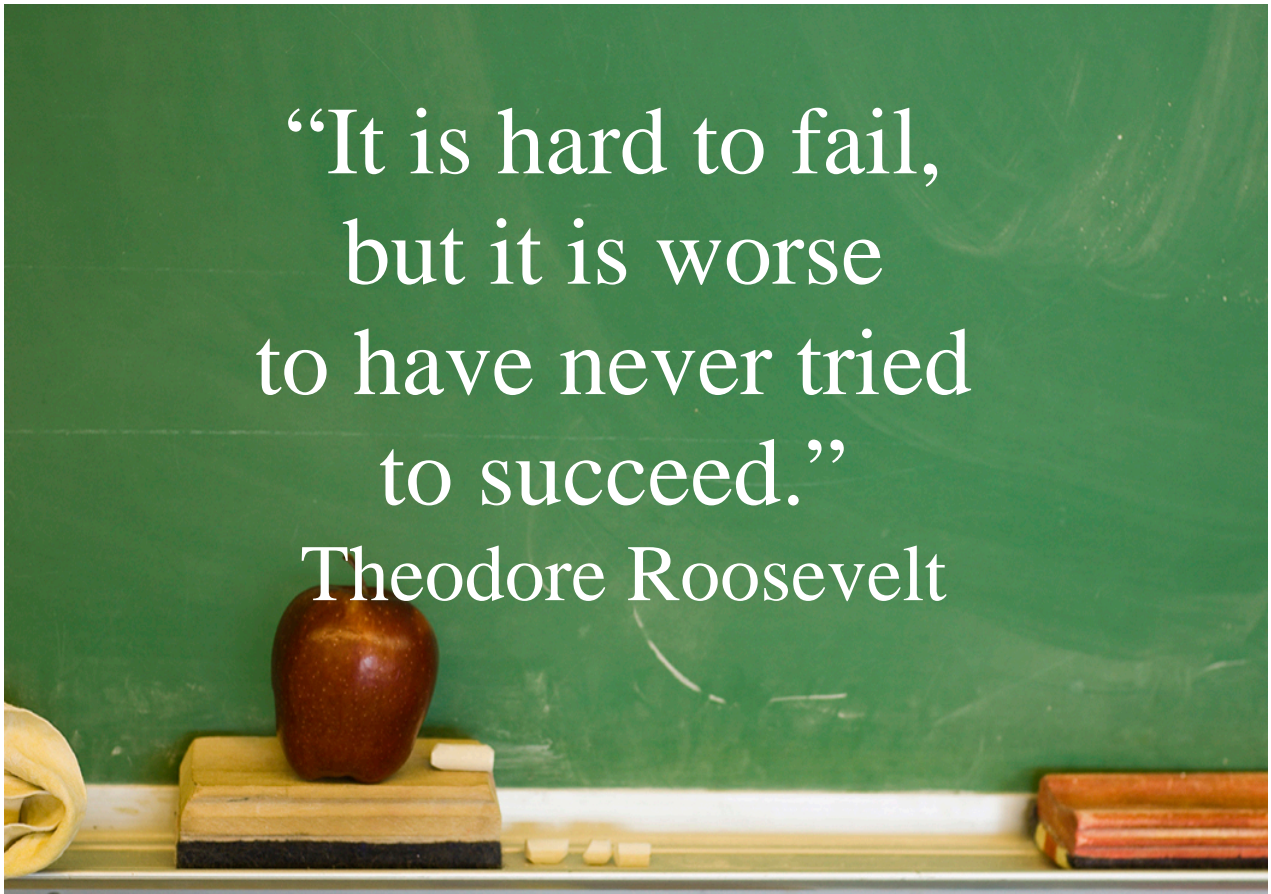


2018-2019
Elementary Handbook
for
Parents and Students
of
South Heart Public School District #9

“It is hard to fail,
but it is worse
to have never tried
to succeed.”

Theodore Roosevelt



(Approved by the School Board: July 11, 2018)

South Heart Elementary **School Staff**

Lindzee Schneider, Pre-School

Darcy Buerkle, Kindergarten

Dustin Honeyman, Kindergarten

Susan Clarys, First Grade

Melanie Hoff, First Grade

Rozlyn Cerkoney, Second Grade

Jennifer Praus, Second Grade

Gretchen Falcon, Third Grade

Maria Miller, Third Grade

Shannon Seleg, Fourth Grade

Jacqueline Walby, Fourth Grade

Leah Green, Fifth Grade

Leah Miller, Fifth Grade

Jerica Smith, Sixth Grade

Cheryl Dockter, Kindergarten – Third Grade Music

Jana Schweigert, Fourth Grade – Sixth Grade Music/Band

Keisha Sparks, Kindergarten – Third Grade Physical Education

Ronnie Stewart, Fourth Grade – Sixth Grade Physical Education

Kayla Hecker, Title I Math and Reading

Erika Honeyman, Fifth Grade – Eighth Grade Special Education

Aylssa Radzak, Kindergarten – Fourth Grade Special Education

Deb Jarrett, Speech

Tina Binstock, Paraprofessional

Sandra Conery, Paraprofessional

Jeanette Eberts, Paraprofessional

Lindsay Grantier, Paraprofessional

Becky Kanski, Paraprofessional

Ann Robins, Paraprofessional

Jessica Geis, Elementary Principal/Interventionist

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PHILOSOPHY OF PUBLIC SCHOOLS

School Board Policy AAA

We, the South Heart Public School Board, present this statement of our basic beliefs concerning education in order to formulate district goals and objectives and to establish programs that are designed to meet these goals and objectives within the legal framework of state and federal law.

We Believe:

1. The purpose of education is to equip students with the knowledge and skills necessary to become active, informed, and productive members of society. Our public schools have a responsibility to foster the growth of intelligent and informed citizens.
2. All individuals are entitled to equal rights, freedoms, and opportunities regardless of economic, cultural, or intellectual differences. The District is committed to creating and preserving a learning and working environment that promotes tolerance and is free from discrimination and harassment.
3. Only through the study of basic subject matter, history, culture and fine arts will students be prepared for both the practical tasks and complexities of the world. The District will provide all students with opportunities to participate in varied curricular offerings.
4. Education should aid in the development of good character, self-respect and self-worth, and offer opportunities to form satisfying and responsible relationships with other people. The District will offer programs that allow students to practice the skills of family and community living and that promote an appreciation for health and safety.
5. Education must look to the future. The District will offer programs to help equip students with skills that may be demanded by our future society, that help students select appropriate occupations, and that provide opportunities to develop worthwhile leisure time activities. The District will also offer programs that teach money, property, and resource management techniques and conservation practices in order to assist students with planning for the future.
6. Educational experiences should be timed in accordance with students' readiness for them. All district programs will take into account factors such as age, maturity, and readiness.
7. Appropriate discipline helps ensure that the educational program operates efficiently and helps mold students into upstanding citizens. The Board shall develop policies in accordance with law to ensure administrators are equipped to appropriately respond to disciplinary issues.
8. Parents and the community should serve as partners with schools. It takes the combined effort of all members of the community to develop and maintain an educational program that meets the objectives delineated above. District schools will embrace the support and reflect the expectations of the community.

End of South Heart School Policy AAA.....Adopted: 7/8/15

DISTRICT GOALS & OBJECTIVES

School Board Policy AAB

The District shall comply with approval requirements in state law and shall strive to provide schools that meet the criteria for accreditation with commendation from 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 mission, philosophy and school district goals and objectives:

Mission Statement

To prepare each student for the future and for lifelong learning.
“Learners for Life”

Philosophy of Education

The South Heart School District believes that the general purpose of education is to provide quality programs of study to make each individual a responsible and productive citizen, who is capable of reaching his/her fullest academic, emotional, physical and social potential.

School District Goals and Objectives

The goal of the South Heart School District is to teach students fundamentals that will enable students to earn a living, attain personal goals, and make positive changes in society.

1. To provide a well-qualified staff to guide the learning experience and aid the students in developing effective communication skills, encouraging self-discipline, and developing proficiency in academic, vocational, and occupational skills.
2. To teach respect for self and others through meaningful relationships among students, staff, and community.
3. To provide quality experiences and programs which promote physical well-being sportsmanship, teamwork, and fair play.
4. To use diagnostic assessment and evaluation to determine students with special needs in order to develop and implement corrective programs to serve those needs.
5. To develop the aspects of creativity, self-expression, critical thinking, and problem-solving within the range of each student’s ability.
6. To insure that staff, students, and parents are afforded feasible participation in the development of programs and policies that meet the educational needs of the community.

End of South Heart School Policy AABAdopted: 7/8/15

ACCIDENTS

In the event that any student is injured in a minor way that can be handled by the staff at the school, the injury will be treated with the generally accepted first aid procedure.

Should a serious injury to a student occur, the family or guardian shall be notified as soon as possible. At the parent’s request or in case of an emergency, the school may provide personnel and transportation to a medical facility. In the event the parent cannot be reached and if the accident is serious, the student shall be transported to a medical facility by school personnel.

All accidents will be immediately reported to the building principal or superintendent.

ACCIDENT BENEFIT FUND OR INSURANCE

There is presently no accident insurance at the South Heart School. Parents will have to rely on their own personal insurance for medical costs

ACCEPTABLE USE

School Board Policy ACDA

The South Heart Public School District believes that Technology, including the School District’s Network, and the Internet, plays an important role in the education of Students. Access to the South Heart School’s network will provide Students and Staff access to the School District’s computer systems (i.e.: network, iPads, laptops, desktops, chromebooks, etc.) as well as the Internet. Part of the School District’s educational responsibility is to provide Students access to

the tools they will be using as productive citizens and employees. The School District expects that Staff will blend thoughtful use of the School District computer systems and the Internet throughout the curriculum and will provide guidance and instruction to Students in their use. All users are expected to use the School District systems and the Internet to further educational and personal goals consistent with the mission of the School District and school policies. All South Heart School Students and Staff are provided with a login and password which allows access to the School's network and Internet. Furthermore, Students and Staff may also be provided an e-mail account available through EduTech, North Dakota's education and technology service provider.

However, Students, Parents/Guardians, and Staff are hereby informed that the Internet also contains content that is not appropriate for Students and Staff to access. In accordance with federal law, the School District has taken reasonable precautions to restrict access to materials obscene, pornographic, and/or harmful to minors through the use of software designed to block sites containing inappropriate material. While the School District has taken such preventive measures, it recognizes that it is not possible to fully guarantee that Students and/or Staff will never access objectionable materials. Filtering of unacceptable sites and e-mail is provided through EduTech, as it also serves as the School District's Internet service provider. Although there is a greater sense of security in having such services provided, there is still the chance that Students and/or Staff may encounter sites with content that may be inappropriate and objectionable. If such an instance should occur, Students, Parents/Guardians, and Staff are to notify the School District system manager (Technology Coordinator) and/or a School Administrator so that the situation can be remedied.

