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STUDENT POLICIES/GOALS

The student is the focal point of all operations of a school district.

Consequently, the board will spend much of its time in study, deliberation, and policy formulation on matters directly related to students.

The board and staff will work together to establish an environment conducive to the very best learning achievements for each student through meeting the following goals regarding students.

- 1.) To tailor the learning program in order to provide appropriately for each student according to his/her specific background, capabilities, learning styles, interests, and aspirations.
- 2.) To protect and observe the legal rights of students.
- 3.) To enhance the self-image of each student by helping him/her feel respected and worthy through a learning environment that provides positive encouragement through frequent success.
- 4.) To provide an environment of reality in which students can learn personal and civic responsibility for their actions through meaningful experiences as school citizens.
- 5.) To deal with students in matters of discipline in a just and constructive manner.
- 6.) To provide for the safety, health, and welfare of students.
- 7.) To promote faithful attendance and good work.

Adoption Date:	May 14, 1998
Policy Committee Review:	September 28, 2005
Policy Committee Review:	November 24, 2010

EQUAL EDUCATIONAL OPPORTUNITIES

The Dakota Valley School District does not discriminate in its policies and programs on the basis of sex, or sexual orientation, race, color, age, religion, disabilities, or national origin.

Inquiries concerning the application of Section 504 of the Rehabilitation Act, Title VI of the Civil Rights Act and the American with Disabilities Act should be brought to the attention of: the Special Services Director, 1150 Northshore Drive, North Sioux City, SD 57049 or by phone at (605) 422 - 3800.

Inquiries concerning the application of Title IX, and School Food Services should be brought to the attention of: the Superintendent of Schools, 1150 Northshore Drive, North Sioux City, SD 57049 or by phone at (605) 422 - 3800.

To file a complaint regarding Section 504, Title VI or Title IX, please contact the Regional Office for Civil Rights, write to the U.S. Department of Education, Office of Civil Rights, One Petticoat Lane, 1010 Walnut Street, 3rd Floor, Suite 320, Kansas City Missouri 64106. You may also call (816) 268 - 0550 or TDD to (800) 877 - 8339 or fax to (816) 268-0599.

To file a complaint of discrimination in regard to school food service, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer.

To accomplish this policy on non-discrimination, the board will make every effort to provide all students equal access with respect to admission or membership in school-sponsored organizations, clubs, or activities; access to facilities; distribution of funds; academic evaluations; or any other aspect of school-sponsored programs or activities.

The board recognizes, however, that in implementing this policy, children vary widely in capabilities, interests, and social and economic background, and that no two children can be treated exactly alike if the fullest development of each is to be achieved.

LEGAL REFS.: Civil Rights Act of 1964, as amended in 1972, Title VI, Title VII Executive Order 11246, 1965, amended by Executive Order 11375; Education Amendments of 1972, Title IX (PL 92-318)45 CFR, Parts 81, 86 (Federal Register, June 4, 1975, August 11, 1975; Education for All Handicapped Children Act (PL 94-142)Section 504 of the Vocational Rehabilitation Act of 1973 SDCL 13-28-5; 13-28-6; 13-28-14

CROSS REFS.: AC: Non-discrimination; IGB: Programs for Disabled Children; JECC: Assignment of Students to Schools; JFA: Student Due Process Rights

Adoption Date: May 14, 1998
Policy Committee Review: September 28, 2005
Policy Committee Review: November 24, 2010
Revised: September 8, 2014

COMPULSORY ATTENDANCE AGES

Under South Dakota law, children between the ages of 6 and 18 are of compulsory school age. It is the responsibility of every person having under his/her control a child between those ages to see to the child's attendance at school until the child has reached the age of 18, unless excused under South Dakota Codified Law.

Any person who does not see to the school attendance of a child in his/her care will be guilty of a misdemeanor and, if convicted, will be subject to a fine as established by law.

No student will be denied the right of attending school without due process of law.

LEGAL REFS.: SDCL 13-27; 13-27-1.1; 13-32-4.1; 32-32-4

CROSS REFS.: JEDA, Truancy

Adoption Date: May 14, 1998
Revised: November 14, 2005
Revised: January 12, 2011

STUDENT ALTERNATIVE INSTRUCTION

EXCUSE FROM SCHOOL -

State law requires that children of compulsory school age (at least six years old by the first day of September, and not yet eighteen years old) must regularly attend some public or non-public school, unless excused from school attendance by the school board. All requests for excused absence from school must be in writing. A child will be excused from school attendance if a child is provided with alternative instruction for an equivalent period of time as in the public schools in the basic skills of language arts and mathematics. Any parent/guardian of a child of compulsory school age may request that the child be excused from school attendance. The form for requests for a child to be provided with alternative instruction is provided by the State Department, and may be obtained from the administration center. The request for alternative instruction must be filed annually.

Any child so excused from school shall annually take the test required by state law. Any student who has reached eighteen years of age need not be excused from school in order to receive alternative instruction.

RE-ENROLLMENT IN SCHOOL -

- 1.) **Elementary** - Any child of compulsory school age, who has been receiving alternative instruction in an unaccredited setting, seeking enrollment in the Dakota Valley School District, shall be placed at the child's demonstrated level of proficiency established by the district's standardized tests. The child's placement may not be at a grade level higher than warranted by the child's chronological age, assuming entry to the first grade at age six years, and annual grade advancement thereafter. The standardized test shall be administered by school personnel and scored as required by the test protocols.
- 2.) **Secondary** - Any student who has been receiving alternative instruction in an unaccredited setting and seeks enrollment in the Dakota Valley School District in grade 9 or above, shall be placed in the grade level established by standardized English and mathematics tests, to be administered by the district. The student shall be assigned the minimum passing credit for the grade levels associated with the standardized tests.

The student may request credit for any other subject equivalent to a subject provided by the Dakota Valley School District. The high school principal shall review the student's alternative instruction transcript and may award credits based upon the student's performance on teacher-made tests provided to students in similar courses in the Dakota Valley School District. Any such credits so awarded shall count towards the student's required credits for graduation.

- 3.) **Appeals of Decisions** - Any parent(s)/guardian(s) or eighteen year old student aggrieved by a grade or credit determination may, pursuant to this policy, appeal the determination to the board of education. Decisions made by the school board under this policy may be appealed to the Secretary of the Department of Education, pursuant to South Dakota Codified Law.

LEGAL REFS.: SDCL 13-27-3, 7, 8, and 29

CROSS REFS.: JECAA, New Residents

Adoption Date: May 14, 1998
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ENTRANCE AGE

Kindergarten - All children entering kindergarten for the first time must be five years of age on or before September 1st.

When a child has been enrolled in kindergarten in another state prior to moving to the district and does not meet South Dakota entrance age requirements, a conference involving the building principal, the teacher, and the parent will be held. The parent will be informed that the child will be placed in kindergarten on a trial basis until such time as the principal and teacher can determine whether the welfare of the child can best be served by retaining him in school or by withholding admission until the following school year. In most cases, the trial period will not exceed two or three weeks.

First Grade - All children entering first grade must be six years of age before September 1st. First grade transfer students who do not meet state age requirements will be handled in the same manner as the kindergarten students. A student not yet prepared for first grade may be placed in kindergarten.

Proof of birth date will be required (**See File: JEC**).

LEGAL REFS.: SDCL 13-28-2; 13-27-3.4

Adoption Date: May 14, 1998
Revised: November 14, 2005
Policy Committee Review: November 24, 2010

SCHOOL ADMISSIONS

In accordance with state law, all persons over 5 and under 21 years of age and all veterans (except dishonorably discharged veterans) who are residents of the district will be eligible to attend the public schools free of charge, if they have not already received a high school diploma.

Upon registration, all new students will be required to present:

- 1.) A certified birth certificate **(see note below)**:
- 2.) Record of immunizations and a health certificate from a licensed physician;
- 3.) Proof of residency, if requested.

NOTE: In such cases where the original birth certificate is unattainable, a certified copy of the child's birth certificate or an affidavit in lieu of a birth certificate as issued by the Department of Health may be accepted.

LEGAL REFS.: SDCL 13-28-5; 13-28-7; 13-28-7.1; 13-28-14; 13-27-3.1
ARSD 24:03:09:09

CROSS REFS.: JECA, Admission of Resident Students

Adoption Date: May 14, 1998
Revised: November 14, 2005
Policy Committee Review: November 24, 2010

ADMISSION OF RESIDENT STUDENTS

School residence for the purpose of claiming free school privileges means the legal residence of the student's parents or guardian except as provided in § 13-28-10. If a parent or guardian has more than one residence, the school residence is the residence where the parent or guardian actually lives and makes a home or domicile.

The student or the student's parents or guardian may not establish school residence and be exempt from the payment of tuition if the residence of the parents or guardian of the student is acquired solely or principally for obtaining free school privileges.

If a student's parents or guardians are separated or divorced, the school residence is the school district in which the custodial parent or guardian has residence. If the parents or guardian have joint custody of a student, school residence is that of the parent or guardian with whom the child resides the greater portion of the school year.

If a school age child resides in a home other than the residence of his parents, guardian, or noncustodial parents on a temporary or permanent basis, the school residency of the child is where the parents, noncustodial parents, or guardian reside unless, upon request of the person with whom the child is living, the local school board accepts the child as a resident of that school district. (see Policy JEG-E)

However, a school age child is a resident of the school district where the school age child is placed by the Unified Judicial System, the Department of Corrections, or entities approved by the Department of Social Services, including a foster home.

LEGAL REFS.: SDCL 13-28-9; 13-28-10

CROSS REFS.: JEC, School Admissions

Adoption Date: May 14, 1998
Policy Committee Review: September 28, 2005
Revised: January 12, 2011

NEW RESIDENTS

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

A student of compulsory school age, that has been attending an unaccredited school or receiving alternative instruction and enrolls in the school district, shall be placed at the students demonstrated level of proficiency as established by one or more standardized tests. The student's initial placement may not be in a grade level higher than warranted by the student's chronological age assuming entry into the first grade at age six and annual advancement thereafter. After initial placement, the student may be advanced according to his/her demonstrated performance.

High school credit will be accepted from high schools approved by the state department of education and/or regional accrediting agencies similar to the North Central Association of Colleges and Schools. A student, who has attended an unaccredited school or has been receiving alternate instruction and enrolls in the school district, shall be placed in English and mathematics at the level of achievement demonstrated by one or two standardized tests. In all other subjects, the principal shall take into consideration transcripts, general achievement, mental, physical, emotional, and social maturity of the student before grade placement. The student's initial placement may not be in a grade level higher than warranted by the student's chronological age, assuming entry into the first grade at age six, and annual advancement thereafter. After initial placement, the student may be advanced according to his/her demonstrated performance. A student intending to graduate from high school must meet graduation requirements of the state and school district.

LEGAL REFS.: SDCL 13-27-1, 13-27-3, 13-27-29, 13-28-21
ARSD 24:03:02:01

CROSS REFS.: JEAA, Student Alternative Instruction
JEB, Entrance Age

Adoption Date: May 14, 1998
Policy Committee Review: September 28, 2005
Revised January 12, 2011

**ADMISSION OF NONRESIDENT STUDENTS
(OPEN ENROLLMENT)**

The Dakota Valley School District will accept students from other districts wishing to enroll, provided the Dakota Valley School District can provide a quality education program based upon factors, criteria, and/or standards adopted by the board (see Section B below) and subject to the following general principles:

(For the purposes of this policy, the term "resident district" means the district in which a student has legal residence as determined by SDCL 13-28-9. The term "nonresident district" means the school district in which a nonresident student seeks to enroll. An "emancipated student" is a student under the age of 18 who (1.) has entered into a valid marriage, (2.) is on active military duty, or (3.) who has obtained a court order declaring the child emancipated.)

