KAB Adopted: 6-20-2024

KAB-E - JAMESTOWN PUBLIC SCHOOL DISTRICT SCHOOL-PARENT COMPACT

The Jamestown Public Schools, who receive Title I, Part A funds, and the parents of the students participating in Title I, Part A activities, services, and programs agree that this compact outlines how they may share the responsibility for improved student academic achievement and the means by which the school and parents shall build and develop a partnership that may help children achieve the State's high standards.

This school-parent compact is effect during the 2024-2025 school year.

School Responsibilities

The Jamestown Public Schools will:

1. 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 as follows:

"Engaging Students with Challenging and Innovative Experiences to Prepare Them for Future Success" is the mission of the Jamestown Public Schools. This mission is accomplished by providing high quality educational opportunities for all students through the efforts of school staff and families working cooperatively to meet the needs of each child. The Jamestown Public Schools will provide highly qualified staff to implement quality instruction and curriculum.

2. 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. Specifically, these conferences will be held:

All Title I schools in the district will hold 2 parent teacher conferences each year, one conference in the fall and one in the spring. Conference dates will be published in the school calendar each year.

3. Provide parents with frequent reports on their children's progress. Specifically, the school(s) shall provide the reports as follows:

All Title I schools will report progress to parents quarterly. These reports will coincide with the district's grading periods.

4. Provide parents reasonable access to staff. Specifically, staff will be available for consultation with parents as follows:

Staff will be available to parents through Parent-Teacher conferences as well as by appointment. Any parent wishing a conference with staff will contact the school and schedule an appointment. All appointments will be scheduled in a reasonable time frame.

5. Provide parents opportunities to volunteer and participate in their child's class, and to observe classroom activities, as follows:

Parents wishing to volunteer at the school or schedule a visitation are asked to call the school to schedule an appointment. Drop-in visits are allowed, however, all visitors are asked to check in at the office prior to visitation.

6. Ensure regular two-way, meaningful communication between family members and staff, in a language that family members can understand:

Communication between family members and staff will be consistent, in a format, and in a language that the parents can comprehend, to the extent practicable.

Parent Responsibilities

We, as parents, shall support our children's learning in the following ways:

As a parent of a child in the title I program I agree to assist my child's learning by monitoring my child's academic performance in the following areas.

- *Monitoring attendance.*
- *Making sure that homework is completed.*
- *Volunteering in my child's classroom, as appropriate.*
- *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 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.*
- *Participating in Title I Family Involvement Activities.*
- *Attend Parent Teacher Conferences.*
- *Participate in Home to School connection activities.*
- *Communicate with the school should a concern arise.*

End of Jamestown Public School District Exhibit KAB-E

KAC* COMPLAINTS

Descriptor Code: KACA

KACA - PATRON COMPLAINTS

Individual board members have no authority to resolve complaints and the Board, as a whole, believes that patron complaints should be resolved at the lowest level of authority possible. Therefore, whenever a complaint is made to an individual board member or the Board as a whole, it will be referred to school administration for processing at the lowest level of authority possible.

If the complaint is not satisfactorily remedied at the building level, either party may refer the matter to the Superintendent for investigation. The Superintendent shall complete the investigation within a reasonable deadline in accordance with any applicable deadline in law.

If all other remedies have been exhausted, a complainant may request that the matter be placed on the agenda of the next regular school board meeting; however, the Board will not hear, consider, or act upon complaints that have not been investigated at each appropriate level of authority, nor will the Board hear, consider, or act upon complaints for which specific complaint resolution procedures have been established that do not allow for board review of the complaint, including but not limited to complaints about personnel and complaints about instructional material.

Anonymous Complaints

Anonymous complaints alone provide no avenue for response or redress of the complaint. An unsigned complaint will not be read or acted upon at any board meeting and anonymous telephone complaints will not be brought to the Board by any individual board member, administrator, or other employee. No disciplinary action will be initiated based solely on an anonymous complaint; however, the administration will investigate every anonymous complaint.

Parental Complaints

While parents enjoy a unique relationship with the schools and are the recipients of special communications concerning school events and programs as well as communications concerning their own child's progress, parents shall use the same channels of processing complaints as by other citizens.