Education

The School District shall provide education to students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response.

Monitoring Use

Access to the School District Technology, Network and Internet access is a privilege, not a right. Network storage areas and access to the Internet shall be subject to the same scrutiny as school lockers for Students. Students and Staff shall have no reasonable expectation of privacy when using School District computers, networks and the Internet and shall use this technology solely for work-related purposes. The School District's Network Administrator (Technology Coordinator) and Administration may view files and communications to maintain the integrity of the system and to ensure proper and responsible use of the system. Teachers and Administrators will exercise supervision of student use.

Prohibitions

The District subscribes to the acceptable use policies of EduTech. EduTech's acceptable use/system policies can be viewed at <http://www.edutech.nodak.edu/services/acceptable-use/>. All School District computer and technology users shall abide by this policy. Unacceptable use of the School District Technology, Network, and Internet include, but are not limited, to the following:

1. Using obscene language;
2. Accessing or creating pornographic files or sites and/or other inappropriate material;
3. Harassing, insulting, threatening, alarming, or attacking others;
4. Damaging computers, computer systems, or computer networks;
5. Violating copyright, trademark, trade secret, or other intellectual property laws;
6. Using or participating in chat lines, chat rooms, and social networking sites for personal and/or non-curricular purposes;
7. Using another's password or representing oneself as another;
8. Trespassing into another's folders, work, or files;

9. Intentionally wasting network resources including, but not limited to, emailing chain letters and/or broadcasting inappropriate messages;
10. Employing the network for political purposes as defined by state law, financial gain, and/or commercial purposes;
11. Revealing anyone's personal information such as, but not limited to, an address or phone number without appropriate consent. Students are prohibited from revealing personal information about themselves and/or others without obtaining written consent in accordance with the Federal Education Rights and Privacy Act and receiving administrative approval;
12. Violating the privacy rights of students and employees of the district
13. Posting personal contact information about oneself including, but not limited to, addresses, telephone numbers, account numbers, access codes or passwords
14. Downloading, storing, printing or distributing files or messages that are profane, obscene, or that use language that offends or tends to degrade others
15. Reposting personal communications without the author's prior consent
16. Copying commercial software in violation of copyright law
17. Using the network for financial gain or for any commercial or illegal activity
18. Vandalizing, damaging or disabling the property of the School District or another person, including the deliberate spreading of computer viruses and tampering of software, hardware or wiring
19. Gaining unauthorized access to the school district system or any other system through the School District system
20. Attempting to log in through another person's account, or use computer accounts, access codes or network identification other than those assigned to the user
21. Using system resources for personal purposes not relating to educational purposes
22. Using e-mail during school hours without permission from a supervising staff member
23. Using a school computer to visit chat rooms without the direct supervision of a staff member
24. Installing any software without first obtaining permission of the system administrator
25. Possessing a copy of the system password file, or any portion thereof
26. Cracking, hacking or otherwise breaking into accounts you do not have authorized access to
27. "Lending" your account to another user. **NO SHARING PASSWORDS!**
28. Planning or conducting any illegal activities through the network or on any network accessible from South Heart Public School, including, but not limited to, possessing or distributing pornography or commercial software (or any associated paraphernalia)
29. Sending threatening or harassing e-mail to individuals – on this system or otherwise
30. Printing of e-mail messages or Internet sites for personal reasons
31. Other activities or actions deemed inappropriate and not in the best interest of the District, its employees, and students.

Violations

Depending on the nature and degree of the violation and the number of previous violations, unacceptable use may result in one or more of the following consequences: suspension or cancellation of access privileges; payments for damages and repairs; discipline under other appropriate School District policies, including suspension or expulsion; and/or civil or criminal liability under other applicable laws.

**End of South Heart School Policy ACDA..... Adopted: 7/8/15
Amended: 9/13/17**

ADMITTANCE TO SCHOOL

1. New students to South Heart School must complete a registration packet available in the main office at South Heart School. This must be completed prior to admittance to school.
2. A birth certificate is required for all students registering for school.
3. Current immunization records must be provided to the school office prior to admittance.
4. State law requires that a child be five years of age on or before August 1st of the year that he/she begins kindergarten.

ASBESTOS NOTICE

The Asbestos Hazard Emergency Response Act (AHERA) required that all public school buildings be inspected or re-inspected for the presence of asbestos every three years after a management plan is in effect. The same statute also required initial and annual notifications of the availability of a management plan which outlines the steps to be taken to eliminate any hazards.

The South Heart Public School District has a very limited amount of asbestos containing materials in the school buildings and it is being managed in strict compliance with all pertinent federal regulations. A copy of the inspection report, which details the locations of these materials and the proper management procedures, is available for public inspection during normal working hours at the South Heart School.

ASSIGNMENT OF STUDENTS TO CLASSES

In forming classes, the administration and teachers will attempt to balance classes as equitably and diversely as possible. In assigning students to classrooms, no student shall be assigned to a classroom solely on the basis of the student's race, color, national origin, gender, religious beliefs, or any other legally protectable category.

Assignment of students to classes will take under consideration the following criteria:

- Students' programmatic needs
- Students' academic needs
- Class size limits

Parents wishing to provide input about their child's classroom assignment must submit a written request form, available in the school office and the elementary handbook. The request must contain the following information:

- Preferred teacher
- Specific reason(s) for the request

As new students enroll, the administrator will consider the criteria listed above to assign the students to classrooms.

At the end of the school year, the administration will meet with teachers to assign students.

Class assignments made at the end of one school year for the following year are temporary assignments. Placements of students may change after the school year begins due to changes in student enrollment and staffing.

All requests will be considered; however, final decision regarding student placement is determined by administration.

Classroom Assignment Request

Student's name _____ Date _____

Grade entering _____ Parent's name _____

Teacher requested _____

Reason(s) for request

ATTENDANCE & ABSENCES

School Board Policy FFB

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 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 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: Disciplinary Sanctions:

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 or will receive no credit for incomplete work.

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 South Heart School Policy FFB.....Adopted: 11/11/15

ATTENDANCE/TARDY POLICY

Absences

Students are allowed a maximum of ten (10) absences per semester.

1. Parental notification (excused and/or unexcused) absences count in the attendance policy toward the maximum allowed. However, DOCUMENTED absences, including medical, bereavement, legal, or prior administrative approved absences will not count towards the maximum allowed.
2. Other absences that do not count towards the attendance policy include: school activities/field trips sponsored by South Heart Public School, in-school suspension, and out-of-school suspension.
3. Unexcused absences (with or without parental notification) will result in further disciplinary actions deemed necessary by administration.

Unexcused/Truant Absences

1. An absence from school without parental/guardian knowledge.
2. An absence from school that is not approved by the parent/guardian.
3. An absence from school that has not been excused by the parent/guardian within two (2) school days.
4. An absence from school deemed as being truant by administration.
5. Leaving the school for any reason during the school day without checking out at the office.
6. Referrals to law enforcement and other outside agencies may occur if a student is habitually absent from school.

Making-up Work

1. Students will have two (2) days to make-up the work missed the first day of their absence.
2. For every day after the first absence, the student will be given one (1) day to make up the work.

Tardies

1. Tardies will be defined as not being physically present in the classroom when the bell rings indicating the beginning of the school day.
2. Students will be allowed a maximum of ten (10) tardies per semester.
3. Referrals to law enforcement and other outside agencies may occur if a student is habitually tardy to school.
4. Administration reserves the right to decide if a tardy is excused or unexcused.

Attendance and Extra-Curricular Activities

In order to participate in any extra-curricular activity, including practice, the student is to be in school for at least four (4) periods during the school day. Exceptions to this rule will be made under the following conditions:

1. Absences due to school related activities.
2. Absences due to family emergencies, medical appointments, religious observations, or other advance requests as approved by the school administration.

Notification Procedure for Absences/Tardies

Although students will be formally notified as noted below, it is still the responsibility of students and parents to use PowerSchool to keep track of absences and tardies prior to being notified.

Absences (10 per semester)

- 5th absence = Warning (written notification sent home)
- 8th absence = Meeting with administration, student, and parent/guardian
- 10th absence = Maximum number of absences
- 11th absence = Other disciplinary action or referral to outside agency

Tardies (10 per semester)

- 5th tardy = Warning (written notification sent home)
- 8th tardy = Meeting with administration, student, and parent/guardian
- 10th tardy = Maximum number of absences
- 11th tardy = Other disciplinary action or referral to outside agency

BACKPACKS / BOOK BAGS / BRIEFCASES

Backpacks, book bags, and other large carrying cases are for the purpose of bringing school materials to and from school. They are to be stored in the student's locker during the day and are not allowed in the classroom.

BEHAVIOR

At South Heart School our goal is to provide our students with an environment conducive to learning; therefore, it is expected our students will display appropriate behavior on a daily basis. However, in the event a student does not display appropriate behavior then the student will be treated firmly, fairly, consistently, and equally. Misconduct will be dealt with on an individual basis, depending upon the nature of the offense and the past record of the student. Violations may result in loss of privileges, suspension, and/or expulsion. In all cases of suspension parents will be notified.

BOOKS/LIBRARY

Each student has the opportunity to use the library every week. Students are encouraged to return overdue books. Books overdue for longer than one month are considered lost, and the student's parents will receive a bill for the replacement of lost or damaged books. Textbooks that are lost or not returned are to be paid for at the replacement rate. Books that are damaged due to negligence or vandalism will be paid for at the replacement rate.

BULLYING POLICY

School Board Policy ACEA

Definitions

For the purposes of this policy:

- *Bullying* is defined as conduct prescribed in NDCC 15.1-19-17. The Superintendent should place this definition, in its entirety, in student and staff handbooks and should develop guidelines to assist students and staff with identifying this conduct.
- *Protected classes* are classifications/characteristics protected from discrimination by NDCC 14-02.4-01 and federal law. The following classes are protected: race, color, religion, sex, national origin, age, disability (physical or mental), and status with regard to marriage or public assistance.
- *School property* or the term *on-campus* refers to all property owned or leased by the District, school buses and other vehicles, or any school district sponsored or school-sanctioned activity.
- *School-sanctioned activity* is defined as an activity that:
 - a. Is not part of the district's curricular or extracurricular program; and
 - b. Is established by a sponsor to serve in the absence of a district program; and
 - c. Receives district support in multiple ways (i.e., not school facility use alone); and
 - d. Sponsors of the activity have agreed to comply with this policy; and
 - e. 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 South Heart 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

While at 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, a student, staff member, or school volunteer may not:

1. Engage in bullying;
2. Engage in reprisal or retaliation against:
 - a. A victim of bullying;
 - b. An individual who witnesses an alleged act of bullying;
 - c. An individual who reports an alleged act of bullying; or
 - d. An individual who provides information/participates in an investigation about an alleged act of bullying.
3. Knowingly file a false bullying report with the District.