A.) GENERAL PRINCIPLES:

- 1.) A student who is a legal resident of another South Dakota district seeking to transfer into the Dakota Valley School District. The application must be on forms provided by the Department of Education and available in the Superintendent's office. The application must be made by the student's parent(s)/guardian(s) (if the student is under age 18) or by an emancipated student.
- 2.) For nonresident student transfers; parent(s)/guardian(s) or the emancipated student shall authorize the resident district to provide copies of the student's educational, attendance and discipline records to the Dakota Valley School District sufficiently in advance, in order that the District may receive the copies prior to board action on the application.
- 3.) The applications for nonresident students will be approved or disapproved by the Dakota Valley School Board at a scheduled board meeting and the applicant and resident district will be notified of the decision within five (5) days of the decision. Applications for enrolling nonresident students will be acted upon in the order received. The applicant through notification to all affected school boards may withdraw the application (even if the Dakota Valley School Board has approved the application).
- 4.) Once approved by the Dakota Valley School District, the student must attend school in the Dakota Valley School District for the next school year (subject to A-2 above) unless the school boards of both districts agree in writing, to allow the student to return to the original district.
- 5.) Once a nonresident student is enrolled in the Dakota Valley School District, the enrollment will be continuous from one school year to the next, unless (a.) the parent(s)/guardian(s) or emancipated student changes residence into another school district, or (b.) until a subsequent transfer application is received and approved.

- 6.) The Dakota Valley School District will accept credits granted for any course successfully completed in another state-accredited school. The Dakota Valley School District will award a diploma to a nonresident student **only** if the student satisfactorily meets the Dakota Valley School Districts graduation requirements.
- 7.) Transportation to and from school for a nonresident student attending school in the Dakota Valley School District is the responsibility of the applicant/family.
- 8.) In order to provide sufficient time for a placement committee meeting to be convened, parents/guardians are asked to submit the application in a timely fashion.
- 9.) Notwithstanding the provisions of §§ 13-28-44 and 13-37-8.4, a request to transfer a student in need of special education or special education and related services may be granted only if an individualized education program team consisting of representatives from the resident and nonresident districts determines that the nonresident district can provide with existing staff, services, and programs within the Dakota Valley School District, an appropriate instructional program and facilities, including transportation within the boundaries of the attendance center to which the student is assigned, to meet the student's needs.

If the request to transfer is granted, the nonresident district is responsible for the provision of a free appropriate public education for the student in need of special education or special education and related services.

If a parent or guardian of a student in need of special education or special education and related services requests to transfer the student back to the resident district, the individualized education program team shall consider the request.

B.) FACTORS/CRITERIA/STANDARDS FOR BOARD DECISIONS ON TRANSFER APPLICATIONS:

Discrimination, based upon race, gender, religious affiliation, or disability, is prohibited.

The Dakota Valley School District will not deny an application for a nonresident student to enroll in the District if doing so would result in students from the same family attending school in different school districts. EXCEPTION: Special education is governed by federal and state laws, and therefore, decisions affecting students in special education will be made for each student based solely on the needs of the student as determined by the placement committee.

- 1.) The following factors/criteria/standards will be considered by the Board with respect to each application, and the acceptance or rejection of the application, for student wishing to enroll in the Dakota Valley School District.

- Acceptance or rejection of applications to enroll in the district under the provisions of SDCL 13-28-40 to 13-28-47, inclusive, will be limited to the capacity of the districts programs, classes, grade levels, and school buildings operated by the board and the pupils/teacher ratio of the district.
- 2.) Each application will be considered individually and in the order received. The Board may deny applications for any of the following reasons:
- a.) If, after consideration of the criteria/factors/standards established in paragraph B-1 above, the Board determines the District would not be able to provide a quality educational program to the student;
 - b.) If the applicant has been convicted of possession, use, or distribution of any controlled substance, including marijuana;
 - c.) If the applicant has been convicted of a weapons charge relating to schools.

C. MISCELLANEOUS PROVISIONS

- 1.) A copy of this policy shall be given to each nonresident student and/or the student's parent(s)/guardian(s), and to each resident student and/or the student's parent(s)/guardian(s) if wishing to transfer to another attendance center within the district. A copy of the policy shall be given to any other person upon request.
- 2.) If a nonresident student applicant is under suspension or expulsion in the resident district at the beginning of the school year in which the student would otherwise enroll, state law prohibits the student from enrolling in the Dakota Valley School District during the period of suspension or expulsion. However, the Board may approve an application from a nonresident student with enrollment to begin following the suspension or expulsion.
- 3.) Appeals of a board decision to deny an application submitted under this policy are to be made to Circuit Court pursuant to SDCL 13-46.

CROSS REFS.: IGBA, Programs for Disabled Students
LB, Relations with Other Schools and School Districts

Adoption Date: October 21, 1997
Reaffirmed: May 14, 1998
Reaffirmed: September 13, 1999
Revised: September 11, 2000
Revised: October 14, 2002
Policy Committee Review: September 28, 2005
Policy Committee Review: November 24, 2010

**ADMISSION OF NON-RESIDENT STUDENTS
(TUITION)**

The board will accept students from other districts wishing to enroll in the district's schools provided facilities can handle these students comfortably, and subject to the following financial/open enrollment conditions:

- 1.) Students legally residing in another district, and not approved through Open Enrollment within the state, will pay a tuition fee set by the board.
- 2.) Students legally residing outside the state will pay a tuition fee to be set by the board.
- 3.) Private tuition will be collected in advance of the semester that those tuition charges were incurred.

Affidavits may be secured to verify the status of a child's bonafide permanent home and/or source of support.

LEGAL REFS.: SDCL 13-15-8 through 13-15-11;
13-28-10.1 through 13-28-12.2;
13-28-21 through 13-28-14;
13-28-11 through 13-28-11.4;
13-28-21 through 13-28-24

CROSS REFS.: IGBA, Programs for Handicapped Students
LB, Relations with Other Schools and School Districts

Adoption Date: May 14, 1998
Revised: November 14, 2005
Policy Committee Review: November 24, 2010

ADMISSION OF EXCHANGE STUDENTS

The board of education supports the interrelationships obtained through the attendance of foreign exchange students in the Dakota Valley School District.

The board believes this program strengthens the understanding between cultures to help achieve the goal of world peace. However, the program's value must be balanced with the financial responsibility and internal adjustments necessary to accommodate these students. Therefore, the Dakota Valley School District will allow three (3) foreign exchange students per semester at the high school. This number will be obtained on a "first come, first served" basis as authorized by the board of education. Host families must complete the state required change of residency applications.

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Policy Committee Review:	September 28, 2005
Policy Committee Review:	November 24, 2010

ADMISSION OF HOMELESS STUDENTS

Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act (Title X, Part C, of the No Child Left Behind Act) defines "homeless children and youth" as follows:

- (A) - individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103 (a) (1); and
- (B) -
 - (i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; and are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
 - (ii) children and youths who have a primary nighttime residence that is a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 103 (a) (2) (C);
 - (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
 - (iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

ENROLLMENT

The School District shall make reasonable efforts to identify homeless children within the boundaries of the school district and immediately enroll the homeless student even if he or she is unable to produce records normally required for enrollment, including academic records, immunization records, proof of residency or other documentation.

EDUCATIONAL BARRIERS

The school district administration shall attempt to remove or eliminate **any stigmatization or segregated services and/or remove or eliminate any other** existing barriers to school attendance or educational programs which may exist in district policies or practices, in compliance with all applicable federal and state laws. Enrollment requirements, fees and charges may be waived at the discretion of the Superintendent.

TRANSPORTATION SERVICES

Transportation services will be comparable to those provided other students within the school district.

IMMUNIZATIONS

The District shall make a reasonable effort to locate immunization records from information available. The District shall arrange for students to receive immunizations through health agencies and at District expense if no other recourse is available. Immunizations may, however, be waived for homeless youth only in accordance with provisions of the school district policy on immunizations. The District may require a parent or guardian of a homeless student to submit contact information.

NUTRITION SERVICES

All students considered to be homeless shall be entitled to FREE status for all meals served within the school district's academic school day.

COMPARABLE SERVICES

Students identified as homeless shall be provided services comparable to other students of the district which includes, but not limited to, Special Education services for which the student meets eligibility criteria, such as education programs for disadvantaged students, students with disabilities, gifted students, vocational and technical programs, preschool programs, and programs for students with limited English proficiency.

RESOLUTION OF ENROLLMENT DISPUTES

Disputes regarding the enrollment of homeless students shall be referred to the Superintendent. Parents/guardians or unaccompanied youth can provide either written or oral documentation to support their position. However, the student shall be provided with all services for which they are eligible while the dispute is being resolved.

If a dispute is not resolved at the District level; the parent/guardian or individual student may forward the dispute to the South Dakota Department of Education for review.

Adoption Date: August 11, 2008
Revised: May 10, 2010
Policy Committee Review: November 24, 2010

~~ASSIGNMENT OF STUDENTS TO SCHOOLS~~

~~The board has the authority to make assignments and distribute the students residing within the district to the schools. In assigning students to the schools, the board will, to the best of its ability, provide equal educational facilities, abide by parental wishes, and consider the best interests of all students within the district.~~

~~Any parent or guardian who is not satisfied with the decision of the board, may, within 30 days, request a hearing before the Superintendent of Elementary and Secondary Education. The DESE Superintendent's decision is final, unless the matter is appealed to the courts.~~

~~Established by law.~~

~~LEGAL REFS.: SDCL 13-28-15; 13-28-19 through 13-28-20~~

~~CROSS REFS.: AC, Nondiscrimination
 JE, Equal Educational Opportunities~~

~~Adopted On: December 16, 1992~~

~~Reaffirmed: May 14, 1998~~

~~Policy Committee Review: September 28, 2005~~

~~Policy Committee Review: November 24, 2010~~

~~Deleted by board action: September 8, 2014~~

ADMISSION OF TRANSFERS FROM NON-ACCREDITED SCHOOLS

The Dakota Valley School District will accept credits of students transferring from non-accredited schools, subject to the following conditions or guidelines:

- 1.) A standardized achievement test shall be administered and evaluated by the building principal and staff of the school to which the student is seeking admission.
- 2.) The student will be placed in English and mathematics courses at the level of achievement demonstrated by the tests, as evaluated by the principal and appropriate staff. The student's placement may not be in a grade level higher than warranted by the student's chronological age, assuming entry into the first grade at age six and annual grade advancement thereafter. After initial placement, the child may be advanced according to the student's demonstrated performance.
- 3.) In all other subjects, the student shall be interviewed and shall take a departmental examination in each course for which the granting of credit is being considered. After the examination and interview with the student, the department staff will recommend to the building principal whether or not credit be granted for the course.
- 4.) No credit will be granted for any science course which is normally a laboratory course, unless clear documentation is provided demonstrating that the student has satisfactorily participated in laboratory experiences which parallel or are consistent with those required in this district's science courses.
- 5.) Any parent or guardian who is dissatisfied with the secondary placement of a student may appeal it to the superintendent of schools. Final appeal after the appeal at district level may be made to the State Secretary of Education.