Complaints for which specific resolution procedures are provided shall be directed through those channels. These include, but are not limited to, complaints about personnel and complaints about instructional materials.

Complementing Policies:

AAC, Nondiscrimination and Anti-Harassment Policy

AAC-BR, Discrimination and Harassment Grievance Procedure

KACB, Complaints about Personnel

KACB-E1, Personnel Complaint Form

KACB-E2, Investigation confidentiality Agreement

KACB-E3, Responding to Personnel Complaints

End of Jamestown Public School District Policy KACA Adopted 3-6-2017 Amended 3-7-2022

KACB - COMPLAINTS ABOUT PERSONNEL

The District is committed to resolving complaints about school district personnel in an effective, efficient, and timely manner while providing a positive working and learning environment for all staff and students. The Board adopts this policy to reduce potential concerns and to establish channels of communication between staff and administration.

Filing Procedure

The following procedure is intended to minimize the risk of a possible action for libel or slander, to retain the impartiality of the Board, and to maximize compliance with North Dakota law.

Complaints shall be resolved at the lowest possible level of authority. If the complaint cannot be satisfactorily resolved at that level, the complaint shall be directed to the principal or other supervisor directly responsible for supervision of that employee. The supervisor shall:

1. Investigate the complaint.
2. Promptly notify the employee if the complaint is to be placed in the employee's personnel file. The decision to place information into any personnel file shall be made by the administration based on the results of an inquiry or investigation.
3. Schedule a meeting with the employee, the complainant, and/or the supervisor if deemed appropriate.
4. Provide a response to the complainant within 60 days of receipt of the complaint. Upon conclusion of the investigation, the complainant shall be informed as to the outcome of the investigation and the disposition of the complaint to the extent appropriate. If either party is dissatisfied with the handling of the complaint, the matter may be appealed to the Superintendent for final resolution.

Board members shall refer individuals complaints about school district personnel to the Superintendent or designee, whereupon established procedures will be followed.

Complaints about the Superintendent or Business Manager shall be directed to the Board President, who is responsible for conducting the investigation and making a recommendation based on the outcome of the investigation to the Board for final action. The Board President may retain an attorney or consultant to assist with the investigation process.

If disciplinary action is deemed warranted at the completion of the investigation, the District shall take appropriate action up to and including termination of employment in accordance with law and/or reporting such activity to appropriate state licensing and/or law enforcement officials.

Deadlines

To be considered for investigation, any such complaint must have been filed within 180 days of the alleged occurrence except as provided by other district policy. The District has a separate investigation procedure for complaints of harassment and/or discrimination.

Retaliation and Providing False Information Prohibited

The District prohibits retaliation because of an individual's participation in an investigation and/or initiation of a report under this policy, including instances when an allegation is not substantiated. The District also prohibits knowingly filing a false report and/or knowingly making false statements during an investigation. Staff and students who violate these prohibitions are subject to appropriate disciplinary action.

Complementing Policies:

- AAC, Nondiscrimination and Anti-Harassment Policy
- AAC-BR, Discrimination and Harassment Grievance Procedure
- DI, Personnel Records
- KACB-E1, Personnel Complaint Form

End of Jamestown Public School District Policy KACBAdopted:3-16-2017 Amended
7-18-22

KACB-E1 - PERSONNEL COMPLAINT FORM

Date: _____

Your name: _____

Your child's name (if relevant to the complaint):

If you are a district employee, list building/department/position:

Address (Home): _____

Phone (Home): _____

Address (Business): _____

Phone (Business): _____

Best way to contact you: Home Work Cell Phone

Phone Number: _____

Name of employee about whom you are complaining: _____

Date of Incident: _____

Location of Incident: _____

Briefly describe the incident:

List any individuals that have knowledge of and/or witnessed the incident:

What remedy is sought?

To be considered for investigation, any such complaint must have been filed within 180 days of the alleged occurrence. (Exception to the 180 days would be an accusation of sexual abuse).

If the complaint concerns the Superintendent or the Business Manager, the Board President will receive the complaint.