Off-campus bullying that is received on school property is also prohibited. The District has limited disciplinary authority to respond to such forms of bullying.

Reporting Procedures for Alleged Policy Violations

1. **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 him/her 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 file it with 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.

2. **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:
 - a. Completing a written complaint form. A complainant will have the option of including his/her name on this form or filing it anonymously. The District will place the form in a variety of locations throughout the school and should inform students and staff of these locations. 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.
 - b. Complete and submit an online complaint form. A complainant will have the option of including his/her name on the form or submitting it anonymously.
 - c. File an oral report with any school staff member.

A complaint filed anonymously may limit the district's ability to investigate and respond to the alleged violations.

Reporting to Law Enforcement & Others Forms of Redress

Anytime a school staff member has reasonable suspicion that a bullying incident constituted a crime, s/he shall report it to law enforcement. Also, nothing in this policy shall prevent a victim/his/her family from seeking redress under state and federal law.

Documentation & Retention

The District shall develop a form to report alleged violations of this policy. The form should be completed by school staff when they:

1. Initiate a report of an alleged violation of this policy; or
2. Receive an oral report of an alleged violation of this policy.

The form should be completed by an administrator when s/he:

1. Initiates a report of an alleged violation of this policy; or
2. Receives 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 shall be retained by the District for six years after a student turns 18 or graduates from high school, whichever is later. If a student does not graduate from the District, such reports and investigation material shall be retained for six years after the student turns 18.

Investigation Procedures

School administrators (i.e., a principal, an assistant superintendent, or the Superintendent) 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 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. 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:

1. 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*).
2. 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.
3. Interviews with any identified witnesses.
4. A review of any mitigating or extenuating circumstances.
5. Final analysis and issuance of findings in writing to the victim and bully and, if applicable, implementation of victim protection measures and disciplinary measures under this or other applicable policies.

Investigations shall be completed within 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.

Disciplinary & Corrective Measures

Students that 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:

1. Require the student to attend detention;
2. 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;
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. Create a behavioral adjustment plan;
5. Refer the student to a school counselor;
6. Hold a conference with the student's parent/guardian and classroom teacher(s), and other applicable school staff;
7. Modify the perpetrator's schedule and take other appropriate measures (e.g., moving locker) to minimize contact with the victim;
8. If applicable, contact the administrator of the website 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.

For bullying initiated off campus and received on campus (e.g. cyberbullying), the District only has authority to impose disciplinary measures if the bullying substantially disrupted the educational environment or posed a true threat. In all other cases of off-campus bullying received

on campus, the District may only take corrective measures as described in items five through eight above.

If the perpetrator is a school staff member, the District shall take appropriate disciplinary action including, but 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 any applicable law.

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:

1. Additional training for all students and applicable staff on implementation of this policy and/or bullying prevention.
2. 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.
3. Assignment of district staff to monitor, more frequently, areas in the school where bullying has occurred.
4. Referral to counseling services for the victim and perpetrator.
5. 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.

Prevention Programs & Professional Development Activities

In accordance with law, the District shall develop and implement bullying prevention programs for all students and staff professional development activities.

End of South Heart School Policy ACEA Adopted: 7/8/15

South Heart Public School
COMPLAINT REPORT – BULLYING
Incident # _____

- **Bullying is defined by the victim/target, not by the bully.** Bullying means any physical, written or verbal expression (including the use of electronic technologies) or pattern that is intended to cause or does cause distress to one or more students. It includes three important components:
 - Bullying is aggressive behavior that involved unwanted negative actions
 - Bullying involves a pattern of behavior repeated overtime
 - Bullying involves an imbalance of power or strength
- **Responding to bullying with bullying is not acceptable.**
- **Complainant can report anonymously.**

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. Are they a repeat offender?
Yes or No
4. Where did the incident happen (choose all that apply)
 - On school property On a school bus On the way to/from school
 - At a school sponsored activity or event off school property Other _____
5. Describe in detail the specific incident(s) that are the basis of this complaint. Include verbal statements (e.g. threats, demands), or physical threats that are relevant. (Use additional sheets if needed.)

6. Identify the behavior or the types of behavior using the following check sheet: (Check all that apply)

Verbal Aggression:

- Name calling
- Mocking, teasing, or using sarcasm
- Intimidating phone calls
- Spreading rumors

- Threats
- Making noises at someone

Emotional:

- Excluding
- Tormenting
- Hiding or taking things
- Threatening gestures

- Ridicule
- Staring

Sexual:

- Touching
- Dirty jokes or sexual language
- Unwanted flirting
- Name calling
- Inviting out on dates or to go steady when they've said they are not interested

Intimidation:

- Playing a dirty trick
- Taking things
- Demanding money or other things
- Publicly challenging others to do something they don't want to do

Physical Aggression:

- Pushing
- Kicking
- Punching
- Slapping
- Tripping
- Pinching
- Spitting

Racial:

- Derogatory comments or name calling about physical, behavioral, or cultural differences

Written:

- Threatening or inappropriate notes or drawing

Electronic:

- Text messaging
- Instant messaging
- Telephone calls
- Social Networking (My Space, Face Page, Xanga)

Other:

- _____

7. Did a physical injury result from the incident?

- No
- Yes, but it did not require medical attention
- Yes, medical attention was required

8. Was the student victim/target absent from school as a result of the incident?

- Yes
- No

9. What actions would you request be taken for restitution/recovery?

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 acknowledgments section of the complaint.

X

Signature of Complainant

BUSING: (BUS RIDER EXPECTATIONS)

The safe transportation of all students and staff members is the number one priority of all bus drivers and South Heart School. Passengers are expected to remain seated at all times and conduct themselves in such a way that does not create a distraction for the driver. Furthermore, school-sponsored transportation (both contracted rural bus routes and district-owned

activity buses/other vehicles) is an extension of the school/classroom. Therefore, appropriate behavior expected at school and all school rules apply to students and staff when utilizing school-sponsored transportation. Drivers and other staff members on the bus have the same authority as classroom teachers to create rules that help to promote safety and have the authority to impose disciplinary action as needed, up to and including removal of riding privileges.

CARRYING WEAPONS School Board Policy FFD Definitions

This policy defines the following:

- *Dangerous weapon* as defined by NDCC 62.1-01-01(1)
- *Firearm* as defined in accordance with 18 U.S.C. 921.
- *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

Students are prohibited from *knowingly* possessing or transmitting 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 on school property.

Disciplinary Consequences

Violation of this policy will result in disciplinary action up to and including suspension or expulsion. Bringing a dangerous weapon, other than a firearm, to school will require that proceedings for up to 10 days suspension and/or expulsion for up to 12 months be initiated immediately in accordance with the district's suspension and expulsion policy.

Bringing a firearm to school will require that the District immediately 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 himself/herself or others at risk by returning to the school prior to the expiration of the expulsion period.

Parents will be notified and all 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.

Special Education Students

A student who is defined as having a disability under the Individuals with Disabilities Education Act (IDEA) who has brought a firearm or dangerous weapon to school shall be handled in accordance with IDEA regulations. The District shall make manifestation determinations, disciplinary decisions, and placement decisions of such students in accordance with IDEA regulations.

Nonapplicable 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 a 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 discovers that they accidentally have a firearm or dangerous weapon in their possession shall not be considered to possess it if they turn it over to an administrator, teacher or head coach or immediately notifies an administrator, teacher, or head coach of its location.

**End of South Heart School Policy FFD..... Adopted: 7/27/15
Amended: 11/8/17**

CLASSROOM VISITATION

Parent(s)/Guardian(s) may visit their child's classes on school days, subject to the approval of school administration and the following guidelines. Parent(s)/Guardian(s) are asked to understand the Board's responsibility to safeguard the learning environment for all students, and be sensitive to the disruption that can be caused by having visitors frequently observe the classroom and place demands on teacher time. The Board also has an obligation to protect the privacy rights of all students and their families by ensuring that the frequency of visitations by one parent/guardian does not allow that parent/guardian to develop inappropriate knowledge of the behavior or academic progress of other students.

The Administration adopts the following policy for parent(s)/guardian(s) visitations:

1. All parent(s)/guardian(s) visitations are subject to the approval of the school principal, who is charged by the Board with the responsibility of guaranteeing the learning environment and privacy of students.
2. Parent(s)/Guardian(s) desiring to visit a classroom shall make a request in writing to the principal no later than two days prior to the date of the visit. The principal should consult with the teacher and respond to the parent(s)/guardian(s) in a timely manner.
3. Visitors are required to check in at the school office prior to the start of the class that they wish to observe, and to follow individual school procedures for visitor sign-in, passes, etc.
4. Parent(s)/Guardian(s) in classrooms are there as guests and are asked to behave as quiet observers of classroom activities, unless specifically requested otherwise by the classroom teacher. Visitors should arrive before the start of class and stay until the class is dismissed.

5. Except on special open house or visitation days arranged by the Superintendent, no more than two visitors shall be permitted in a classroom on any given day.
6. To protect the privacy of other students, the parent(s)/guardian(s) of a student are limited to two classroom visits per grading period, and agree to keep any information gained on the behavior or performance of other students strictly confidential.
7. Visitation shall not be allowed during tests or other student examination/evaluation.
8. Teachers are expected to use the time between classes for preparation, meetings with students, and discussion with colleagues. Visiting parent(s)/guardian(s) are to refrain from using classroom observations for impromptu parent/guardian-teacher conferences either during or outside of class time. An appointment should be made with the teacher if the parent(s)/guardian(s) wish(es) to discuss their child's educational progress. Teachers shall refrain at all times from discussing the behaviors or achievement of other students with visiting parent(s)/guardian(s).

Parent(s)/Guardian(s) who fail to abide by these regulations or who intentionally disrupt the educational process of the school may be asked to leave and/or be denied permission for future visits.