Legal Reference: SDCL 13-27-29

Adopted:	December 13, 1997
Reaffirmed:	May 14, 1998
Amended:	January 14, 2002
Policy Committee Review:	September 28, 2005
Policy Committee Review:	November 24, 2010

STUDENT WITHDRAWAL FROM SCHOOL

Student withdrawal from school may be classified into two categories: those who transfer to another school system, either public or private, and those who withdraw from permanent attendance at any school (dropouts).

If a student wishes to withdraw from school to transfer to another school district, he/she should see the principal who will instruct him/her as to procedure. When transferring to another school, a student should make arrangements with the office to forward credits to the proper school. All outstanding obligations to the school the student is currently enrolled in must be satisfied before credits can be transferred.

The board is very concerned about those students who may permanently withdraw from school. The board believes a high school diploma signifies the minimum preparation for life. Consequently, students who withdraw from school may have less than a minimum preparation. Therefore, the board strongly urges every teacher, guidance counselor, principal, parent, and citizen to exert all influence to keep all students in school through high school graduation.

The instructional staff should be alert to potential dropouts and do everything possible to give the necessary guidance to such students. The regular school program should be organized and modified to suit the student's needs and aspirations. Conferences with parents may be necessary. All students should be asked to notify the principal before withdrawing.

Adoption Date:	May 14, 1998
Policy Committee Review:	September 28, 2005
Revised:	January 12, 2011

STUDENT ABSENCES AND EXCUSES

A student's contribution to and achievement in class are directly related to attendance. Both students and parents must understand that students miss a vital portion of their education when they are absent from school.

While it is true that written work can be completed for make-up, class instruction or presentations, discussions, some audio-visual presentations, or student-teacher interaction can never be made up.

Certain absences of students will be excused by the principal upon confirmation from the parent or guardian. These absences will include:

- 1.) Illness or quarantine;
- 2.) Bereavement or serious illness in family;
- 3.) Weather so inclement as to endanger the health of the child;
- 4.) For observance of major religious holidays.

A child may be excused for other exceptional reasons with approval of the school administrator. Also, with such approval, students may be excused from school attendance for up to five days each term for attendance at a state or nationally recognized youth program of educational value.

In instances of chronic or irregular absence reportedly due to illness, the school administration may request a physician's statement certifying such absences to be justifiable. Any absence other than excused absence is considered truancy.

LEGAL REFS.: SDCL 13-27-6; 13-27-6.1; 13-27-7; 13-27-8

CROSS REFS.: JEG, Exclusions and Exemptions from School Attendance
Dakota Valley Student Handbook
JEDB, Student Dismissal Precautions

Adoption Date: May 14, 1998
Policy Committee Review: September 28, 2005
Revised: January 12, 2011
Policy Committee Review: August 27, 2014

TRUANCY

Through cooperation with parents, strict adherence to regulations in regard to tardiness and unexcused absence, and diligence in investigating the causes of absence, the board will endeavor to reduce tardiness and truancy.

The districts principals will be responsible for enforcing the compulsory attendance laws which require regular attendance, provide for penalties if parents and guardians do not carry out their responsibilities, and establish procedures for referral of a truant student to juvenile authorities.

LEGAL REFS.: SDCL 13-27-14; 13-27-16; 13-27-18 through 13-27-21

CROSS REFS.: JEA, Compulsory Attendance Ages
JEE, Student Attendance Accounting

Adoption Date: May 14, 1998
Policy Committee Review: September 28, 2005
Policy Committee Review: November 24, 2010
Policy Committee Review: August 27, 2014

STUDENT DISMISSAL PRECAUTIONS

Student in any school, grade, or class may not be dismissed before the regular hour of dismissal except with the approval of the superintendent or his/her designee.

A teacher may not permit any individual student to leave school prior to the regular hour of dismissal except by permission of the principal, or designee.

No student will be permitted to leave school prior to the dismissal hour in the company of anyone other than a school employee, or parent of the child, unless the permission of the parent has been first secured.

If a policemen or court official requests the dismissal of a pupil during school hours, he/she must have a warrant or permission from the parents or guardian before the student is dismissed.

Adoption Date:	May 14, 1998
Policy Committee Review:	September 28, 2005
Revised:	January 12, 2011
Revised:	October 13, 2014

STUDENT ATTENDANCE ACCOUNTING

The board recognizes the importance of student accounting. Accurate information regarding the whereabouts of school-age children, both public and private, is essential to the operation of the school district.

As required by state law, the superintendent will be responsible for an accurate record of the attendance or non-attendance of all students who should be enrolled in school.

LEGAL REFS.: SDCL 13-27-9; 13-27-15; 13-27-17
ARSD 24:03:04:13

CROSS REFS.: JEDA, Truancy

Adoption Date: May 14, 1998
Policy Committee Review: September 28, 2005
Revised: January 12, 2011
Policy Committee Review: August 27, 2014

RELEASE TIME FOR STUDENTS

The board may permit students, with the written consent of their parent(s), to receive moral or religious instruction at a suitable place away from the school, as designated by the religious group.

Students will be excused from school for such purposes no more than one hour per week.

The school board may allow the student to accumulate up to four hours of excused leave time to be taken consecutively on any one day or two hours to be taken on any two days.

The school board shall decide at what hour pupils may be excused.

No such instruction may be given in whole or in part at public expense.

The superintendent is instructed to establish regulations, governing the attendance of students and their reporting for such instruction.

Students enrolled in the district normally will not be released from school for private instruction in music, gymnastics, or other activity. The discretion of the building principal, however, may be exercised in unique or unusual circumstances.

LEGAL REFS.: SDCL 13-33-10

Adoption Date:	May 14, 1998
Policy Committee Review:	September 28, 2005
Revised:	January 12, 2011
Revised:	October 13, 2014

EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

A child shall be excused from school attendance, pursuant to § 13-27-2, because the child is otherwise provided with alternative instruction for an equivalent period of time, as in the public schools, in the basic skills of language arts and mathematics.

All applications for excuse from school attendance for the reasons provided in § 13-27-3 shall be on a standard form acknowledged before a notary or two witnesses. The form shall be provided by the secretary of the Department of Education. A certificate of excuse shall be included as part of the application and is effective upon the filing of the application with a school official, without the necessity of school board action.

The certificate of excuse shall be for a period not to exceed one year and shall state the reason for the excuse is that the child will receive alternative instruction. The parent or guardian of the child shall identify in the application the place where the child will be instructed and any individual who will instruct the child. The individuals are not required to be certified. No individual may instruct more than twenty-two children. All instructions shall be given so as to lead to a mastery of the English language.

Children receiving alternative instruction who are in grades two, four, eight, and eleven shall take a nationally standardized achievement test of the basic skills. The test may be the test provided by the state and used in the public school district where the child is instructed or another nationally standardized achievement test chosen by and provided at the expense of the child's parent, guardian, or school giving alternative instruction. The test may be monitored by the local school district where the child is instructed.

All test scores required by § 13-27-3 shall be kept on file in the public school of the district where the child has school residence as defined in § 13-28-9. If subsequent achievement test results reveal less than satisfactory academic progress in the child's level of achievement, the school board may refuse to renew the child's certificate of excuse.

The secretary of the Department of Education may investigate and determine whether the instruction is being provided. Failure to provide instruction is grounds for the school board, upon thirty days' notice, to revoke the excuse from school attendance. The secretary of the Department of Education may inspect the records of an alternative education program with fourteen days' written notice if the secretary has probable cause to believe the program is not in compliance with this section. The records to be inspected are limited to attendance and evidence showing academic progress.

Any parent or guardian of a student denied a certificate pursuant to §§ 13-27-6 and 13-27-6.1 or who has had a certificate revoked pursuant to § 13-27-7 who is dissatisfied with the decision of the school board may appeal the matter to the South Dakota Board of Education who shall conduct a hearing pursuant to chapter 1-26. In the hearing the burden of proving noncompliance with § 13-27-3 shall be upon the secretary of the Department of Education. The state board's decision shall be final as to the secretary's right of appeal.

LEGAL REFS: 1-26; 13-17-3; 13-27.6; 13-27-6.1; 13-27.7;
13-27.8; 13-27-9

CROSS REFS: JED, Student Absences and Excuses

Adoption Date:	May 14, 1998
Policy Committee Review:	September 28, 2005
Policy Committee Review:	November 24, 2010
Revised:	October 13, 2014

STUDENT ASSIGNMENT REQUEST

SDCL 13 - 28 - 10. School residency of child residing in home other than residence of parents, guardian, or non-custodial parents. -
 - Petition to local school board. If a school age child resides in a home other than the residence of his parents, guardian, or non-custodial parents on a temporary or permanent basis, the school residency of the child is where the parents, non-custodial parents, or guardian reside unless, **upon request of the person with whom the child is living**, the local school board accepts the child as a resident of that school district. If the school board rejects the request, the person who made the request may, within fifteen days after receipt of the rejection, appeal to the school board for a hearing. The decision of the school board after the hearing is final and may be appealed to the circuit court. However, a school age child is a resident of the school district where the school age child is placed by the Unified Judicial System, the Department of Corrections, or entities approved by the Department of Social Services, including a foster home.

Student Name:	Grade:
School Currently Attending:	

Person making request (Last, First)	Parent/Guardian Name (Last, First)
Address:	Address:
Home Telephone: ()	Home Telephone: ()
Work Telephone: ()	Work Telephone: ()

Reason for request: _____

Signature: _____ Date: _____

<input type="checkbox"/> APPROVED by School Board Action on _____
<input type="checkbox"/> DISAPPROVED by School Board Action on _____
REASON FOR DISAPPROVAL: _____ _____
(Signed Name and Title) _____ Date: _____

Adoption Date: March 8, 2004
 Policy Committee Review: September 28, 2005

STUDENT RIGHTS AND RESPONSIBILITIES

The board recognized that it has the responsibility to assure students the legal rights that are theirs by virtue of guarantees offered all persons under the federal/state constitutions and statutes. In connection with rights, are responsibilities that must be assumed by students.

A student is responsible for the way he/she exercises their rights, and he/she must accept the consequences of their actions and recognize the boundaries of his/her rights. Each exercise of an individual's rights must demonstrate respect for the rights of others.

These statements set forth the rights of students in the public schools of the district and the responsibilities that are inseparable from these rights:

- 1.) Civil Rights - including the rights to equal education opportunity and freedom from discrimination; the responsibility not to discriminate against others.
- 2.) The right to attend free public schools; the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school.
- 3.) The right to due process of law with respect to suspension and expulsion.
- 4.) The right to free inquiry and expression; responsibility to observe reasonable rules regarding these rights.
- 5.) The right to privacy, which includes privacy in respect to the student's school records.

As part of the educational process, students should be made aware of their legal rights and of the legal authority of the board to make, and delegate authority to its staff to make rules regarding orderly operation of the schools.

Adoption Date:	May 14, 1998
Policy Committee Review:	December 8, 2005
Policy Committee Review:	March 1, 2011
Policy Committee Review:	August 27, 2014

STUDENT DUE PROCESS RIGHTS

All students are entitled to due process when they are subjected to disciplinary actions such as suspension or expulsion. The board and school officials have the legal authority to deal with disruptive students and student misconduct. Due process, in the context of the administrative proceedings carried out by school authorities, refers to the hearing procedures established by the State Board of Education.