ACKNOWLEDGEMENTS

I understand the following:

17. I have the right to be free of retaliation for filing this complaint. I agree to report any conduct that I believe is motivated by retaliation for filing this complaint. I understand, however, that if this statement contains accusations that I know are false, I may be subject to disciplinary action within the District (NOTE: language only applicable to district students and employees) and/or external legal action from those I have falsely accused.
18. The respondent will be given a copy of this complaint in order to have an opportunity to respond to it.
19. I may have the right to file a complaint with civil rights agencies or to file legal actions in a court of law.
20. I understand that the investigating personnel are advocates for neither the complainant nor the respondent. Their responsibility is to investigate complaints from a neutral position to determine whether violations of district's policy and/or law have occurred.

CERTIFICATION

I certify that the statements made in this complaint are true and accurate, and that I have read and understand the statements made in the acknowledgements section of the complaint.

Signature of Complainant Date

Signature of administrator receiving complaint Date

(If the complaint concerns the Superintendent or the Business Manager, the Board President will receive the complaint.)

End of Jamestown Public School District Exhibit KACB-E1.....Adopted 3-6-2017

KACB -E2 - INVESTIGATION CONFIDENTIALITY AGREEMENT

All parties involved in this investigation must observe appropriate confidentiality. This means there must be no discussion or release of information by you with friends, family, coworkers, other members of the public, or the media about the facts or substance of the details of this interview or this investigation. North Dakota Century Code section 15.1-07-25(2) states that any record or document generated as part of this investigation is confidential and not subject to the open records law until the investigation is completed or sixty days whichever is sooner.

I agree to comply with the above requirements. If I have any questions concerning this agreement, I should contact the Superintendent at 701-252-1950.

Investigation Participant's Name (print)

Investigation Participant's Signature

Date

This document was signed in my presence:

Signature of District Investigator

End of Jamestown Public School District Exhibit KACB-E2.....Adopted 3-6-2017

KACB-E3 - RESPONDING TO PERSONNEL COMPLAINTS

**Answers to the Top 12
Frequently Asked Questions by Board Members**

1. Does the District need to wait for a formal complaint to be filed before investigating an incident related to a school employee?

No. The District has a duty to ensure that its policies are upheld and to protect the safety and well-being of its students and staff. Once aware of a potential situation related to a school employee, a school official should look into the matter. Once a formal complaint is filed, the District must initiate an investigation.

2. Who should conduct the investigation?

Policy may govern which school official should conduct the investigation. Board members should never be involved in investigations concerning classified employees, teachers, principals, and assistant superintendents. If the matter involves the Superintendent or Business Manager, the Board President should conduct the investigation to preserve the impartiality of the remainder of the Board.

3. Should the Board answer questions about the incident at a board meeting or on an individual basis when approached by the public?

No. Board members should simply state that the matter has been referred to the appropriate school official for investigation, and the investigator will recommend the appropriate course of action upon completion of the investigation. By answering questions at a board meeting or on an individual basis in public, the Board may invite charges of libel and slander or inadvertently disclose information protected by the investigation confidentiality statute (NDCC 15.1-07-25). In addition, board members should avoid gathering and disseminating information about a personnel incident because they may ultimately be required serve as decision makers in a school district nonrenewal or discharge hearing and they must remain as impartial as possible.

4. Can a board go into executive session to discuss a personnel matter or the details of an investigation?

No. State law contains no provision allowing for this. Again, we recommend that board members avoid gathering and disseminating information related to a personnel incident (see response to question #2 above).

5. What is entailed in an investigation?

It depends on the nature of the incident. In all cases, the school employee involved is questioned and district policies reviewed to determine if a violation occurred. In some cases, witnesses are questioned and evidence is gathered (e.g., school security footage, emails, internet browsing logs, etc.). The investigator gathers enough material, in his/her opinion, to substantiate or refute the accusations.

6. Can an employee be placed on administrative leave during an investigation and should the Board be informed or vote on this?

An employee can be placed on administrative leave with pay pending the outcome of an investigation. The Board should not be involved in decisions concerning administrative leave. Instead, the Board should grant authority to school administration to place employees on administrative leave through policy.