COMMUNICABLE DISEASE

In all cases of disease being treated by a doctor, we will rely upon the judgement of the doctor as to when the child may be back in school.

Rules of thumb subject to individual cases:

- **Whooping Cough**, 2 days after cough has disappeared;
- **Chicken Pox**, out of school seven days;
- **Measles**, out of school five days from appearance of rash;
- **Mumps**, isolation until swelling disappears;
- **Pediclosis (Lice)**, the parents of students will be notified immediately if their child is found with nits (the eggs of head lice) in the hair. The recommended treatment is sudsing with a medicated shampoo. Preparations available at the drug store are A-200 Cupres. Kwell shampoo may be acquired with a prescription from a doctor or through the County Health Office;
- **Pinkeye**, parents will be notified when it is discovered that a child has pinkeye. The child should not return to school until he/she has been seen by a doctor and treatment has begun.

****No child should be sent to school with fever, stomach ache, nausea, or skin rash.****

CONCUSSION MANAGEMENT

School Board Policy FCAF

The District shall comply with the concussion management program requirements contained in law (NDCC 15.1-18.2). 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).

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 games 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:

- a. Is not part of the district's curricular or extracurricular program;
- b. Is established by a sponsor to serve in the absence of a district program;
- c. Receives district support in multiple ways (i.e., not school facility use alone);
- d. Requires participating students to regularly practice or train and compete.
- e. 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 games if a student reports or exhibits a sign or symptom of a concussion. The Activities Director shall make this determination, and the Activities 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 Activities 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 Activities 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(s) and assistant coach(s). 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 18, whichever is later.

**CONCUSSION MANAGEMENT PROGRAM
 School Board Policy FCAF-AR**

*NOTE: Items designated with a * are from a National Federation of State High School Associations document entitled "Concussion in Sports: What You Need to Know" written by Dr. Michael Koester, Jennifer Adams, and Angie Webster and available at: www.nfhslearn.com.*

Concussion Signs & Symptoms

The signs and symptoms of a concussion are as follows:

Signs*	Symptoms*
Athlete appears dazed or stunned	Double vision, blurry vision
Balance problems	Headache
Confusion	Fatigue
Forgets events after the hit	Feels "foggy"
Forgets events prior to hit	Feels sluggish
Forgets plays	Nausea or vomiting
Loss of consciousness (any duration)	Problems concentrating
Moves clumsily (altered coordination)	Problems remembering
Personality change	Sensitive to light or noise
Responds slowly to questions	
Unsure about game, score, opponent	

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
 - 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 s/he determines, 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 his/her 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 will 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 his/her 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 Activities 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 Activities 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 athletes and disseminate this information to student athletes and their parents. Before allowing a student to participate in an athletic activity, the District must require the student and the student's parent to submit written or electronic documentation verifying that they have viewed the concussion management information disseminated by the school district.

End of South Heart School Administrative Regulation FCAF-AR

CONFERENCES (Parent-Teacher)

There will be two sets of parent-teacher conferences scheduled each school term, once in the fall and once in the spring. Parents will receive notification from the classroom teacher for a set time.

EDUCATION OF SPECIAL EDUCATION/DISABLED STUDENTS

School Board Policy FDE

The South Heart 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 and North Dakota law. In addition, the District complies with Section 504 requirements. For the purpose of compliance with state and federal laws concerning special education/disabled students and providing this assurance, the South Heart Public School is a member of the West River Special Services 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.

End of South Heart School Policy FDEAdopted:05/10

ENTRANCE/DISMISSAL OF SCHOOL

The official school day at South Heart School is 8:00 am – 3:30 pm. No students may enter the school before 8:00 am, unless special assignments, practices, make-up work, etc., is scheduled and the student is under the supervision of a staff member. Once school is in session, the only entrance accessible is the door by the central office. Due to safety reasons, staff are encouraged to not allow building access to the public without those persons first checking into the Main Office. All students are expected to leave the school no later than 3:30 unless attending a supervised activity or under the supervision of a staff member.

School Hours

8:00 AM	----	Breakfast served for students
8:10-8:25 AM	----	Students will proceed to designated area to wait for school to begin
8:25 AM	----	Students arrival to classroom
3:08 PM	----	School dismissal

EXTRACURRICULAR ATHLETICS AND ACTIVITIES

Girls' Basketball –TBD	Girls' Volleyball - TBD		
Boys' Basketball – TBD	Spelling	Bee	– TBD

EXTRACURRICULAR PARTICIPATION REQUIREMENTS

School Board Policy FFE

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.

Guilt by Association Rule

In addition to the tobacco, alcohol, and other drug prohibitions contained in NDHSAA bylaws, the District prohibits student presence at a gathering where alcohol, tobacco, or a controlled substance is being illegally used. Student presence at such a gathering will be regarded as

possession. The building Principal will take into consideration whether or not the student was at a gathering where the student had knowledge that alcohol, tobacco, or a controlled substance was being illegally used, and whether or not the student had a reasonable opportunity to remove him/herself from said location. The disciplinary consequences for violating this rule shall be suspension from extracurricular participation for the same duration as prescribed for tobacco, alcohol, and other drug possession by NDHSAA bylaws.

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 an "F" or lower in any curricular course as computed from the beginning of the semester.

In addition to NDHSAA academic standards, the South Heart Public School District also requires that no student may participate in a contest if he or she is failing one or more classes 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 or removal from extracurricular activities for a period to be determined by the School Administration and coach/activity advisor of the activity(s) in which the student participates. Such consequences shall be imposed in addition to other disciplinary consequences imposed under the applicable policy.

Suspension Procedure

When the Principal, as a result of his/her investigation, concludes that a violation of this policy or NDHSAA bylaws has occurred, s/he 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. Additionally, coaches and advisors may impose additional consequences as approved by the School Administration.

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 school-sponsored extracurricular activities

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 his/her 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 two (2) full days of competition/performance 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.

Due Process Appeal Procedure

Before being suspended, the student will be advised of the nature of the violation, the evidence against him/her, and the right to request an appeal hearing within three school days of the

building Principal's decision. If a student wishes to appeal the decision, an appeal hearing must be requested to the building Principal within three school days of being notified of the suspension. Once the request is made, the appeal hearing will take place as soon as possible, preferably within three days of the request to have such hearing.

Appeal Hearings: The following parties may be involved: the participant being charged, parents/guardians of the participant, witnesses to the violation, the investigating building Principal, and legal counsel for the participant if he/she desires. The participant being charged will be allowed to testify, to have witnesses, and to question all witnesses.

Initial Appeal: The initial appeal hearing will be heard by the Superintendent. Once the appeal hearing is over, the Superintendent will render a decision. The Superintendent may delay his or her final decision if he or she feels it necessary to investigate the incident further. If a student wishes to appeal the decision of the Superintendent, an appeal hearing to the South Heart School Board must be requested to the Superintendent within three school days.

Final Appeal: The final appeal hearing will be heard by the South Heart School Board. The School Board may delay its final decision if they feel it necessary to investigate the incident further.

Note: During the time between notification and the hearing, the suspension may be deferred for good cause shown. However, if the school administration believes that clear and substantial evidence shows that the student is in violation of this policy, the student will be suspended immediately. NDHSAA regulations state that if the suspension is not immediately imposed and the student is found to be guilty at a later date, any interscholastic contests or activities participated in by that student have to be forfeited.

**End of South Heart School Policy FFE Adopted: 11/11/15
Amended: 6/8/16
Amended: 5/10/17
Amended: 9/13/17**

South Heart School Academic Eligibility Policy

1. To be eligible to participate in school activities involving interscholastic competition, students in grades 5 – 12 shall be passing ALL subjects. A student who has ANY failing grades in his/her academics WILL NOT BE ELIGIBLE until he/she is passing all their classes.
2. Student eligibility shall be determined on the Wednesday of each school week. This grade will be determined by the grade the student has accumulated from the beginning of the current semester.
3. If a student is found ineligible on the check, they will be ineligible for a period of one week (Wednesday to Wednesday).
Example: Student found ineligible on the eligibility check on Wednesday, September 17th, he/she will be ineligible until Wednesday, September 24th.
4. Students who are found ineligible will remain ineligible until the grades are determined on the next eligibility check (the Wednesday of each school week)
5. Students who have failing grades at the end of the second semester will be declared ineligible at the beginning of the next school semester, until the first eligibility check reveals they are passing all subjects.

EXTRACURRICULAR TRANSPORTATION

School Board Policy IEAF

The District shall provide transportation to students participating in extracurricular activities to/from practice and to/from extracurricular events.

Students are prohibited from transporting themselves or sharing a ride with other students when transportation is for the purpose of practicing for or participating in an extracurricular activity.

Exceptions to this policy will only be made when prior approval has been granted by the administration and the following criteria are met:

1. The request is made in advance;
2. The request is made in writing and signed by the parent;
3. The parent signs a waiver of district liability in the event of an injury and/or accident that occurs

The administration has the authority to approve or deny such requests

Parents may request approval to transport his/her child to/from practice and/or to/from extracurricular events. Parents may also request approval for other responsible adults as determined by the administration to transport his/her child to/from practice and/or to/from extracurricular events. Approval may be granted by the administration only when the following criteria are met:

1. The request is made in advance;
2. The request is made in writing and signed by the parent;
3. The parent signs a waiver of district liability in the event of an injury and/or accident that occurs

The administration has the authority to approve or deny such requests

End of South Heart School Policy IDCAdopted: 4/13/16

FITNESS ROOM

The fitness room is for the use of students in grades 7-12. Students may use the fitness room before or after school only if supervised by an appropriate staff member.

FOOD AND BEVERAGE POLICY

Food, candy, or beverages will not be allowed in classrooms or gymnasium. Students in PK-4 grade have a designated milk break during the school day. Milk or Juice may be purchased through the school for a fee. Water is the only exception will be allowed only if purchased at the school or a container is brought to school and filled using the school water fountains. Water allowed in the classrooms is at the discretion of the classroom instructor. Sunflower seeds and other shelled food will NOT be allowed in the school.

GRADING

Grading Scale 3rd-6th Grade

100-95	A	82-80	C
94-93	A-	79-78	C-
92-91	B+	77-76	D+
90-87	B	75-72	D
86-85	B-	71-70	D-
84-83	C+	Below 70	Failing

HOMEWORK (K-6)

Homework in South Heart Public School is an essential part of the school program. Assignments will vary in accordance to the needs of the class and will relate to classroom instruction. Homework assignments are intended to reinforce and extend learning initiated in the classroom and serve as a tool for teachers to assess student understanding of classroom instruction. Completion of routine homework can motivate students to develop good work habits, while increasing the opportunity for individual initiative and responsibility. Homework can also stimulate creativity, critical thinking and awareness that learning can take place outside of the classroom.