Due process procedures will conform to the following basic practices:

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

The district hereby adopts and incorporates as its policy, the provisions of the Administrative Rules of South Dakota (ARSD), Article 24:07, which governs student due process:

I. Definitions:

- A.) "Expulsion" is the action by the board to terminate a pupil's membership in school for a period of time not to extend beyond the end of the school year.
- B.) "Long-Term Suspension" is the exclusion by the board of a student from a class or classes for more than ten (10) school days.
- C.) "Parent" refers to a parent, guardian, or person in charge of the student.
- D.) "Policy" is the rule, regulation, to standards enacted by the board.
- E.) "Short-Term Suspension" means the exclusion of a pupil by a principal or superintendent from a class or classes or from school for not more than ten (10) school days.

II. Short-Term Suspension Hearing Procedure:

If a short-term suspension from a class, classes, or school is anticipated because of a pupil's violation of a rule, regulation, or policy, the principal or superintendent shall give oral or written notice to the pupil as soon as possible after discovery of the alleged violation, stating the basis for the suspension. The pupil shall be given the opportunity to answer the charges. When a pupil is suspended following the hearing, the parent shall be given oral notice, if possible, and sent a written notice. However, a pupil shall not be removed from the school premises before the end of the school day without contacting a parent.

III. Long-Term and Expulsion Hearing Procedure:

- A.) If a long-term suspension or expulsion is anticipated because of a pupil's violation of a rule, regulation, or policy, the principal shall file a written report with the superintendent by the end of the school day following the day of discovery of the alleged violation.
- B.) If the superintendent deems that there are grounds for a long-term suspension from a class or classes, or for expulsion from school, the superintendent may exclude the pupil from a class or classes before the hearing by using the short-term suspension procedure. The superintendent shall give notice of the necessity for the hearing in writing to each school board member. A written notice shall be given to the pupil's parents. The parent's notice shall contain the following minimum information:
 - 1.) The rule, regulation, or policy allegedly violated;
 - 2.) The date, time, and place for the hearing;
 - 3.) A description of the hearing procedure;
 - 4.) The reason for the disciplinary proceedings;
 - 5.) A statement that the pupil's records are available at the school for examination by the pupil's parents or their authorized representative;
 - 6.) A statement that the pupil may present witnesses.
- C.) The pupil, if the age of majority (18 yrs of age) or emancipated, or the pupil's parents may waive the right to a hearing in writing to the superintendent. If the hearing is not waived, the hearing shall be held on the date, time and place set in the notice unless a different date, time and place are agreed to by the parties.
- D.) The school board shall constitute the hearing board and shall conduct the hearing in the following manner:
 - 1.) A school board member/designee who is not an employee of the district shall be appointed as presiding officer;
 - 2.) Each party may make an opening statement;
 - 3.) Each party may introduce evidence, present witnesses, and examine and cross-examine witnesses;

- 4.) Each party may be represented by an attorney;
 - 5.) The administration shall present its case first;
 - 6.) The hearing shall be closed to the public. A verbatim record of the hearing will be made and will be sealed pending court order;
 - 7.) Witnesses may be present only when testifying; All witnesses must take an oath or affirmation administered by the school board president or business manager.
 - 8.) Each party may raise objections; however, objections shall be limited to relevancy and scope of the question;
 - 9.) All relevant evidence shall be admitted; however, unproductive or repetitious evidence may be limited by the presiding officer;
 - 10.) The presiding officer may ask questions of witnesses and may allow other school board members to interrogate witnesses;
 - 11.) Each party may make a closing statement;
 - 12.) After the hearing, the school board shall continue to meet in executive session for deliberation. No one other than the presiding officer of the hearing shall meet with the school board during deliberation. The school board may seek advice during deliberation from an attorney not present at the hearing. Consultation with any other person during deliberation may occur only if a representative of the pupil is present;
 - 13.) The decision of the school board shall be based solely on the evidence presented at the hearing and shall be formalized by a motion made in open meeting. The motion shall omit the name of the pupil and shall state the reason for the board's action. The pupil or the pupil's parents shall be notified in writing of the decision. The notice shall state the length of the suspension or expulsion.
- E.) An adverse decision to the student by the school board may be appealed to a court of law.
- F.) No attendance policy may exclude a pupil from a class or from a school for more than five days without providing due process procedures pursuant to this section.

- G.) When a pupil identified as in need of special assistance or prolonged assistance pursuant to SDCL 13-37-1 is expelled or subjected to a long-term suspension, a referral shall be made by the superintendent to the district's placement committee. The placement committee shall determine whether the action or expulsion is the result of the pupil's handicapping condition. If the placement committee determines that the long-term suspension or expulsion of a pupil is based upon action, behavior, or activity by the pupil arising from the pupil's handicapping condition, the placement committee shall immediately prepare a revised individual educational plan to provide educational services to the pupil. The pupil's long-term suspension or expulsion shall terminate upon implementation of the pupil's revised individualized educational plan.

LEGAL REFS.: SDCL 13-32-4
ARSD 24:07:01 et seq

CROSS REFS.: JB, Equal Educational Opportunities
JFG, Interrogations and Searches
JFG-R, Searches
JGD/JGE, Student Suspension/Expulsion

Adoption Date: May 14, 1998
Revised: January 9, 2006
Revised: April 11, 2011
Policy Committee Review: August 27, 2014

STUDENT CONDUCT

Students in the district schools are expected to behave in a way that will reflect positively on the individual student and on the school; will show consideration for other students; and, create a psychologically and physically safe school atmosphere. To accomplish this, all students must recognize their individual responsibilities and obligations and present them in accordance with the school regulations.

Any of the following actions will subject a student to disciplinary action that may include detentions, suspensions and/or expulsion:

- 1.) **HARRASSMENT:** It shall be a violation of this policy for any student to intentionally harass another student, any school personnel, or any visitor with any unwelcome or unwanted verbal, physical, or visual conduct or communication of a sexual nature or any communication disparaging a person's race, color, religion, creed, ancestry, national origin, gender, sexual orientation, disability, or age.
- 2.) **BULLYING:** Intentionally bullying another student(s) or authority with threatening behaviors while acting as an individual or within a group of students, which may include but is not limited to: violence, gestures, theft, damage to property, oral or written taunts, social ostracism, name calling, put-downs, extortion or threats of retaliation for reporting these activities, teasing, inappropriate jokes or verbal comments, unwanted physical contact, etc.

Bullying is a pattern of repeated conduct that causes physical hurt or psychological distress on one or more students that may include threats, intimidation, stalking as defined in SDCL 22-19A, physical violence, theft, destruction of personal property, any threatening use of data or computer software, written or verbal communication or conduct directed against a student that:

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

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

- 3.) **CYBER-HARASSMENT AND CYBER-BULLYING:** Posting or texting of cruel messages or images using any digital communication device is prohibited, including online material that threatens or professes violence against others, hate-mail, discriminatory remarks, anti-social behaviors, suicide, of self-harm.
- 4.) **SCHOOL PROPERTY:** Intentionally causing or attempting to cause damage to school property; or stealing or attempting to steal school, staff or student property.

- 5.) STUDENT OR PRIVATE PROPERTY: Intentionally causing or attempting to cause damage to private property; stealing or attempting to steal private property which may be related to items 1 and 2 above.
- 6.) PHYSICAL INJURY: Intentionally causing or attempting to cause physical injury to another person, except in self-defense.
- 7.) WEAPONS: Knowingly possessing or transmitting any firearm, knife, explosive, or other dangerous object.
- 8.) DRUGS: Knowingly possessing, using, transmitting, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind.
- 9.) PLAGERISM: Knowingly using or copying the academic work of another and presenting it as his/her own, without proper attribution.
- 10.) INSUBORDINATION: Repeatedly and/or intentionally defying the valid authority of supervisors, teachers, or administrators, and/or causing interruption of the school program.

REPORTING: Any student or parent of any student who believes he or she has been the victim of any of the prohibited acts as defined above by a student or by school personnel of the School District shall report the alleged acts immediately to the building principal.

CONFIDENTIALITY: The District will make attempts to respect the confidentiality of the complainant and the individual(s) against whom the complaint is filed as much as possible consistent with the District's legal obligations and the necessity to investigate the allegations.

INVESTIGATION: Upon receipt of a written report by the victim of a prohibited act the building principal shall immediately authorize an investigation. This investigation may be conducted by District officials or by a third party designated by the District. The investigating party shall provide a written report of the status of the investigation within ten (10) working days to the Superintendent.

In determining whether alleged conduct constitutes harassment, the investigating officer should consider the surrounding circumstances, the nature of the advances, relationships between the parties involved, and the context in which the alleged incidents occurred.

The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigating party.

In addition, the District may take immediate steps, at its discretion, to protect the complainant, students, and employees pending completion of an investigation of alleged harassment. In some cases, the school counselor may be asked to counsel with the victim and/or the alleged perpetrator.

CONSEQUENCES: Any individual found to have violated this policy will be subject to discipline consistent with district policy. The district will take action it deems necessary and appropriate, up to and including suspension or expulsion from school and/or appropriate sanctions determined and imposed by the administration or School Board. Individuals may also be referred to law enforcement and subject to additional punishment through civil authorities.

Building administrators may also recommend a student for suspension or expulsion, for other acts of misconduct while on the school bus, at a school bus stop, school property or at a school-sponsored event off school grounds.

Any school district employee, school volunteer, student or parent who promptly reports in good faith an act of Bullying to the appropriate school district officials as designated in the school district's policy, and who makes the report in compliance with the provisions of the school district's policy is immune from any cause of action for damages arising from failure to remedy the reported incident. Moreover, the provisions of this Act do not create a cause of action against any school district, school district employee, school volunteer, student or parent unless there has been substantial non-compliance with the school district's policy resulting in injury to a protected person.

LEGAL REFS.: SDCL 13-32-5; 13-32-6; 13-32-7; 25-5-15; 49-31-13

CROSS REFS.: ECAB, Vandalism
JG, Students Discipline
JGD/JGE, Student Suspension/Expulsion
Dakota Valley Student Handbook

Adoption Date: May 14, 1998
Revised: May 9, 2005
Policy Committee Review: December 8, 2005
Revised: March 26, 2008
Revised: August 10, 2009
Policy Committee Review: March 1, 2011
Revised: August 13, 2012
Policy Committee Review: August 27, 2014
Revised: February 9, 2015

HARASSMENT

DEFINITION: South Dakota Codified Law 22-19A-4 defines harassment as a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, or harasses the person, and which serves no legitimate purpose.

Harassment can consist of unwelcome or unwanted verbal, physical or visual conduct or communication of sexual nature or any communication disparaging a person's race, color, religion, creed, ancestry, national origin, gender, sexual orientation, age, disability or other basis prohibited by law, while acting as an individual or within a group of students and when the conduct is so severe, pervasive and objectively offensive that it:

- a. has the purpose of effecting or creating an intimidating, hostile, or offensive academic environment, or
- b. has the purpose or effect of substantially or unreasonably interfering with a student's academic performance which deprives the student access to educational opportunities.

REPORTING: Any student or parent of any student who believes he or she has been the victim of any of the prohibited acts as defined above shall report the alleged acts immediately to the building principal.