Administrative leave is different than suspension. Only the Board can suspend a teacher, or administrator and only in cases where the District is pursuing discharge for cause. The vote to suspend may occur in executive session (NDCC 15.1-15-10), but this executive session should not be used as an opportunity to discuss information related to the charges or investigation since such information should only be presented to the Board at the actual discharge hearing. The executive session to suspend should simply be a time when the Board makes a motion and votes on suspension.

7. How much information should a Superintendent provide to the Board after an investigation?

To protect the impartiality of the Board, the Superintendent may inform the Board that the investigation is complete but nothing more. Board members should not request to see the investigation report in the personnel file.

8. How should the Board respond after an investigation is complete?

The Board should not devote meeting time to the outcome of the investigation. All questions concerning the investigation should be referred to the board designated spokesperson, which should be the Superintendent, for response. When the Superintendent responds to a public inquiry about the outcome of an investigation, s/he may state that the investigator has completed his/her inquiry, placed his/her findings into a report that has been issued to the parties involved, that the report explains any steps the District will be taking, and the report explains the next step for the complainant to seek recourse if s/he is dissatisfied.

9. Is the information gathered during an investigation open record?

Under state law, information gathered in relation to a complaint about a school employee is closed for 60 days or until the investigation is complete, whichever

occurs first. NDSBA's investigation confidentiality form reflects this statutory standard (KACB-E2). After this time frame, the investigation material, including the final investigation report, is open record (NDCC 15.1-07-25).

10. What are the possible outcomes of an investigation?

The investigator may:

- a. Find no wrongdoing
- b. Recommend that a memo be placed in the personnel file reminding the employee of the district policy and his/her obligation to comply with it
- c. Recommend a letter of reprimand
- d. Recommend a letter of reprimand and a plan of improvement
- e. Make a recommendation for nonrenewal if the complaint concerns a licensed teacher or administrator, is related to a reason for nonrenewal under state law, and if the recommendation falls within the statutory deadlines for nonrenewal under law. There are several procedural steps that must be followed, including a due process hearing, before a school board can vote on nonrenewing a teacher or administrator.
- f. Make a recommendation to discharge a teacher or administrator if the misconduct meets a statutory reason for discharge under state law. There are several procedural steps, including a due process hearing overseen by an administrative law judge, before a board can vote on discharging a teacher or administrator. Legal counsel should be retained if discharge is recommended.
- g. Recommend termination of employment in accordance with district policy if the complaint concerns a classified staff member.

11. What type of documentation, if any, should be placed in the personnel file if the investigator finds no wrongdoing?

The District should maintain a record of the investigation. If the employee does not want this placed in his/her file, the District may place a notation in the personnel file of the date of the investigation, that there was no wrongdoing found, and indicate where the investigation records will be stored. This procedural step ensures that no secret personnel records are maintained (NDCC 15.1-17-05). Regardless of where such records are stored, they are open records.

12. How is an investigation of a superintendent or business manager different than an investigation of a school employee?

The Board President conducts the investigation of the Superintendent and Business Manager, reporting back to the Board. When reporting back to the Board, the Board President should explain whether or not the complaint was substantiated and what action was taken, if any. The Board President should not discuss any further details of the investigation with other board members (prevents premature decision making and potential open meeting violations), especially at board meetings (libel and slander prevention safeguard), but may direct them to the investigation report in the superintendent's or business manager's file. While NDSBA typically does not recommend that board members review the contents of personnel files, because the Board must conduct performance evaluations of the Superintendent and Business Manager, board members may have reason to review investigation reports written about the Superintendent and Business Manager.

End of Jamestown Public School District Exhibit KACB-E3.....Adopted 3-6-2017

KADA - WEAPONS PROHIBITION ON SCHOOL PROPERTY—PUBLIC

Definitions

This policy defines the following:

- Dangerous weapon* as defined by NDCC 62.1-01-01(1).
- Firearm* as defined by 18 U.S.C. 921 and NDCC 62.1-01-01(3).
- School property* is defined in NDCC 15.1-19-10 (6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.

Prohibitions

Parents and members of the public are prohibited from possessing on school property a firearm, dangerous weapon, or any object that is used, attempted to be used, or threatened to be used to intimidate or cause bodily harm, including those individuals who may otherwise be permitted by law to carry such weapons. This prohibition does not apply to firearms or dangerous weapons under the control of law enforcement personnel or other authorized individuals on school property as permitted by law.