While it is understood that the time it takes to complete homework assignments may vary with each child, the times below are the general guidelines for each grade level. If your child is having difficulty on a consistent basis completing assignments within the time frames established, please contact your child's teacher for assistance.

Homework Time Frame

Students may be required to spend more time on any long term required assignment. Reading can include an adult reading to a student especially younger students.

Kindergarten – Up to 15 minutes of reading per night.

Grade 1 – Up to 15 minutes of homework plus 15 minutes of reading per night.

Grade 2 – Up to 20 minutes of homework plus 15 minutes of reading per night.

Grade 3 – Up to 25 minutes of homework plus 15 minutes of reading per night.

Grade 4 – Up to 30-40 minutes of homework plus 15 minutes of reading per night.

Grade 5 – Up to 40-50 minutes of homework plus 15 minutes of reading per night.

Grade 6 – Up to 50-60 minutes of homework plus 15 minutes of reading per night.

INSTRUMENTAL MUSIC

Band is available for students beginning in 5th grade. Students must furnish their own instruments. The students are encouraged to take their instruments home every day, especially on weekends and vacations. Participation in concerts is a requirement. To avoid a full reduction in report card grade, advance written notice or advance notice by telephone in case of an absence is necessary.

NONDISCRIMINATION AND ANTI-HARASSMENT POLICY

School Board Policy AAC

General Prohibitions

The South Heart 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 or employee's race, color, religion, sex, gender identity, national origin, ancestry, disability, age, or other status protected by law.

It is violation of this policy for any district student, parent, employee, or third party to discriminate or harass against 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 has 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, which may include disciplinary measures such as termination of employment or 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 regulation AAC-BR.
- *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 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, 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.
- *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 or gender identity. 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 when:
 - a. It is quid pro quo, 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. It creates a hostile environment meaning unwelcome sexual conduct or communication that is sufficiently serious to deny or limit a student's ability to participate in or benefit from the school's program(s). For employees a hostile environment is created when submission to unwelcome sexual conduct is made either explicitly or implicitly a term or condition of an individual's employment.
- *Sexual harassment examples* include:
 - 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 a 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 IX* is a federal law that protects people from discrimination, based on sex, in education programs or activities that receive federal financial assistance.

Complaint Filing Procedure

The Board shall create an informal and formal discrimination and/or harassment complaint filing procedure in board regulations. The procedure provides for an impartial investigation free of conflicts of interest. Nothing in this policy or in the discrimination and harassment grievance procedure prevents an individual from pursuing redress 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 forward it to the appropriate grievance coordinator. All District employees must receive training on their reporting duties.

Policy Training and Dissemination

The Board authorizes the Superintendent to develop discrimination and harassment awareness training for students and employees. In addition, 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.

Grievance Coordinators

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 the Superintendent as the Title IX Coordinator.

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 the Superintendent, as the 504/Title II Coordinator.

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, but instead the other protected statuses. The Board designates the Superintendent as the Nondiscrimination Coordinator.

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; and (3) the applicability of confidentiality requirements.

**End of South Heart School Policy AAC Adopted: 7/8/15
Amended: 5/10/17**

NOTICE OF DIRECTORY INFORMATION School Board Policy FGA-E

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that South Heart 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, South Heart Public School 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 South Heart Public School District 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 South Heart Public School District to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing. **South Heart Public School District has designated the following information as directory information:**

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

_____ School Year:

Student's Name: _____

Grade: _____

Parent/Guardian Signature: _____

Date: _____

- 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)
- Address
 - Date and place of birth
 - Dates of attendance
 - Degrees, honors, and awards received
 - Grade level
 - Most recent school attended
 - Name
 - Participation in officially recognized activities and sports
 - Photograph
 - School email address
 - Student identification number if it cannot be used alone to access an educational record and is not the student's social security number]
 - Telephone listing
 - Weight and height of members of athletic teams
- Please do not release directory information to:
- Military Recruiters
 - Colleges & Universities
 - Other (specify): _____

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 South Heart School Exhibit FGA-E

NOTICE OF POLICY ON OPTING OUT OF ASSESSMENTS

School Board Policy GCE-E

The South Heart School Board has adopted a policy on opting out of state and federal assessments, which is based on requirements in law. The policy can be viewed online by visiting <http://www.southheart.k12.nd.us/files/2016/07/GCE-Opting-out-of-State-and-Federal-Assessments.pdf> and the necessary form that must be completed to opt out of state and federal assessments can be found at <http://www.southheart.k12.nd.us/files/2017/08/Student-Assessment-Opt-Out-Form.pdf>

End of South Heart School District Exhibit

NUT-FREE SCHOOL

For the safety of our students with nut allergies, South Heart School is a NUT-FREE SCHOOL during all hours of the day (before, during, & after school). This includes school-sponsored activities and buses.

PARENTS' RIGHT TO KNOW

Through federal education law, parents have the right to request information on the professional qualification of the teachers and paraprofessionals educating their children. If you are interested in receiving this information please contact South Heart School at 677-5671. Upon request, you will receive a detailed explanation of the licensing of educational qualification of each of your children's teachers. You will also receive the names and qualifications of the paraprofessionals working with your children.

PARTIES/PARTY INVITATIONS

Classroom teachers may decide to celebrate Halloween, Christmas, and Valentine's Day. Individual birthday parties are not permitted at school; however, the pupils may bring class treats.

Birthday Invitations are not allowed to be passed out at school.

PATRIOTIC EXERCISES

We believe that the students of our elementary schools should learn the principles of liberty and democracy expressed in the Declaration of Independence and the Bill of Rights. Further it is felt that the salute to the flag and the daily Pledge of Allegiance help students learn these principles. In all classrooms in grades K-6, at the beginning of the first regularly scheduled class or activity period, the Pledge of Allegiance to the flag of the United States of America will be given, except when the principal will arrange for other appropriate exercises which will include the Pledge of Allegiance. It is recognized that the religious beliefs of some students prohibit their participation in these patriotic exercises. This is understood, but all students not participating in the pledge are expected to remain quiet and respectful while the other students show respect to the flag during the Pledge of Allegiance.

PERSONAL ITEMS AND BELONGINGS

IPods, iPads, tablets, laptops, any other electronic devices, headsets, lasers, or any toys or gadgets with potential for distracting from a positive learning environment are not allowed at school. The school is not responsible for the loss of or damage to items. With the exception of units of study or "theme" days, which are sponsored by the school, such items should remain at home. All coats, overshoes, etc. should be marked so that they can be identified by the students.

PETS

Pets are not allowed on school property or within school buildings unless prior approval is given by the administration. The South Heart School will not be responsible or liable for any harm or damage inflicted by anyone's pet on another person or property.

PLAYGROUND AND EQUIPMENT GUIDELINES

The safety of the students of South Heart School is the primary concern in establishing the following guidelines:

1. Listen to the playground supervisors.
2. No leaving the playground without permission and no entering the school building unless permission is given by teachers or supervisors.
3. Tell a supervisor if you get hurt.
4. If something happens between you and someone else, tell the supervisor BEFORE coming into the building or classroom.
5. When the bell rings, line up immediately, come in quietly, and get to your classroom right away.
6. Students will not throw hard objects (snowballs, ice, rocks, etc.) EVER!!!
7. Student will use courteous language at all times (NO PROFANITY!!)
8. Students will not play rough games that use hitting, tripping, tackling, and running into other children.

(Students will remain inside when the wind chill or actual temperature drops below zero-TEACHER DISCRETION)

Students will play in a safe manner at all games and on all equipment. Here are some ways to prevent accidents on the playground.

Swings

Sit down on swings properly.
One person on a swing at a time.
Swing only when no one is in the path of the swing.
Jumping off the swing is not allowed.
Swing straight, and please not on your stomach.

Slides

Slide sitting down, feet first.
Slide one person at a time.

Jumping off the SLIDE and PLATFORM is not allowed.

Jungle Gym

Playing tag, running, pushing, or shoving is not allowed on the jungle gym.
Go across bars one at a time and climbing on top of bars is not allowed.
Playing chicken or other dangerous games are not allowed.

Touch Football

TACKLING is NOT ALLOWED or football game will be ceased.
Use your hands only to tag another player, safety is our ultimate goal.

MISCELLANEOUS

Fighting of any kind will not be tolerated on the playground or anywhere else in the school, even if you say you are just playing.

BULLYING will NOT BE TOLERATED. If you feel you are being bullied by any student, report it to the person on duty.

PRESCHOOL Enrollment

1. New students to South Heart School must complete a registration packet available in the main office at South Heart School. This must be completed prior to admittance to school.
2. A birth certificate is required for all students registering for school.
3. Current immunization records must be provided to the school office prior to admittance.
4. Students must be four years of age on or before August 1st of the year that they enter preschool.
5. All new preschool students will complete a developmental screening before starting school.
6. Any child ages three (3) to five (5) receiving special education services have priority.
7. All parents must sign preschool contract for tuition.

Hours

Preschool is Monday through Thursday with two sessions daily.

Morning session – 8:25-11:25

Afternoon session – 12:05-3:05

Busing

Students in the morning session may ride the school bus to school if they are on a bus route. Parents/Guardians will have to pick up morning students at the end of the morning session, 11:25. Busing is not available. Students in the afternoon session will need to be dropped off by parents/guardians at school, 12:05. Students in the afternoon session may ride the bus home if they are on a bus route.

Tuition

Tuition for preschool is \$130 per month or \$1,170 for the year. Payment must be received on or before the 26th day of every month. Please turn the payment into the classroom teacher or main office. There will be a \$10 late fee added to your bill if payment is not received by the 1st day of each month. If payment is not received by the 3rd of the month, preschool services will be discontinued until payment is received. If a parent/guardian chooses to remove a preschooler two weeks' notice must be given to the school. Tuition will accrue for that period of time.

Toilet Training

Preschool student must be toilet trained.

PROMOTION AND RETENTION POLICY

A student's achievement of skills for the grade to which he is assigned and his readiness for work at the next grade level, shall be required before he/she is assigned to the higher grade. Those students who have mastered the appropriate skills will be promoted, and those who have not will be retained. Such retention may be considered when:

- A. The child is in grades K-3, or, in very rare occasions, when the child is in grades 4-6.
- B. The child is achieving significantly below ability and grade level.
- C. Retention would not cause any undue social and emotional adjustment.
- D. Retention would be a reasonable change of benefiting the child totally.