INVESTIGATION (See File: JFC - STUDENT CONDUCT)

LEGAL REFS.: SDCL 13-32-5; 13-32-6; 13-32-7; SDCL 22-19-A;
SDCL 22-19A-4; 25-5-15; 49-31-13

CROSS REFS.: ECAB, Vandalism
JG, Students Discipline
JGD/JGE, Student Suspension/Expulsion
JFC, Student Conduct
Dakota Valley Student Handbooks

Adoption Date: August 10, 2009
Policy Committee Review: March 1, 2011
Policy Committee Review: August 27, 2014

BULLYING

Bullying can be construed as causing physical hurt or psychological distress to other students or staff by the use of threatening behaviors while acting as an individual or within a group of students, which may include but is not limited to: violence, intimidation, gestures, theft, damage to property, oral or written taunts, social ostracism, name calling, put-downs, extortion or threats of retaliation for reporting these activities, teasing, inappropriate jokes or verbal comments, unwanted physical contact, stalking, etc.

REPORTING: Any student or parent of any student who believes he or she has been the victim of bullying as defined above shall report the alleged acts immediately to the building principal.

INVESTIGATION: (See File JFC - STUDENT CONDUCT)

LEGAL REFS.: SDCL 13-32-5; 13-32-6; 13-32-7; SDCL 22-19-A;
SDCL 22-19A-4; 25-5-15; 49-31-13

CROSS REFS.: ECAB, Vandalism
JG, Students Discipline
JGD/JGE, Student Suspension/Expulsion
JFC, Student Conduct
Dakota Valley Student Handbooks

Adoption Date: August 10, 2009
Policy Committee Review: March 1, 2011
Policy Committee Review: August 27, 2014

CYBER HARASSMENT - CYBER BULLYING

DEFINITION: SDCL 49-31-31 defines Cyber Harassment or Cyber Bullying as threatening or harassing contacts by telephone or other electronic communication devices with the intent to terrorize, intimidate, threaten, harass or annoy persons using obscene or lewd language or by suggesting a lewd or lascivious act; to threaten to inflict physical harm or injury to the person; to extort money or other things of value; to disturb a person by repeated anonymous telephone calls, etc.

The school district also prohibits the posting or texting of cruel messages or images using any digital communication device including online material that threatens or professes violence against others, hate-mail, discriminatory remarks, anti-social behaviors, suicide, of self-harm, etc.

Students and staff will refrain from using communication devices to harass, bully or stalk another person. All forms of cyber harassment and cyber bullying are a violation of this policy, and the school district's acceptable use policy (see File EHAB - Network Acceptable Use Policy (AUP)).

REPORTING: Any student or parent of any student who believes he or she has been the victim of bullying as defined above shall report the alleged acts immediately to the building principal.

The student (or parent) should not erase the offending material from their computer. They should make a copy of the offending material and present this document to the building principal.

In situations in which the cyber harassment or bullying originated from a non-school computer, any disciplinary action shall be based upon whether the conduct is determined to disrupt, or has a reasonable likelihood to disrupt the educational process of the district or the individual student.

Disciplinary action may include, but is not limited to: detention, suspension, loss of school computer privileges, or expulsion, and the local law enforcement officials may also be notified.

INVESTIGATION: (see File JFC - STUDENT CONDUCT)

LEGAL REFS.: SDCL 13-32-5; 13-32-6; 13-32-7; SDCL 22-19-A;
SDCL 22-19A-4; 25-5-15; 49-31-13

CROSS REFS.: ECAB, Vandalism
JG, Students Discipline
JGD/JGE, Student Suspension/Expulsion
JFC, Student Conduct
Dakota Valley Student Handbooks

Adoption Date: August 10, 2009
Policy Committee Review: March 1, 2011
Policy Committee Review: August 27, 2014

STUDENT DRESS CODE

The board recognizes that it is the prerogative of parent(s)/guardian(s) to determine what is appropriate dress and grooming for their children in accordance with the age and grade of these students. It is hoped that decisions made by parent(s)/Guardian(s) and students in these matters, will reflect favorably upon the individual, the school, and the community.

There are certain restrictions necessary on the student's dress and grooming when such dress and grooming may create a health or safety hazard, invade the rights of others, or, be disruptive to the educational environment by detracting from the decency and decorum in school. It will be the responsibility of the building principal to determine violations of the intent to this policy, and to take necessary corrective action.

CROSS REFS.: Dakota Valley Student Handbook

Adoption Date:	May 14, 1998
Policy Committee Review:	December 8, 2005
Policy Committee Review:	March 1, 2011
Policy Committee Review:	August 27, 2014

STUDENT CONDUCT ON SCHOOL BUSES

When a child is riding, boarding, or leaving the bus, the bus driver has supervisory control over the student and may exercise reasonable and necessary authority to maintain that control.

In view of the fact that a bus is an extension of the classroom, the board will require children to conduct themselves in the bus in a manner consistent with established standards for classroom behavior and comply with the instructions of the bus operator. The driver will be in full charge of the bus and the passengers. There must be no disturbance of any kind that might distract the driver and imperil the safety of the passengers.

In cases when a child does not conduct him/herself properly on a bus, such instances will be brought to the attention of the building principal and transportation supervisor by the bus driver. The building principal or designee will inform the parents immediately of the misconduct and request their cooperation in checking the child's behavior.

Children who become a serious disciplinary problem on the school bus may have their riding privileges suspended by the principal or designee. In such cases, the parents of the children involved become responsible for seeing that their children get to and from school safely.

Students will observe the following rules of conduct while riding school buses:

- 1.) Pupils must be on time at the designated bus stops; the bus cannot wait beyond its regular time schedule for tardy pupils.
- 2.) Pupils must not stand in the traffic lanes while waiting for the bus.
- 3.) Bus riders should not move to board a bus until it is completely stopped and the door is open.
- 4.) Students shall ride on their assigned buses unless directed otherwise by the administration or driver.
- 5.) Students will enter the bus in an orderly fashion and go directly to a seat. Students must stay in their seats and in a sitting position when the bus is in motion.
- 6.) Pupils must occupy the seat assigned to them, if seats are assigned.
- 7.) The same courteous conduct as is expected in the classroom must be observed while on the bus. Ordinary conversation is permitted. Shouting, screaming, smoking, running, fighting, vulgar talk and pushing are not permitted.

- 8.) Pupils must refrain from unnecessary conversation with the driver. His/her job requires their full attention.
- 9.) Bus riders should leave their seats only after the bus has come to a complete stop at their bus stop.
- 10.) Pupils will assist the driver in keeping the interior of the bus clean, sanitary and in orderly condition. Pupils must not throw waste paper or rubbish on the floor or out of the windows of the bus.
- 11.) Pupils will not open or close the windows without the permission of the bus driver.
- 12.) Pupils must not, at any time, put hands, arms, or heads out of the bus windows.
- 13.) All articles such as athletic equipment, books, musical instruments, etc., must be kept out of the aisles of the bus.
- 14.) Any damage to the bus will be paid for by the rider inflicting the damage and will be subject to suspension or expulsion from school.
- 15.) A driver may set additional rules, subject to approval by the director of transportation, if conditions warrant, subject to review by the school administrator.

LEGAL REFS.: SDCL 13-32-2

Adoption Date:	May 14, 1998
Revised:	January 9, 2006
Revised:	April 11, 2011
Policy Committee Review:	August 27, 2014

SMOKING AND/OR USE OF TOBACCO PRODUCTS BY STUDENTS

The board, recognizing health and safety hazards associated with smoking and use of other tobacco products, has prohibited smoking or other use of any tobacco products in the school buildings, at any school sponsored activities, in school district vehicles, and in school district provided transportation including:

- devices or smokeless products which resemble the smoking of tobacco,
- any product or device that contains nicotine unless prescribed by a doctor for a nicotine secession program
- any device that is used for inhaling or ingestion unless for medicinal purposes with a prescription.

This includes the prohibition of tobacco products at any inter-scholastic athletic contest, on any field trip, or any other board approved trip or activity.

REFER TO POLICY KGC FOR AN EXPANDED VERSION OF THIS POLICY

CROSS REFS.: KG-E-R, DVSD Facility Use Policy Guidelines
 KGC Tobacco Free Policy

Adoption Date: May 14, 1998
Revised: January 9, 2006
Policy Committee Review: March 1, 2011
Revised: November 12, 2014

ALCOHOL AND OTHER DRUG USE BY STUDENTS

The following document outlines policy on student use of alcohol and other drugs in the school district. This policy is in effect on premises owned, leased or maintained by the school district, at all school-related activities on and off campus, on vehicles used to transport students to and from school or at other activities, and in vehicles parked on school property. Student and parent members of the school community are expected to know and understand the policy provisions and its mandatory nature. A copy of the policy will be provided to all students and parents.

POLICY

A student shall not possess, use, distribute, transfer, conceal, sell, attempt to sell, deliver, nor be under the influence of alcohol and/or other drugs which affect the student or educational process of the school. Students shall not engage in alcohol and or other drug use/abuse, nor possess paraphernalia specific to the use of alcohol and/or other drugs. Students shall not engage in the use of alcohol and/or other drugs. Students who use prescription drugs authorized by a licensed physician do not violate this policy if the students conform to his/her prescription and appropriate school policies regarding administration of medication.

Disciplinary Sanctions and Implementation Procedures

The following procedures will be used in dealing with violation of the policy:

- A. First Offense (Other Than Distribution) -
- 1.) The administration will try to notify the parent(s)/guardian(s) by phone to explain the incident and arrange a conference. If no contact is made, a written report will be provided.
 - 2.) The administration may suspend the student for ten (10) days in compliance with student due process procedures;
 - 3.) The administration will notify the parent(s)/guardian(s) of the suspension within thirty-six (36) hours, in writing by first class mail to the last known address of the parent(s)/guardian(s);
 - 4.) The administration may notify available law enforcement authorities; and,
 - 5.) State and federal regulations regarding special education students will be followed.

The school district strongly urges students with alcohol and other drug abuse problems seek professional assessment and assistance from a trained chemical dependency counselor or a licensed physician trained in chemical dependency. Because we believe that chemical dependency is preceded by misuse, we feel confident that such early intervention can benefit the student before significant harm or dependency results.

The suspension of a student who agrees to be professionally assessed and treated, if needed, will be commuted to three (3) days. The administration will provide a list of agencies/professionals who can do the assessment and provide treatment. Fees for this assessment and treatment are the responsibility of the student and family.

Upon authorization by the parent(s) or eighteen (18) year old student, the agency or professional will notify the school administration that the student is willing to be evaluated and to comply with the treatment process.

B.) Second and Subsequent Offenses (Other Than Distribution) -

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

C.) Supplying/Distributing or Selling Alcohol and Other Drugs or Material Represented to be a Controlled Substance (All Occurrences)-

- 1.) The administration may suspend the student for ten (10) days in compliance with student due process procedures;
- 2.) Within thirty-six (36) hours, the administration will notify parent(s)/guardian(s) in writing of the suspension;
- 3.) The administration will refer the case to appropriate law enforcement authorities;
- 4.) A hearing on the case will be conducted by the school board pursuant to due process rules for expulsion. Expulsion may be recommended by the administration; and,
- 5.) State and federal requirements regarding special education students will be followed.

D.) Students whose observed behavior indicates possible use of alcohol and/or other drugs will be referred to the building administrator and/or "first-responder" medical personnel, who will determine whether to contact the parent for further instruction, refer to the emergency authorization form or immediately seek medical treatment. Following the handling of the medical emergency, this policy will be followed.