Exceptions

The prohibitions in this policy do not apply when the Superintendent has authorized the following:

- Use of a blank firearm cartridge or look alike weapon in a sporting, memorial, or theatrical event.
- Participation in educational, training, cultural, or competitive events that requires use of a firearm or dangerous weapon.
- For purposes of a hunter's safety course.

Notification

The Superintendent will ensure parents and members of the public are notified of this policy using methods deemed most efficient.

Firearms and/or Dangerous Weapons Stored in Vehicles

Members of the public are prohibited from possessing firearms and/or dangerous weapons in their vehicles while on school property, except as permitted by law. Authorized individuals must ensure that all firearms are secured in or on their vehicle while on school property.

Enforcement

When a school employee observes a violation of this policy, they shall promptly inform administration. The Superintendent or designee will ask the violator to remove the firearm or dangerous weapon from school property. When the violator refuses or in emergency situations, the school employee shall follow applicable emergency response protocols.

Complementing Policy

- DE, Staff Code of Conduct

End of Jamestown Public School District Policy KADA Adopted:10-4-2021

KB* COMMUNICATIONS POLICIES & PROGRAMS

Descriptor Code: KBA

KBA - RELATIONS WITH THE NEWS MEDIA

The news media represents public interest in reporting information concerning the Jamestown Public School District schools. It is therefore in the interests of both the education community and the citizen-taxpayers of Jamestown Public School District that there is open communications with the news media.

The Superintendent shall develop regulations to ensure that media access to district schools is not unduly disruptive of the educational environment and complies with board policies and district goals.

All representatives of the media shall be given equal access to information about the schools. There shall be no exclusive releases.

Media Liaisons

Except as otherwise stipulated by policy, the Superintendent will be the district liaison with the public news media. All contacts and releases concerning district policies and regulations, matters of district-wide interest, or potentially controversial topics will be handled or cleared by the Superintendent or designee.

Except as otherwise stipulated by policy, principals will be the primary contacts for their schools. They will make available information about the school, its program, and operations, except as prohibited by board policies, administrative regulations, or federal or state laws. If principals have questions about releasing information, they will contact the Superintendent. Principals will inform the Superintendent about media requests.

Privacy

While the District may have regulations governing and limiting media access to schools, information and images obtained by the media about/of regular education students are outside the district's ability to control and do not require parental permission to broadcast or print. Parents who do not want their student interviewed or photographed by the media shall direct their student accordingly. This portion of policy does not apply to special education students. The District shall obtain parental consent before granting the media access to special education students.

The District shall establish rules regarding interviews of minors by the news media.

Staff Media Relations

When authorized by the Superintendent or building principal, staff members may respond in their official capacity to questions from the news media. Speech made in a district employee's official capacity is governed by the district's policy on employee speech.

Complementing Policies:

DEBA, Confidentiality

DEBF, Employee Speech

FGA, Student Education Records

KBA-BR1, Relations with the News Media Regulations

KBA-BR2, Sports & Special Events Media Coverage

End of Jamestown Public School District Policy KBA

Adopted: 1-21-2019

KBA-BR1 - RELATIONS WITH THE NEWS MEDIA REGULATIONS

Access

Any request to interview, film, videotape, photograph, or otherwise record students or district personnel on district property or at a school-sponsored event shall be submitted to the appropriate building principal or Superintendent for approval. Requests may be made by telephone or in writing, must include specific details regarding the purpose and scope of the request, and should be submitted a reasonable time in advance, giving the District ample time to assess the request and, in the event that the request is approved, notify relevant staff, students, and parents as deemed necessary.

The District reserves the right to grant or deny any request for access to school(s) from the news media. Access will not be denied in an attempt suppress a viewpoint but may be denied for at least the following reasons. Access would:

1. Compromise the safety of students or staff;
2. Disrupt the educational environment, disrupt district operations, and/or impede the ability of staff to perform their duties;
3. Breach confidentiality;
4. Be overly demanding on district resources.

When the Superintendent denies an access request from the news media, the Superintendent or designee may be available for comment on the topic that news media had requested to cover.