Whenever such retention is being considered, the teacher shall confer with the principal. This shall be done before the end of the third nine-week grading period. A meeting will be called of the parent(s)/guardian(s), and the teacher, to explain the child's current academic standing in relationship to the group and his/her own individual ability. If significant improvement is not noted in the child's academic performance, the principal, the parent(s)/guardian(s), and the teacher shall make the final decision on retention of the student. Only in unusual circumstances should a child be retained for more than one year.

REPORT CARDS/PROGRESS REPORTS

Grades K-12 At the midterm of each Nine Week grading period, progress reports will be mailed to parents/guardians. At the end of each Nine Week grading period, report cards will be made available to parents/guardians.

Grades PreK-12 Teachers are encouraged to contact parents/guardians regularly for reasons which may include, but not limited to: positive accomplishments/behavior, disruptive behavior, unsatisfactory work, incomplete assignment, etc.

SCHOOL ACTIVITIES - SUNDAY/WEDESDAY POLICY

During the school year, coaches/advisors are not permitted to organize or direct activities that require or mandate student attendance (either explicit or implied) at school-sponsored sports/activities on Sundays unless the following Monday is the date of a regional or state competition/performance in which the sport/activity is participating or permission has been granted by the Superintendent due to extenuating circumstances. This includes both on-campus and off-campus school-sponsored sports/activities. Open gym/facility types of activities may be permitted on Sundays when supervised by an approved staff member with the stipulation that the open gym/facility cannot be used as an organized practice/rehearsal/etc. and students are not required to attend. All Sunday activities must be pre-scheduled with the Activities Director.

South Heart School will continue to cooperate in scheduling as few events as possible on Wednesday nights during the school year, thus allowing full opportunity for out-of-school organizations to carry on their affairs without conflict with school sports/activities. Unless approved by the Superintendent, all school-sponsored sports/activities must conclude by 5:00 pm on Wednesday nights during the school year, including both on-campus and off-campus school-sponsored sports/activities.

SCHOOL CANCELLATIONS, LATE STARTS, EARLY DISMISSALS

Inclement weather or other reasons may result in school being cancelled, starting late, or dismissing early. Students, parents, and staff will be notified via an automated calling system and through local radio stations. Parents and staff are reminded to provide updated current phone numbers to the Main Office to ensure they receive these calls.

SCHOOL MEDICATION PROGRAM

School Board Policy ACBD

The South Heart Public School District has established a program for providing medication to students during the school day and when students are otherwise under the district's direct supervision (e.g., participating in a school activity, on a school-sponsored trip). This program is only available to students when the applicable requirements under this policy have been satisfied.

Qualifications for Eligible School Medication Providers

In order to be eligible to provide medication under this policy, an individual must meet the following criteria and receive approval from the Superintendent.

1. Received education and training in medication administration, including the following topics:
 - a. Individual's authority and 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;
2. Provided the Superintendent with verification that the above training and education is complete;
3. Undergone a criminal history record check through the District and received satisfactory adjudication;
4. Agreed to perform the duty of providing medication;
5. Received written consent of the student's parent or guardian;
6. Agreed to comply with this policy and any additional district rules on providing medication.

The District shall pay the cost of all district-authorized education and training for school medication providers.

Requirements and Prohibitions for All School Personnel

All school employees and volunteers shall comply with the district's Drug and Alcohol Free Workplace policy, which prohibits illegal activities associated with prescription and over-the-counter medication. In addition, eligible school medication providers and all other school employees and volunteers with knowledge of a student's health condition and/or medication regimen shall comply with district policies and law on confidentiality of student education records—records that include student health records. Additional rules governing the school medication program are contained in administrative rules.

All school employees and volunteers are required, as soon as possible, to report to building administration or his/her designee any observed or reported sign or symptom that a student may be having an adverse medication reaction or allergic reaction.

Any violation of this policy or other district rules governing medication may result in disciplinary action, including, but not limited to, discharge (in accordance with applicable law) and/or removal of medication provider duties, if applicable.

Types of Medication Provided

The District may provide both prescription and over-the-counter medication to students covered by this policy so long as they are legal under state law and:

1. Recognized as drugs in the official U.S. Pharmacopoeia and national formulary, or
2. Recognized as drugs in the official Homeopathic Pharmacopoeia of the U.S., or
3. Recognized as drugs in any supplementary publication to the above references, and
4. Are authorized to be provided to the student by his/her parent/guardian and, when applicable, healthcare provider in accordance with this policy.

The District may consult a qualified healthcare provider (e.g., pharmacist) to determine if the above, applicable criteria have been met. The District shall maintain the student's confidentiality when making such an inquiry unless the student's parent/guardian has waived confidentiality rights.

The District and all school employees and volunteers are prohibited from purchasing over-the-counter medications to provide to students.

Routes of Medication Provided

Eligible school medication providers may provide oral and non-oral, noninvasive medication (i.e., medication provided by non-parenteral routes) to students covered by this policy.

Except for students covered by an Individual Education Program (IEP) or 504 Plan, if a student's medication requires administration through the parenteral route, the District may deny a parent's/guardian's request to provide such medication or may require the parents/guardians to

reimburse the District for the expense of hiring a healthcare provider who has authority under state law to administer such medication, if the District does not have a medically qualified and eligible school medication provider on staff who is willing to administer the medication. Eligible school medication providers shall not provide medication through parenteral routes unless they have the proper authority under state law, including certification or licensure, to perform such functions. The District shall retain verification of such authorization, certification, or licensure.

If a medically qualified and eligible school medication provider is requested to perform any invasive medication administration, the District first should contact its insurer to determine if additional liability coverage is necessary if the District has not previously made this inquiry.

Students Eligible for Participation

The following students are eligible for participation in the medication program established by this policy:

1. Students who qualify for this service under their IEP or 504 Plan. The District shall pay the cost of these services.¹
2. Students who are not covered by the Individuals with Disabilities Education Act (IDEA) or 504 but who require medication when under the direct supervision of the school and whose parents/guardians are unable to make arrangements to provide medication themselves. An exception to such a student's participation in the medication program may apply if the student requires medication through a parenteral route (see section on routes of medication provided).
3. Students who require emergency epinephrine treatment in accordance with ND Administrative Code Ch. 33-37-01 and/or students who require emergency medication under NDCC 15.1-19-16. This policy, ACBD, shall not supersede NDCC 15.1-19-16, which contains criteria for a school to authorize student self-administration of emergency medication.

The building principal and Superintendent are authorized to approve other circumstances under which a student is eligible to participate in the school's medication program. This administrator should contact legal counsel and should request permission from the student's parent/guardian to consult with the student's healthcare provider (to better understand the implications and scope of the request) before acting on such requests.

First Dose of Medication

Whenever possible, the first dose of medication should be given to a student at home.

Requirements for Parents/Guardians Prior to District Providing Medication

A parent/guardian must sign a written form authorizing his/her student to receive medication from an eligible school medication provider prior to carrying out this service. A new authorization form is required anytime the student has a change in his/her medication regimen, when a new medication is to be provided, when the District assigns a new medication provider to the student, and at the beginning of each school year. This form must include the following:

1. **For over-the-counter medication:** Must include instructions from the parent/guardian on how, when, and how long to provide medication. Requests to provide a dosage other than as recommended by the manufacturer shall require approval from an appropriate healthcare provider.
2. **For prescription drugs:** Requires written authorization and instructions from an appropriate healthcare provider on how, when, and how long to provide medication.
3. **For more than one medication (prescriptions, over-the-counter medications, or both):** Must include information from a healthcare provider certifying that the drugs are

¹ If a physician's services are required, the District may not be responsible for paying this cost.

not known to adversely interact or information on how to avoid any known adverse drug interactions.

4. **For students with allergies:** If a student has any known allergies, the parent/guardian shall provide this list of allergies to the school with all medication requests and include certification from a healthcare provider that the student is not known to be allergic to medication that the school is requested to provide. This list must be accompanied with certification that the student has knowledge of all of his/her known allergies and has received education and training on signs and symptoms of allergic reactions and how to prevent them.
5. **For all requests for the school to provide medication:**
 - a. Contact numbers for the student's parents/guardians and healthcare provider(s).
 - b. Waiver of confidentiality allowing administration or the eligible school medication provider to contact the student's healthcare provider(s) with questions or concerns and allowing the District to share information about the student's health condition and/or medication regimen with any school employee/volunteer with a legitimate need to know.
 - c. Information on possible adverse reactions and side effects associated with each medication that the parent/guardian is requesting the school to provide and certification that students have been educated in possible side effects.

Medication Check-In Requirements When District is Providing Medication

When sending medication to school, parents/guardians must comply with the following requirements:

1. If the over-the-counter medication is supplied by the student's parent or guardian, it 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, date of birth, and, if unsealed, the number or amount of medication in the container.
2. 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, student's date of birth, name of the prescription medication, dose, expiration date, storage instructions (if any), administration directions, number or amount of medication included, and the container must list or be accompanied by active ingredients in a legible format. 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.
3. If dispensing equipment is required (e.g., measuring cups, droppers), it must be provided by the parent/guardian. The equipment must be clean, operable, and labeled with the student's name and date of birth. Any special medical equipment storage instructions must be provided to the school by the parent/guardian or student's healthcare provider.

All medication must be hand delivered by a parent/guardian to the designated district official. This official shall ensure that the appropriate authorization form(s) is/are complete, that the medication has not expired, that the medication is appropriately labeled in accordance with above requirements, and that parents/guardians have complied with all other applicable provisions of this policy before accepting the medication from the parent/guardian.

Student Self-Administration Policy

Students are NOT permitted to self-administer medication unless authorized by the building principal or Superintendent for emergencies situations only.

Additional Prohibitions, Restrictions, and Requirements for Students

All students are required to comply with the district's policy on drug and alcohol free schools, which contains prohibitions on illegal activities associated with prescription and over-the-counter medication. Students who violate the Drug and Alcohol Free Schools policy by engaging in a prohibited activity with medication originally authorized by this policy may be subject to disciplinary action. In addition, the District may refuse to provide medication to the violating student as long as:

1. The student is **not** covered by an IEP or 504 Plan.
2. The medication is **not** covered by an emergency provision in law or needed on an emergency basis as determined by administration in consultation with the student's healthcare provider (i.e., an inhaler, epi-pen, or insulin).

Parents/guardians of violating students not subject to an exception above will be required to make arrangements to provide medication to their children during the school day.