E.) Use of Passive Alcohol Sensor (PAS) - A device known as a Passive Alcohol Sensor (PAS) may be used to check for breath alcohol and can be used with or without a subject's direct participation. When used without direct participation, it is known as passive breath sampling, as opposed to active testing when the subject blows directly into a mouthpiece or the intake port. There may be times when the PAS can be used passively, i.e., as it can detect alcohol in open containers or in enclosed spaces such as rooms, lockers, etc. Procedurally, we will not vary from our normal course of action when faced with the question of possible consumption. All due process precaution will continue to be in place. Given reasonable suspicion of use or possession, the following steps will occur:

- 1.) Reasonable suspicion, such as a staff referral or information gathered during an investigation, will initiate administrative contact with said student;
- 2.) The student will be directed to an office area where he/she will be kept in observation and questioned regarding the concern of alcohol consumption;
- 3.) The student may, at that point, confirm or deny the report;
- 4.) After a period of observation and questioning, we will inform the student of our new, less invasive means of detecting breath alcohol and allow the subject to speak/breathe across the intake port of the PAS III.
- 5.) Next, the subject will be informed of the PAS III result. (The sensor either detected the presence of alcohol or it did not.)
- 6.) If it is determined that the subject has consumed alcohol, we will inform the subject and his/her parent(s) of our suspicions and proceed as provided in this policy.
- 7.) The subject may continue to deny consumption and wish to pursue the issue further. At this point, he/she will be informed of an alternative to clear the allegation of consumption. This would involve the opportunity to take a breathalyzer through the local policy department or blood test at the hospital. The subject will also be informed that he/she may face legal consequences as a result of failing the breathalyzer or blood test.

LEGAL REFS: Public Law 101-226
 SDCL 13-32-4.3, 26-11-5.1, 22-42-19

CROSS REFS.: IGAG, Teaching About Drugs, Alcohol, and Tobacco

Amended: December 13, 1993
Reaffirmed: May 14, 1998
Revision: December 14, 1998
Revised: January 9, 2006
Revised: April 11, 2011
Policy Committee Review: August 27, 2014

PREGNANT/MARRIED STUDENTS

The Dakota Valley School District shall not discriminate against any married or pregnant student or be excluded from any program or activity, including any class or any extracurricular activity. Pregnant or married students may volunteer to participate in a separate educational program offered by the school; the instructional portion of the program must be equivalent to that offered to non-pregnant or non-married students.

A physician's certification of fitness to continue in the regular educational program may be required of pregnant students only if such certification is required of other students with conditions requiring a physician's care. Pregnancy must be treated as a justification for a student's leave of absence for whatever time period the student's physician finds medically necessary.

Any student's pregnancy will be treated the same as any other temporary disability in student health insurance plans offered by the school district. A student will be reinstated to the same status, which she held prior to her leave of absence.

Legal Reference: Office of Civil Rights, USDOE, Title 34, Section 106-40

Adoption Date:	May 14, 1998
Policy Committee Review:	March 6, 2006
Deleted by Board Action:	April 11, 2011
Reinstated by Board Action:	December 9, 2013
Policy Committee Review:	August 27, 2014

INTERROGATIONS AND SEARCHES

As the school stands "in loco parentis" (in the place of parents) when students are at school, or involved in school activities, the school has an obligation to both the student and the student's parent(s). Therefore, it is the policy of the school district, that should a law enforcement officer, wish to talk with a student when the student is under the jurisdiction of the school, the district will not allow the law enforcement officer to meet with and talk with the student unless the school has first notified the student's parent(s) of the request and permission has been granted by the parent(s) for the law enforcement officer to meet with and talk to the student. The parent(s) shall have the right to deny the request, and, should permission be granted to the request, to be present in person or through a representative at the time of the meeting.

An exception to this policy is granted when the school district employs a school liaison officer. The officer may visit with a student without the prior consent of the parents if the officer is investigating a school related incident at the request of the building principal or superintendent.

However, as the Department of Social Services has the primary responsibility to investigate alleged child abuse and neglect, it is the policy of the district to allow the Department of Social Services to meet with and talk with any student during the time the student is under the jurisdiction of the school, without prior notification to the parent(s) and parental approval being required.

The above policy attempts to balance the rights of the student and parent(s) with the responsibilities of law enforcement to investigate criminal matters and the responsibility of the Department of Social Services to investigate child abuse and neglect matters. It is the desire and intent of the district to cooperate fully with the authorities, including law enforcement, and the Department of Social Services to the fullest extent possible, while continuing to recognize the school's role and responsibilities in such matters and in full consideration of the rights of the student(s) and parent(s).

CROSS REFS.: JFA, Student Due Process Rights

Adoption Date:	May 14, 1998
Revised:	May 8, 2006
Policy Committee Review:	March 1, 2011
Policy Committee Review:	October 8, 2014

SEARCHES

Locker/Desk/Storage Area Searches -

All lockers and other storage areas provided for student(s) use on school premises remain the property of the school district and are provided for the use of the student(s) subject to inspection, at any time. No student(s) shall lock or otherwise impede access to any locker or storage area except with a lock provided by or approved by the principal of the school in which the locker or storage area is located. Unapproved locks shall be removed and destroyed.

- 1.) The principal, or a member of the administrative staff designated in writing by the principal, will search a locker and its contents when the person conducting the search, or the principal designating the person to search, has reasonable suspicion for a search of the locker searched. Where the locker to be searched is assigned to a particular student and that student is on the school premises at the time of the search, and no danger to the student is apparent, the student shall be notified prior to the search and given the option to be present at the search.
- 2.) The principal, a member of the administrative staff, or a teacher may search a desk or any other storage area on the school premises, other than a locker, when the person conducting the search has reasonable cause for a search.

Personal Searches -

Except in cases of extreme danger of life or property, the parent(s) or guardian(s) of any student searched shall be notified of the search as soon as reasonably possible, prior to requesting the police to conduct a search of the person. The principal, or another member of the administrative staff designated in writing by the principal and acting at the direction of the principal, will search the person of a student during a school activity if the principal has reasonable cause for a search of that student. Searches of the person of a student shall be limited to:

- 1.) Searches of the pockets of the student;
- 2.) Any object in the possession of the student such as a purse or briefcase; and/or
- 3.) A "pat down" of the exterior of the student's clothing.

Searches of the person of a student shall be conducted in a private room by a person of the same sex as the student being searched and witnessed by one other person of the same sex as the person being searched. Searches of the person of a student which require removal of clothing other than a coat or jacket shall be referred to and conducted by a law enforcement officer in accordance with the sub-section of this regulation entitled, "Involvement of Law Enforcement Officers", and school personnel will not participate in such searches.

Motor Vehicle Searches -

The principal or a member of the administrative staff designated in writing by the principal, may request a law enforcement officer to search a motor vehicle on the school premises, subject to the sub-section of this regulation entitled, "Involvement of Law Enforcement Officers".

Custody of Evidence -

Anything found in the course of a search conducted in accordance with this section which is evidence of a violation of the student conduct standards contained in the "Student Responsibilities and Rights" document may be:

- 1.) Seized and admitted as evidence in any suspension or expulsion proceeding if it is tagged for identification at the time it is seized and kept in a secure place by the principal or the principal's designee until it is presented at the hearing;
- 2.) Returned to the parent(s) or guardian(s) of the student from whom it was seized;
- 3.) Destroyed if it has no significant value; or
- 4.) Turned over to a law enforcement officer in accordance with the sub-section of this regulation entitled, "Involvement of Law Enforcement Officers".

Disposition of Items Seized -

Anything found in the course of a search conducted in accordance with this section which, by its presence, presents an immediate danger of physical harm or illness to any person may be seized, and

- 1.) Returned to the parent(s)/guardian(s) of the student from whom it was seized, or
- 2.) Turned over to law enforcement officers.

Involvement of Law Enforcement Officers -

Except in cases of extreme danger of life or property, the parent(s) or guardian(s) of any student shall be notified as soon as reasonably possible prior to requesting the police to conduct a search of the person. The principal, or a member of the administrative staff designated in writing by the principal, may request the assistance of a law enforcement officer to:

- 1.) Search any area of the school premises, any student, or any motor vehicle on the school premises; or
- 2.) Identify or dispose of contraband found in the course of a search conducted in accordance with this section.

Where law enforcement officers respond to such a request, no school employee shall assist or otherwise participate in any search.

CROSS REF.: JFA, Student Due Process Rights

Adoption Date: May 14, 1998
Policy Committee Review: March 6, 2006
Revised: April 11, 2011
Policy Committee Review: October 8, 2014

STUDENT COMPLAINTS AND GRIEVANCES

The board recognizes that there may be conditions in the school district that are in need of improvement and that students should have some means by which their concerns may be effectively expressed, considered, and dealt with fairly. Such means, if well-conceived and understood in advance, can do much to maintain harmonious relationships between the school(s), the students and the community.

The board desires student complaints and grievances to be resolved through orderly processes and at the lowest possible level, but that channels be provided for eventual hearing by the board in instances when this becomes necessary. Therefore:

- 1.) Any student or his/her parent(s)/guardian(s) will be provided the opportunity to discuss with the student's teacher a decision or situation which he/she considers unjust or unfair.
- 2.) If the incident remains unresolved, the student or his/her parent(s)/guardian(s) or the teacher, may bring the matter to the principals' attention for his/her consideration and action.
- 3.) The student may also bring a matter of general student concern to the attention of class officers or the student council (in grades and schools where such are elected) for possible presentation to the principal.
- 4.) If the matter is still unresolved after the procedure outlined above, it may be brought to the superintendent for his/her consideration.
- 5.) Complaints that remain unresolved following any action of the superintendent may be referred in writing to the board for review.

The board's decision will be final unless an appeal hearing is requested.

Adoption Date:	May 14, 1998
Policy Committee Review:	March 6, 2006
Policy Committee Review:	March 1, 2011
Policy Committee Review:	October 8, 2014

DAKOTA VALLEY SCHOOL DISTRICT #61-8
TITLE IX - GRIEVANCE PROCEDURE

WHEREAS, the Board of Education of the Dakota Valley School District #61-8, in compliance with the rules and regulations pertaining to non-discrimination on the basis of sex under federally assisted education programs and activities, has established this procedure whereby a complaint related to the violation, interpretation, or application of the Title IX Rules and Regulations may be quickly and smoothly resolved;

WHEREAS, students and employees of the Dakota Valley School District #61-8 are eligible to participate in this grievance procedure; and

WHEREAS, the resolution of real or alleged violations shall be motivated toward a solution that is satisfactory to the student or employee, the administration, and the board of education;

NOW, THEREFORE, BE IT RESOLVED, that the following grievance procedures be adopted by the Board of Education of the Dakota Valley School District #61-8:

ARTICLE I - Definitions:

- 1.1 Grievance: An issue that reaches Level One Procedure. This involves violation, interpretation, or application of any section of Part 106, Rules and Regulations, Title IX, Education Amendments of 1972.
- 1.2 Student: Any person enrolled as a student in any school and/or educational or recreational program authorized by the Dakota Valley School District #61-8 Board of Education.
- 1.3 Employee: Any full-time or part-time teacher, secretary, aide, clerk, custodian, cleaner, administrator, or other person receiving compensation for services rendered the Dakota Valley School District #61-8 Board of Education.
- 1.4 Title IX Coordinator: The person designated by the board of education to coordinate efforts to comply with Title IX Rules and Regulations.
- 1.5 Superintendent: The superintendent of schools or a designated representative.