In the event that the Superintendent approves an access request, the requesting news agency shall receive notice of any restrictions the Superintendent has placed on access to students or staff and/or videotaping/recording/photographing. Such restrictions shall be developed on a case-by-case basis but shall not be made in an attempt to suppress a viewpoint. The news agency shall agree to these restrictions as a condition of access.

Emergencies

In the event of an emergency, media requests to access students and/or staff on school property and at school-sponsored events shall be denied. The Superintendent shall serve as the district spokesperson and shall make him/herself available for comment as soon as practicable.

Rules Governing Media Access to Schools

If the Superintendent grants the news media access to schools, the press is required to observe the following rules:

1. News media representatives must register in the school's main office before proceeding to other areas of the school building. Upon check-in, the building principal shall assign an escort to the news media representative(s), who shall remain with the press the duration of their stay on school property.
2. The press shall receive notice of and will be required to abide by all policies and regulations related to visitors in schools with the exception of rules prohibiting visitors

from videotaping, recording, or photographing students/staff. The press will be bound by a separate set of rules related to videotaping, recording, and photographing as delineated above.

3. When Superintendent approves an interview by the press of a minor on school property or at a school-sponsored event, the reporter shall identify him/herself to the minor, relay the purpose of the interview, and make the minor fully aware of what s/he is consenting to before beginning the interview.

Violations

Violations of school policies/regulations or behavior that is disruptive may result in the building principal or designee requiring such individuals to leave school property. Refusal to leave school property when asked will be deemed to be a willful disturbance of school operations, and the District will contact law enforcement to assist with removing the violator from school property or the school-sponsored event.

End of Jamestown Public School Board Reg. KBA-BR1

Approved:1-21-2019

KBA-BR2 - SPORTS AND SPECIAL EVENTS MEDIA COVERAGE

The Board has both legal and implied obligations inherent in its in loco parentis relationship with students while under the jurisdiction of the school. Therefore, the following requirements will be observed in the telecasting or broadcasting of special events, including sports, performances, and classroom and any other type of program:

1. Application for rights to broadcast or televise a school-sponsored event, whether "live" or "delayed," must be approved by the principal of the school involved.
2. Broadcasts and telecasts shall be arranged and conducted without cost to Jamestown Public School District or to individual schools within the District.
3. An application for a telecast or broadcast that is commercially sponsored must list the sponsor(s) at the time that the application is submitted. There shall be no advertisement of tobacco, beer, or other alcoholic beverages in connection with any radio broadcast or telecast of any event originating in Jamestown Public School District and involving teams or organizations representing Jamestown Public School District.
4. The District will retain the right of approval or rejection of the program ideas, formats, plans, and sponsors of the broadcast or telecast.
5. A reasonable rights fee, the amount to be decided in each instance, may be charged for broadcasting or televising an event originating in school facilities or involving a team or group representing the District.
6. Any school production (play, musical, etc.) approved for televising must be cleared for copyright use. If a televised school production is not copyrighted, it will remain the property of the District.
7. Except for the specific rights granted under the signed rights agreement, the District will retain all rights to the televised program. All TV programs, educational and otherwise, that are produced "in house" will remain the property of the District.

Failure by a station to comply with the terms of this policy and its procedures shall be considered due cause for the termination of all agreements between the station and the Board.

Tournaments and other events sponsored by the North Dakota High School Activities Association (NDHSAA) are subject to the rules and regulations of the Association. The press will be referred to NDHSAA when requesting to broadcast a NDHSAA event.

L Organizational Relations

Descriptor Code: LBB

LBB - RELATIONS WITH DEPARTMENT OF HUMAN SERVICES

Students in apparent need of social service assistance may be referred to the Area Department of Human Services.

The Jamestown Public School District School Board requires all school employees to fully comply with the mandatory reporting provisions concerning child abuse and neglect, including reporting reasonable suspicion of child abuse/neglect arising from images found on a workplace computer.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- FGCC, Student Interrogations
- LBB-E, Report of Suspected Child Abuse or Neglect Form

End of Jamestown Public School District Policy LBB

Adopted: 4/16/2018

[LBB-E REPORT OF SUSPECTED CHILD ABUSE OR NEGLECT](#)

Form available at District Office.