Students who are covered by this policy and taking medication at school must agree to report any known sign or symptom of a side effect, adverse medication reaction, or allergic reaction to a school official when the student is in school or otherwise under the school's supervision. Students authorized to carry medication must agree not to leave the medication unattended or unsecured and accessible to other students.

Medication Off-Campus When Student is Under District Supervision

Parents/guardians must make arrangements with the building principal for students who will require medication off-campus while under the district's supervision prior to the activity or event (e.g., students who participate in extracurricular events or field trips). At a minimum, parents/guardians making such a request shall be required to comply with the applicable authorization requirements contained in this policy. The District shall develop, on a case-by-case basis, check-in and storage requirements for all medication provided. The District may consult the student's healthcare provider(s) when developing these rules.

Liability Disclaimer

It is not the intent of the District to expand or modify the district's potential liability exposure through the development of this medication program. The district's voluntary creation of this program shall not be construed to create or assume any potential liability under any local, state, or federal law or regulation. State law provides liability protection for establishing and providing medication under a school medication program. This protection extends to all eligible school medication providers, the District, and the Board so long as each party is acting in good faith.

The District is not responsible for determining the qualifications of healthcare providers whose signatures appear on prescriptions and other medical documentation submitted to the District by parents/guardians. The District assumes that by signing such documentation, the healthcare provider is attesting to the validity of his/her qualifications and credentials. The District will comply with healthcare providers' orders but assumes no liability for their content.

End of South Heart School Policy ACBDAdopted: 1/13/16

PARENT REQUEST FOR MEDICATION ADMINISTRATION
School Board Policy ACBD-E2

Student: _____ Birthdate: _____ Grade: _____
Responsible Staff Person(s): Secretary, classroom teacher, paraprofessionals, and
administration.
Known allergies of student: _____

.....
Medication (Name and Prescription Number): _____

Dose: _____ How given (ex: oral): _____

Time/Frequency: _____ Continue until: _____

Possible side effects the medication may have on learning and physical functioning:

Physician: _____

Physician's Address: _____

Physician's Telephone: _____

.....
Parent/Guardian Authorization

I request/consent that this medication be given to my child in the manner specified above. I give permission to school personnel to administer the medication. I understand that the administration of the medication will not be done by a nurse. I will notify the school immediately if my child's health status changes, or there is a change or cancellation of this medication.

In consideration of this authorization made at our request, the undersigned agrees to indemnify, defend, and save harmless the School Board, the individual members thereof, and any officials or employees involved in the administration of medications to the above named student from any claims or liability for injury or damages, including but not limited to cost and reasonable attorney's fees, caused or claimed to be caused or to result from the administration of the above described medications.

Parent/Guardian signature: _____ Date: _____
Phone (H): _____ Phone (W): _____ Phone (C): _____

SEARCHES OF LOCKERS
School Board Policy FGCA

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 suspicionless 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. Administrators shall make a reasonable attempt to have students present during searches of personal items contained in lockers except when an immediate search is necessary in the event of an emergency.

The Superintendent should be notified whenever a search has been conducted if the Superintendent was not involved in the search.

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 will be turned over to proper authorities.

End of South Heart School Policy FGCAAdopted: 3/9/16

SEARCHES OF STUDENTS & STUDENTS' PERSONAL PROPERTY
School Board Policy FGCB

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 principal 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 will be turned over to proper authorities.

Reporting Requirements

The administrator who authorized the search shall notify the Superintendent whenever a search has been conducted

End of South Heart School Policy FGCBAdopted: 3/9/16

SPORTSMANSHIP REGULATIONS

School Board Policy ABCB-BR

Good sportsmanship is a primary goal of athletic programs in the South Heart Public School District. Both adults and students are expected to exhibit good sportsmanship during athletic events.

Students and their parents shall be informed of the district's expectations and parental cooperation will be sought in maintaining good sportsmanship. Coaches and other adult supervisors shall use appropriate disciplinary measures, such as but not limited to, loss of playing time and possible removal from the team, as a deterrent to poor sportsmanship. Student fans will be held to the same standard as players. In addition to the possibility of being barred from attendance at further events, misconduct at an extracurricular event will bear the same consequences as misconduct during school.

Coaches and adult leaders may also use suitable rewards and other positive incentives to encourage good sportsmanship among students.

Coaches and other adult leaders are also expected to exhibit good sportsmanship. Instances of failure to do so will result in disciplinary action such as but not limited to, oral and written reprimands; failure to correct negative behavior could result in possible suspension from extra-duty activities.

Fans and spectators who are not students are also expected to show good sportsmanship. Failure to do so is cause for security personnel and administrators to suggest that they are not serving as a good role model for young people and if negative behavior persists or is particularly offensive, they will be asked to leave and may be restricted from attendance at future events.

End of South Heart School Policy ABCB-BRAdopted: 1/13/16

STUDENT ALCOHOL & OTHER DRUG USE/ABUSE

School Board Policy FFA

This policy pertains to alcohol and other drug use/abuse. Tobacco use is defined in a separate policy.

Philosophy

The South Heart 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.

Definitions

This policy defines the following:

- *Alcohol* – See Prohibited Substances.
- *Drug* – See Prohibited Substances.
- *Possession shall mean:*
 - 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;
 - c. in the student’s locker, car, handbag, backpack, or other belongings while on school property; or
 - d. appearance by a student on school property after having consumed or ingested alcohol or a drug 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)(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 Substances

Prohibited substances include, but are not limited to:

1. Alcohol, powdered alcohol, or any alcoholic beverage as defined in NDCC 5-01-01;
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 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:

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 listed in this policy.
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 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 that 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,² a teacher is required to report known or suspected violations of this policy to the school principal or Superintendent.

Violation

When a principal/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.

Such searches shall not include referral for mandatory alcohol/drug testing.

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 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 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

²When a teacher/principal participates in a juvenile court program and receives confidential information about a 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 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 drugs and/or alcohol.

The South Heart 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.

**End of [Name of District] Policy FFA Adopted: 11/11/15
Amended: 11/8/17**

STUDENT CONDUCT & DISCIPLINE

School Board Policy FF

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 South Heart 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.

End of South Heart School Policy FFAdopted: 11/11/15

STUDENT CONDUCT STANDARDS & DISCIPLINARY PROCEDURES

School Board Policy FF-AR

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 submit a misconduct report 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.

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 a misconduct report for the principal to review. The principal shall conduct further investigation as deemed necessary and shall include his/her findings on the misconduct report. This report 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.

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.

Detention

If a student is required to serve detention, his/her parent shall be notified by the school.

End of South Heart School Administrative Regulation FF-AR

EXAMPLES OF STUDENT CONDUCT VIOLATIONS

School Board Policy FF-E

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, failure to complete an assignment, etc.
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, habitual indolence, etc.
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, extreme habitual indolence, etc.

End of South Heart School Exhibit FF-E

STUDENT CUSTODY

School Board Policy FCBD

Section I: Parent's/Legal Guardian's Rights at School

The South Heart Public School District assumes that both of a student's biological or adopted parents and all other legal guardians (hereafter parents) have equal access to their child at school, play an equal role in educational decisions related to their child, and have equal access to their child's educational record restricted only by limitations delineated in district policies and regulations that are applicable to all parents/guardians and when access/participation is reasonably predicted by the Superintendent or Principal to disrupt the educational environment. Exceptions to these assumptions exist when criteria in Section II of this policy have been satisfied.

Section II: Restricting Parent/Guardian Access and Rights

A parent is responsible for providing the District with legally binding documentation (e.g., court order) restricting parent rights. Such documentation must be current and a parent is responsible for ensuring that the documentation remains up-to-date. District personnel shall not initiate a request for or otherwise actively seek information pertaining to student custody.

The District will act in good faith to comply with the terms and restrictions of any current legally binding document pertaining to student custody that is provided to one of its schools. However, it shall not be responsible for validating the authenticity of such documentation or interpreting and implementing any provision that is unclear.

If a parent makes a student access request that is not addressed clearly by the legal documentation on file, the District shall notify both parents that the documentation on file is unclear, that the District needs further clarification from the court on this matter, and that the District will consult with its attorney on how to respond to the request in the interim while additional documentation is being sought by the parent(s).

Section III: Student Visitation and Release

A request by a parent to visit or otherwise access his/her child at school shall be handled in accordance with applicable district policy and rules (e.g., rules on visitors in schools, parent visits to school, phone calls at school, etc.). The District shall deny any request that the Superintendent or Principal reasonably predicts will disrupt the educational environment or any request that is prohibited by current legally binding custody documentation on file with the school.

A request by a parent to have a designee pick up or drop off his/her child shall be handled in accordance with district policies and rules governing this matter; however, the District shall deny any request that the Superintendent or Principal reasonably predicts will disrupt the educational environment or any request that is prohibited by current legally binding custody documentation on file with the school.

The District prohibits on school property exchange of children for visitation purposes (i.e., exchanges that are condition of a custody order).

Section IV: Release of Student Educational Records

In accordance with the Federal Educational Rights and Privacy Act (FERPA), the District shall assume that both parents have equal rights to student educational records (as established by FERPA), including the right to authorize a designee access, unless:

1. Restricted by current legally binding custody documentation on file with the school, or
2. The District is aware that a student or his/her parent is participating in domestic violence or sexual assault program. In such cases, the District should contact its legal counsel to determine if any information from the student's educational record should be released to the requesting parent/designee.

Section V: Responding to Parent/Guardian Disagreements

In the event that parents engage in a custody or visitation dispute on school property, a school official, if possible, shall remove the student from the dispute to ensure the child's safety (e.g.,

escort the child inside the school building, move the child to the school office) and contact law enforcement.

Parent requests related to his/her child's education shall be handled in accordance with applicable district policy except when the parent does not have authority to make such requests as stipulated in current legally binding custody documentation on file with the school. Neither parent has a fundamental right generally to direct how a public school teaches their child.

The consent of both parents is required before the District places a student on an Individual Education Program if:

1. The student's parents are divorced or separated, and
2. Both have the right to make educational decisions on behalf of their child as stipulated in legally binding custody documentation on file with the school.

End of South Heart School Policy FCBD.....Adopted: 3/9/16

STUDENT DRESS CODE School Board Policy FFH

The Board encourages students to use sound judgment in dress and grooming. While attention seeking devices in dress and grooming are discouraged, students shall not be prevented from attending school or a school-sponsored activity because of appearance if style, fashion, or taste is the sole criterion for such action.