ARTICLE II - Level One Procedure:

- 2.1 The student or employee who has a complaint, and is unable to solve the issue, may address the complaint in writing to the Title IX Coordinator.
- 2.2 The Title IX Coordinator's responsibilities -
 - (a) Investigate, within one (1) week, the circumstances of the complaint;
 - (b) Render a decision, within two (2) weeks after receipt of the complaint, and notify the complainant;
 - (c) Provide the complainant one (1) week to react to the decision before it becomes final.
- 2.3 The Complainant's responsibilities -
 - (a) Accept the decision, in writing, addressed to the Title IX Coordinator, or;
 - (b) Disagree with the decision, in writing, addressed to the Title IX Coordinator. A Level Two procedure will be initiated.

ARTICLE III - Level Two Procedure

- 3.1 The Title IX Coordinator requests the superintendent to review the complaint.
- 3.2 The superintendent will schedule a meeting within one week of receipt of the request for review. The participants shall be the complainant, the coordinator, and the superintendent.
- 3.3 The superintendent will make a decision within one (1) week which will be final. The complainant and the Title IX Coordinator will receive copies of the decision.

Adoption Date:	May 14, 1998
Policy Committee Review:	March 6, 2006
Policy Committee Review:	March 1, 2011
Policy Committee Review:	October 8, 2014

DAKOTA VALLEY SCHOOL DISTRICT #61-8

GRIEVANCE REPORT FORM

Name(s) of Grievant(s) _____

Date of Filing _____

School Building _____

Position(s) of Grievant(s) _____

Home Address(es) _____

Phone Number(s) _____

Nature of Grievance: _____

Names and addresses of others involved in the grievance and the nature of their involvement: _____

Signature of Grievant(s) _____

Person Receiving Grievance _____

DAKOTA VALLEY SCHOOL DISTRICT #61-8

RESOLUTION OF GRIEVANCE

(1) Violation: YES NO (If no, please explain)

(2) Corrective Actions Recommended:

(3) Remedial Measures Recommended:

Signature: _____

Date: _____

STUDENT ORGANIZATIONAL MEETINGS DISTRICT POLICY

PHILOSOPHY - The school district encourages students within the district to participate in co-curricular and extra-curricular activities which are part of the overall school program.

PURPOSE - The purpose of this policy is to outline the perimeters for student organizational meetings held in conjunction with the educational program in the district, whether the activities be co-curricular or extra-curricular in nature.

SCOPE -

- 1.) All co-curricular and extra-curricular activities within the district must be formally approved by the district board of education prior to the activity being held in the district.
- 2.) Co-curricular activities are those activities outside the regular educational curriculum and for which the student may receive educational credit. Extra-curricular activities are those activities which are conducted in conjunction with the specific educational curriculum or an approved activity or an activity recognized by the South Dakota High School Activities Association.
- 3.) An example of a co-curricular activity recognized by the district's board of education would be the music program; an example of the extra-curricular activity in groups currently recognized by the board of education would include interscholastic athletics and cheerleading.
- 4.) It is the policy of the district to recognize only student organizations and activities that are co-curricular or extra-curricular in nature, and to authorize the use of the school facilities for those student organizations recognized by the board of education.
- 5.) Should any private party wish to conduct meetings within the facilities of the school district with students served by the district, approval by the board of education for meetings shall be given only to a party showing the meeting is for a bonafided educational purpose and directly associated with the co-curricular and/or extra-curricular program within the school district.
- 6.) The policy is not to be interpreted as to disallow any private party from requesting use of school facilities and receiving board approval therefore pursuant to the district policy on the use of school facilities by the community.

Adopted On:	March 9, 1992
Reaffirmed:	May 14, 1998
Policy Committee Review:	March 6, 2006
Policy Committee Review:	March 1, 2011
Policy Committee Review:	October 8, 2014

STUDENT DISCIPLINE

Staff and students share responsibility for maintaining a climate in which education can be pursued. What is best for the individual must be balanced with what is most desirable for the entire school populations.

The following principles will be observed by the school staff in maintaining student control and discipline in the schools:

- 1.) It is believed that most individuals modify behavior faster under praise than under blame. Therefore, the general approach to discipline will be a positive one. This will include attempting to identify the social, emotional, and academic problems that underlie a student's poor attitude or misconduct, and striving to meet his/her social, emotional, and academic needs.
- 2.) Every individual needs to feel worthy and accepted as a person. In criticizing a student for his/her conduct or attitude, and in taking disciplinary action, teachers and other staff members will endeavor to show him/her that it is his/her behavior that is objectionable, not the student himself/herself.
- 3.) The best discipline is self-discipline. Modes of student control over classroom management will offer students the freedom to acquire self-control and self-discipline. This freedom will be extended in keeping with the student's maturity.

The board extends to all of its school employees, professional and support, the authority to enforce policy and regulations governing student behavior. Students will comply with the directions given them by staff members.

CROSS REFS.: JFC, Student Conduct

Adoption Date:	May 14, 1998
Policy Committee Review:	March 6, 2006
Policy Committee Review:	March 1, 2011
Policy Committee Review:	October 8, 2014

CORPORAL PUNISHMENT

The use of corporal punishment, defined as any act of physical force on a pupil for the purpose of punishing that child, is not acceptable in the Dakota Valley School District, and will not be tolerated as a disciplinary measure. The term will not apply, however, to the use of reasonable physical force in the following situations.

- 1.) For self-defense
- 2.) To protect other persons from physical injury,
- 3.) To protect property of the school or others,
- 4.) To remove a student who has refused to comply with requests to refrain from disruptive behavior, and,
- 5.) To restrain or control a student that is out of control.

Superintendents, principals, supervisors, teachers and their aides and assistants have the authority to use physical force that is reasonable and necessary for supervisory control over students.

Elect authority over students is given any person delegated to supervise children who have been authorized to attend a school function away from their school premises and to school bus drivers while students are riding, boarding or leaving the busses.

LEGAL REFS.: SDCL 13-32-2

Adoption Date: May 14, 1998
Policy Committee Review: March 6, 2006
Policy Committee Review: March 30, 2011
Policy Committee Review: October 8, 2014

STUDENT SUSPENSION/EXPULSION

Serious breaches of standards of behavior may result in suspensions or expulsions from school. By law, The principals are authorized to suspend pupils for not more than ten (10) school days; the superintendent may suspend pupils beyond the ten (10) school days, up to ninety (90) days; and the school board has the authority to suspend or expel pupils beyond ten (10) days, for violation of school rules, policies, or for insubordination or misconduct. The period of expulsion may extend beyond the semester in which the violation, insubordination, or misconduct occurred.

Any student bringing a firearm to school may be expelled for not less than one (1) year (12 months), and will be referred to law enforcement authorities. The superintendent will have the authority to recommend to the school board that this expulsion requirement (12 months) be modified on a case-by-case basis.

Generally, a suspension may be imposed when a student's behavior creates a threat to his/her own or other's safety or imposes a threat to property or premises. Behavior such as fighting or committing an assault on another, stealing, vandalism, possessing weapons, explosives, or other prohibited materials, making false alarms or bomb threats, lewd or threatening behavior or language, or possession of beer/alcoholic beverages on the school premises or at school activities may result in suspensions.

Students who are guilty of continued serious misconduct which results in repeated suspension and who interfere with the opportunity of other students to carry on their learning activities may be recommended to the board for expulsion from school.

Hearing procedures as established by state regulations will be followed for all students who receive long-term suspensions or expulsion.

LEGAL REFS.: SDCL 13-32-4, 13-32-4.2, 13-32-5, 13-32-7
ARSD 24:07:01, 24:07:02, 24:07:03, 24:07:06,
24:07:08, 24:07:26

CROSS REFS.: JFA, Student Due Process Rights
JFC, Student Conduct

Adoption Date: May 14, 1998
Revised: April 10, 2006
Policy Committee Review: March 30, 2011
Policy Committee Review: October 8, 2014

STUDENT HEALTH SERVICES

The board realizes its responsibility to help protect and improve the health of students. The board, therefore, will employ a school nurse for the district schools.

Student health services, as provided by the school nurse, will include the following:

- 1.) Regular appraisal of the health status of students.
- 2.) Counseling for students, parent(s)/guardian(s), and others concerning the findings of health examinations.
- 3.) Encouragement in the correction of defects.
- 4.) Help in preventing and controlling disease.
- 5.) Emergency service for injury and sudden illness.
- 6.) Consultation with appropriate staff and parent(s)/guardian(s) on the health and physical problems of students as these relate to placement in special services.
- 7.) Maintenance of health records for all students.

Of necessity, the health services provided will be limited largely to the detection and prevention of health problems, referral of problems through parent(s)/guardian(s) to the family physician and emergency care.

Injuries -

Students are encouraged to play safe and avoid injuries, but if injured, the students should report any injuries to the teacher in charge or to the office. This is especially important for insurance purposes.

LEGAL REFS.: ARSD 24:03:05:10

Adoption Date:	May 14, 1998
Policy Committee Review:	March 6, 2006
Policy Committee Review:	March 30, 2011
Revised:	November 12, 2014

PHYSICAL EXAMINATIONS OF STUDENT/INOCULATIONS OF STUDENTS

The board encourages parent(s)/guardian(s) and students to preserve and protect each student's general health. The board will, therefore, require that each child should have a complete physical examination by a licensed physician upon entrance to the preschool and/or kindergarten level.

By law, all entrants must, (prior to admission), have received or are receiving immunization against polio, diphtheria, pertussis, rubeola, rubella, mumps, and tetanus. In addition, incoming kindergarten students will need to be immunized against chicken pox, unless they have previously had the disease; in which case a parent signature is required on the certificate of immunization.

Exceptions to immunization include certification by a physician that such immunizations would endanger the life or health of the child, or a written statement by the parent(s)/guardian(s) that such immunizations are against the religious beliefs of the child's family.

Physical examinations are required for all students who participate in interscholastic athletics and other school activities. The examination would be administered by a licensed physician or chiropractor and the full cost would be borne by the parent(s)/guardian(s)/student.

Students at certain grade levels will also be subject to routine health screenings for hearing and visual acuity, and scoliosis.

LEGAL REFS.: SDCL 13-28-7.1
ARSD 24:03:09:09

Adoption Date: May 14, 1998
Revised: April 10, 2006
Revised: May 9, 2011
Revised: November 12, 2014

STUDENT COMMUNICABLE DISEASE/GUIDELINES

The board recognizes that, to the extent possible, all students should be permitted to attend school in a normal classroom setting. The board further recognizes its responsibility to provide a healthy environment for students and school employees.

The determination of whether an infected student should be excluded from the classroom or school activities shall be made on a case by case individual basis, under the direction of the superintendent of schools or his/her designee.

In situations where the decision requires additional knowledge and expertise, the superintendent will refer the case to a team for assistance in the decision making.

The team may be composed of:

- 1.) Representation from the State Health Department
- 2.) The student's physician
- 3.) The student's parent(s) or guardian(s)
- 4.) The school principal
- 5.) School health services supervisor
- 6.) Superintendent or his/her designee
- 7.) Primary teacher(s) and other appropriate school personnel

In making the determination, the team shall consider:

- 1.) The behavior, developmental level, and medical condition of the student
- 2.) The expected type(s) of interaction with others in the school setting
- 3.) The impact on both the infected student and others in that setting
- 4.) The South Dakota Department of Health policies and guidelines

The team may officially request assistance from the State Health Department (See State Department of Health Implemented Policy, dated 3/12/86.)

If an infected student is not permitted to attend classes or participate in school activities, the district will provide the student with an appropriate education program which conforms to all rights and privileges provided by federal and state law.