Prohibitions

The District prohibits the following articles of clothing or decoration at school-sponsored functions and/or on school property. Clothing/decoration that:

1. Is reasonably likely to substantially disrupt the educational environment;
2. Poses a health or safety risk;
3. Is destructive to school property and/or causes excessive maintenance problems;
4. Is intended to identify the student as a member of a gang;
5. Promotes illegal activities and/or the use of tobacco or alcohol.

The administration will make reasonable efforts to notify students of these rules. Each building principal shall develop a procedure for handling and disciplining students in violation of these rules.

While the school administration may require students participating in physical education classes to wear certain apparel which meets reasonable health and safety standards as established by the Board, they may not prescribe a specific brand that students must buy.

End of South Heart School Policy FFH.....Adopted: 3/9/16

Dress Code Explanation

1. All shirts, sweaters, blouses, tops and dresses must meet the following conditions:
 - a. Not expose the midriff or lower while standing or sitting.
 - b. Must not be see through, low-cut as to reveal cleavage, strapless or backless or have low-cut armholes.
 - c. Straps covering shoulders must be at least 1" in width.
2. Appropriate clothing length (shorts, skirts, dresses, etc) will be measured by wearer's fingertips resting above the bottom of the clothing when wearer stands with arms at his/her sides.

3. Pants/shorts/etc are unacceptable if sagging or worn below the waist in a manner that allows undergarments or bare skin to show. If low-cut pants/shorts/etc are worn, a top that completely covers the midriff/back area must be worn.
4. All clothes must fit so that undergarments are not visible.
5. Written or pictorial messages on clothing, jewelry, book bags, notebooks, etc, are not allowed if they are vulgar or suggestive, interpreted as “gang” apparel, belittle any race, religion, nationality or gender, or promote tobacco, alcohol or illicit drugs.
6. Pajamas, slippers or other loungewear are not appropriate for school.
7. Headgear is not to be worn.

Exceptions to the dress code for special occasions may be granted with pre-approval of the administration.

If the school administration determines that a student’s personal appearance or dress violates the dress code, the student shall be given the opportunity to correct the problem at school. If not corrected, the student may be assigned to in-school suspension for the remainder of the day or until complying with the dress code. Repeated offenses may result in more serious disciplinary actions.

Outdoor/Physical Education Attire

Elementary students are expected to go outdoors during recess break; therefore, it is important that they have suitable clothing for the weather: boots, mittens, coat, snow pants and a warm cap. Please see to it that these items are appropriately marked so that if they become lost, they can be returned to the rightful owner. **Each child must have a pair of tennis shoes for indoor physical education classes (these cannot be worn outside).**

STUDENT INTERROGATIONS

School Board Policy FGCC

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.

Police Interviews

Police do not have a right to interview a student on school property or remove students from school property for purposes of an interview. Administrators shall encourage law enforcement to schedule interviews with students at times when students are not under the district’s jurisdiction. When such scheduling is not feasible as determined by the building principal or Superintendent, the building principal or Superintendent shall allow an on campus interview of a student so long as the following criteria is met:

1. The officer is properly identified.
2. Parents are notified and provide consent. When an attempt to notify a parent is made and s/he cannot be reached, the law enforcement official shall be required to make alternative arrangements with the student/parent to conduct the interview off campus. If the student’s parent is the suspect of a crime and the subject of the law enforcement interview, this requirement may be waived. In such cases, administration shall inform the student of his/her right to decline an interview by law enforcement. If an investigation of an offense focuses upon the child as the person who committed the offense, any statement of the child must be made in the presence of that child’s parent, guardian, or custodian, or in their absence, in the presence of an attorney.

3. If the parent or guardian cannot be present, then a school official should sit in the conference in the parent's stead except when a student is the subject of a law enforcement investigation.
4. Students shall not be subject to coercion or illegal restraint.
5. Students shall not be removed from school property without proper legal documentation as delineated below.

Police Officer's Rights

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/Principal should be notified immediately when any of the actions listed below has occurred.

1. **Right to Take 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 either an order signed by a judge of the juvenile court authorizing the taking of the student into custody, or to display a warrant for the student's 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 at the home of the student whenever possible.

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.

End of South Heart School Policy FGCCAdopted: 3/9/16

STUDENT RECORDS

South Heart School keeps a permanent record folder for each student registered in the district which contains their scholastic records, attendance, and health records under their legal name.

Please keep your address, phone number, and emergency number current.

STUDENT USE OF PERSONAL TECHNOLOGY

School Board Policy FFI

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.
 - g. Infringes on the rights of others, such as (but not limited to) material that is potentially libelous or invades an individual's privacy.

- h. 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:
 - i. Has the capability to connect to one or more networks including but not limited to, a cellular network, Internet, Ethernet, and/or Bluetooth
 - j. Has a digital camera and/or video recording device
 - k. Has a microphone
 - l. Has data storage capability
 - m. Has an operating system and/or the capability of running software, apps, and/or electronic games.
- *School property* is defined as all property owned or leased by the District, school buses, and other district-owned or contracted vehicles.

Prohibitions

The South Heart 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 inappropriate content and/or transmit inappropriate content while on school property and/or participating in school-sponsored events.
3. Students are prohibited from displaying and/or using personal technology in areas where there is a reasonable expectation of privacy 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 on school property and at school-sponsored events.
4. 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 activity.
5. Students are prohibited from using personal technology disruptively or in a manner that potentially compromises the safety of others on district property and during school activities.
6. To ensure safety and efficiency, students may be prohibited from using personal technology between classes in district hallways, when entering and exiting district transportation, and when required to be in line for activities such as, but not limited to, recess and lunch.
7. Students are prohibited from using personal technology to photograph or record (audio or video) any other person while on school property or while attending a school activity unless they have notified and received permission from the other person. Exceptions include public events where a reasonable expectation of photography and/or recordings is routine.

Classroom Use

Elementary classroom teachers may prohibit possession and/or use of personal technology in the classroom. Middle and high school classroom teachers may prohibit possession and/or use of personal technology in the classroom.

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.

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 will be subject to disciplinary procedures 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 and the Superintendent and retain the device until further directed by law enforcement or the Superintendent.
2. If the confiscate 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.
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 student personal technology only when s/he has credible, specific, and timely reason to believe that the device contains evidence of wrongdoing by a student or potential harm to self or others. Only areas of the device reasonably related 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, s/he 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 his/her 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).

**End of South Heart School Policy FFI..... Adopted: 3/9/16
Amended:6/14/17**

SUSPENSION AND EXPULSION

School Board Policy FFK

Definitions

This policy defines the following:

- *School property* means all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by the 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.
- *Dangerous weapon* as defined by NDCC 62.1-01-01
- *Firearm* as defined by NDCC 62.1-01-01

Suspension Authority

The Board hereby delegates to the building Principal the authority to deal with disciplinary problems in their school, including suspension of a student.

Suspension shall not be imposed beyond the maximum duration permitted by law.

Expulsion Authority

The Board hereby delegates to the building Principal the authority to recommend expulsion of a student. 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 South Heart Public School 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 person except in self-defense;
4. Possessing or transmitting 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;
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 and 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

Suspension or expulsion of students with disabilities must comply with the provisions of the Individuals with Disabilities Education Act.

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.

End of South Heart School Policy FFK..... Adopted: 11/11/15
Amended: 6/8/16
Amended: 11/8/17

SUSPENSION AND EXPULSION REGULATIONS

School Board Policy FFK-BR

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 initially determine whether or not a student shall be suspended rests with the building Principal 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.

Suspensions - Due Process Appeal Procedure

Before being suspended, the student will be advised of the nature of the violation, the evidence against him/her, and the right to request an appeal hearing within three school days of the building Principal's decision. If a student wishes to appeal the decision, an appeal hearing must be requested to the building Principal within three school days of being notified of the suspension. Once the request is made, the appeal hearing will take place as soon as possible, preferably within three days of the request to have such hearing.

Appeal Hearings: The following parties may be involved: the participant being charged, parents/guardians of the participant, witnesses to the violation, the investigating building

Principal, and legal counsel for the participant if he/she desires. The participant being charged will be allowed to testify, to have witnesses, and to question all witnesses.

Initial Appeal: The initial appeal hearing will be heard by the Superintendent. Once the appeal hearing is over, the Superintendent will render a decision. The Superintendent may delay his or her final decision if he or she feels it necessary to investigate the incident further. If a student wishes to appeal the decision of the Superintendent, an appeal hearing to the South Heart School Board must be requested to the Superintendent within three school days.

Final Appeal: The final appeal hearing will be heard by the South Heart School Board. The School Board may delay its final decision if they feel it necessary to investigate the incident further.

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. If the student involved has a disability, see the exhibit 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 or not 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 to 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 or not 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 or not 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 exhibit on guidelines for hearings.

TOBACCO FREE SCHOOL AND WORKPLACE NORTH DAKOTA'S COMPREHENSIVE MODEL SCHOOL POLICY FOR TOBACCO USE

School Board Policy ABBA

Definitions

For purposes of this policy:

- *Electronic smoking device* means any device that can be used to deliver aerosolized or vaporized nicotine to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen or e-hookah. Smokeless tobacco means any snuff or chewing tobacco.
- *Possession of Tobacco Products means:*
 - a. Actual physical possession of the tobacco product while on school property;
 - b. Use or consumption of the tobacco product while on school property;
 - c. Tobacco product located in the student's locker, car, handbag, backpack, or other belongings while on school property; or
 - d. 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.
- 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 that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. Tobacco product also includes any electronic smoking device.
- *Tobacco use* means smoking and the heating, inhaling, chewing, absorbing, dissolving or ingesting any tobacco product.

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, the South Heart Public School Board establishes the following tobacco-free policy.

Use & Possession Prohibitions

1. **Students:** Possession and/or use of tobacco products by students on school property is prohibited at all times.
2. **Staff/Visitors:** The use of tobacco products by all school employees and visitors on school property is prohibited.

This policy includes all events on school property that are not sponsored by, or associated with, the school at all times.

3. **Additional:** The District will not allow advertising of tobacco products on school property or in any school publications. This includes clothing that advertises tobacco products.

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

Communicating to Students, Staff, & Public

This policy will be printed in employee and student handbooks. The District shall comply with all smoking prohibition posting requirements in NDCC 23-12-10.4 and post such notices in other highly visible places in all district schools and property, such as, but not limited to: school playgrounds, athletic fields and school-sponsored events (on district property). Parents will be sent notification in writing, and the local media will 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.

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.

End of South Heart School Policy ABBA.....Adopted: 1/13/16
Amended: 9/14/16
Amended: 11/8/17

VIOLENT & THREATENING BEHAVIOR
School Board Policy ACE

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.