A student infected has the right to privacy. Persons involved in the care and education of infected children should respect their right to privacy, and private records should be maintained and protected as specified by state law. Only those individuals who are necessary to assure the proper care of the infected child and to detect situations in which the potential for transmission may increase will be informed of the child's condition (i.e., principal, child's teacher, school nurse).

It is recognized that personal hygiene measures are part of creating a healthy environment. Thus, good hand washing techniques are imperative in the school setting. Thorough maintenance cleaning is part of this environment. Instruction in appropriate handling of blood and body fluids will be provided.

Student Communicable Disease Guidelines

Numerous communicable diseases may affect a school-age population and/or school staff. Some of these have a high degree of communicability. Some are life threatening in nature. Some are both.

<u>Disease and Incubation Period*</u>	<u>Rules for Work Attendance</u>
Acquired Immune Deficiency Syndrome (AIDS)	Determination will be made by the Advisory Committee as outlined in the Communicable Disease Policy.
Chicken Pox	The student may attend school after all pox are dry and scabbed.
Cytomegalovirus (CMV) (Salivary Gland Viruses)	The student may attend school. Precautions should be taken by contacts with immunosuppression as anti-cancer or organ transplants as well as anyone with suspected or known pregnancy. Good hand washing in all cases should eliminate risk of transfer of infection.
Fifth Disease (Erythema Infectiosum)	The student may attend school with physician's permission.
Giardiasis (Intestinal Protozoan Infection)	The student may attend school if the student practices independent and hygienic bathroom skills. Other students may attend school after the third day of drug treatment. Good hand washing in all cases should eliminate risk of transfer of infection.
Herpes Simplex	The student may attend school during an active case if the student has the ability and practices personal hygiene precautions and the area of lesion is covered.
Impetigo	The student may attend school if treatment is verified and covered or dry. Infected area must be kept covered.
Infectious Hepatitis	The student may attend school with physician's written permission and if the student has the ability to take appropriate personal hygiene precautions.
Measles (Red, Hard, Rubeola)	The student may attend school after a minimum of seven (7) days. Students who have had contact with measles may attend school if immunization is up-to-date.

Infectious Mononucleosis (Glandular Fever)	The student may attend school with physician's permission. The student may need adjusted school days and activities.
Mumps	The student may attend school after swelling has disappeared.
Pediculosis (Lice, Crabs) (See JHCC-1)	The student may attend school after treatment. After repeated infestation of the same student, the student may be excluded until all nits are removed.
Pink Eye (Conjunctivitis)	The student may attend school after the eye is clear, under treatment, or with physician's written permission.
Planter's Wart	The student may attend school. Students should not be permitted to walk barefoot.
Ring Worm (Scalp, Body, Athlete's Foot)	The student may attend school if the area is under treatment and covered. Restrict known cases of athlete's foot from pools and showers until under treatment.
Rubella (3-Day, German Measles)	The student may attend school after a minimum of four (4) days. Prevent exposure of pregnant women.
Scabies (Mites)	The student may attend school after treatment.
Streptococcal Infections (Fever, Scarletina, Strep Throat)	The student may attend school 24 (Scarlet hours after initiating oral antibiotic therapy, is not running a fever, and is clinically well.
Hand, Foot & Mouth Disease	The student should stay at home until the blisters dry out.

All communicable and chronic disease should be reported to Health Services.

* Time interval between initial contact with an infectious agent and the first sign of symptom of the disease.

LEGAL REFS.: SDCL 13-28-7.3; 13-43-3 through 13-43-3.3; 1-27-3
ARSD 24:03:09:10

Adoption Date:	September 9, 1991
Reaffirmed:	January 12, 1998
Reaffirmed:	May 14, 1998
Policy Committee Review:	March 6, 2006
Revised:	June 9, 2008
Policy Committee Review:	March 30, 2011
Revised:	November 12, 2014

**PEDICULOSIS
(Headlice)**

POLICY:

- 1.) A student identified to be infected with live lice and/or nits will be removed from the classroom. The parent/guardian will be notified and the student will be taken home by the parent/guardian. Treatment instructions will be provided.
- 2.) The student may return to school after treatment. The student's head must be totally clean of lice. Verification of this will be done by the school nurse or other designated representative. The parent/guardian will be required to transport their student to school for the initial verification. If **live** lice are found on the student's head, the student will return home with the parent/guardian and the verification process will be repeated the next school day.
- 3.) A student with more than two (2) recurrences of head lice within a two month period will be referred to the County Health Agency, to their family physician and/or to the Communicable Disease Control Office.

PREVENTATIVE PROCEDURES:

- 1.) Elementary students in the classroom with the infected child will have their heads checked.

Adopted:	October 14, 1996
Revised to No Nit Policy:	May 14, 1998
Reviewed/Revised:	March 12, 2001 (Emergency Approval)
Revised:	April 10, 2006
Revised:	June 18, 2008
Revised:	May 9, 2011
Revised:	November 12, 2014

ADMINISTERING MEDICINES TO STUDENTS

No medications will be dispensed by the teacher, but parent(s)/guardian(s) may request the teacher to remind students to take his/her medication.

Should the school nurse be unavailable to supervise the administration of medication, only designated school employees who have been trained by a qualified nurse will be allowed to supervise the student in taking his/her medication.

Effective July 1, 2010; State Law allows students with asthma or anaphylaxis to possess and self-administer prescription inhaler and/or auto-injectable epinephrine while on the school bus, during the school day, or during school events.

Medications will be stored in a secure location that is accessible to the supervising party. All medications must be in their original, labeled containers and must be delivered and picked-up from school by the student's parent or guardian.

Only enough medication for the doses needed during the school day should be sent at one time. The medication must be accompanied by a permission note, stating the name of the student, the name of the medication, the purpose of the medication, the amount, the times to be taken, and signed by the parent(s)/guardian(s) and attending physician.

A full release from the responsibilities pertaining to the administration and consequences of such medications must also be presented to the principal by the student's parent(s)/guardian(s).

The above policy covers all prescription and other drugs.

Legal Reference: SDCL 13-33A-1; SDCL 13-33-A2
SD Administrative Rules 20:48:04:01

Adoption Date: May 14, 1998
Revised: May 14, 2010
Policy Committee Review: March 30, 2011
Policy Committee Review: October 8, 2014

EPINEPHRINE AUTO-INJECTOR (NON-PRESCRIBED USE)

Purpose: South Dakota legislature passed HB1167 allowing schools to maintain a stock epinephrine auto injector and administer it in case of anaphylaxis reaction to an allergen like bee stings, food, etc.

The school nurse(s) may maintain a current prescription on a yearly basis from an authorized health care provider. If unable to maintain current prescription, the current epinephrine auto injector must be wasted, and have 2 signatures to document waste. They are also to maintain the medication expiration date, and provide yearly training to designated staff. Recommend designating secretary located closest to where medication is stored.

Epinephrine auto injector is to be used only when a student is suspected to be having an anaphylactic response to an allergen **and** meets criteria on the flow sheet. Flow sheet attached to this policy will be attached to the epinephrine auto injector and needs to be filled out upon injection.

Emergency services are to be called if epinephrine auto injector is used. School district will not be responsible for cost of Emergency Services. If parents are present at the time of reaction and injection, they may decline EMS. However, if a parent declines the EMS Services, the parent will be required to sign a district form indicating the parent's decline of EMS services.

Student may not remain in school the day of injection, and will only be released to parent/legal guardian or EMS for further evaluation.

Proper documentation needs to be done after the injection in school records or in electronic record (i.e. Infinite Campus) and incident must be medical flagged for at least one calendar year. Flow sheet must be placed in student's file by immunizations and must be maintained for 1 year.

Legal Reference: 2014 HB 1167

Adopted: May 12, 2014
Policy Committee Review: November 6, 2014

DIABETES/INSULIN POLICY

I. PURPOSE

The purpose of this policy is to establish procedures in the District for the administration of health care services for each student with diabetes as prescribed by that student's personal physician. The goal of this care is to maintain blood glucose levels within a student's target range and to enable a student with diabetes to safely and fully participate in the educational program.

Policy JHCD, Administration of Medications to Students, shall also apply to the administration of health care services for students with diabetes to the extent Policy JHCD is consistent with and not contradictory to this policy.

II. CARE TO BE PROVIDED

A. Diabetes care may be provided by a school nurse, if available, or by an Unlicensed Assistive Personnel (UAP) who volunteers to provide diabetes care and who has been trained pursuant to ARSD Ch. 20:48:04.01.

B. The delegation of insulin administration to an Unlicensed Assistive Personnel (UAP) is authorized by the South Dakota Board of Nursing rules, ARSD 20:48:04.01. A registered nurse (RN), holding an active South Dakota or multi-state compact RN license, currently practicing and employed as a certified diabetes educator (CDE) or RN currently-employed as a school nurse must be identified to be the delegating nurse to train, test competency, and oversee the process. In many cases, the delegating nurse will communicate with the student and UAP during the school day via video conferencing. The delegating nurse will be referred to as the "virtual nurse" in this policy.

1. If a student with diabetes needs assistance with care for that condition at school or school-related events, and the services of a UAP is needed, the school shall seek school employees to volunteer to provide that care. The employee must be willing to accept the delegated task of insulin administration. No employee shall be required to be a UAP as a condition of employment. The employee must meet the South Dakota Board of Nursing's Medication Administration training requirements as set forth in ARSD Ch. 20:48:04.01, which training shall be provided at school expense.
2. Employees who provide diabetes care as a UAP shall be provided liability insurance through the school's insurance coverage for incidental medical malpractice liability, and the school shall defend and indemnify the employee for any and all costs for which the employee may be liable, provided the UAP's actions were consistent with the training received.

C. If the school provides diabetes care through a UAP, the school shall decide, after consulting with the parents/guardians, what agency (e.g., Avera, Rapid City Regional, Sanford, or a school nurse) will provide the virtual nurse support should the school utilize a UAP to provide the necessary care. The school shall then work with that agency to provide video conference calls to the virtual nurse. A secure internet connection shall be used to dial into the virtual nurse and which shall provide sufficient clarity so the virtual nurse can see the glucose meter and insulin pump screen, insulin pen doses, and insulin syringe lines. A dedicated tablet, laptop, or desktop with video capacity to support calls used to provide services pursuant to this policy shall be securely stored when not in use by the student and UAP.

D. If diabetes care is to be provided by a UAP, the virtual nurse must be available during school hours and must initiate a weekly interaction with UAP and student(s). The virtual nurse will maintain appropriate documentation related to interactions and weekly logs.

E. To the extent that the student is not able to perform this care independently, diabetes care provided by the school UAP shall be under the supervision of a school nurse or Virtual Nurse, and may include:

- i. Checking blood glucose level at the times and under the circumstances specified;
- ii. Responding to blood glucose monitoring results;
- iii. Administering insulin through the insulin delivery system the student uses;
- iv. Administering oral diabetes medication;
- v. Administering glucagon and taking the additional actions set out in the DMMP
- vi. Checking for ketones;
- vii. Recording blood glucose monitoring results and medication dosages and frequency in the weekly log; and
- viii. Following instructions regarding meals, snacks, and physical activity.

F. If a student becomes unconscious or unresponsive due to severe hypoglycemia, school employees shall take actions as specified in the student's DMMP and contact 911. No student experiencing hypoglycemia shall be left unattended or shall be sent alone to another location to receive care.

G. All school employees who have primary responsibility for a student with diabetes at any time during the school day or during school-sponsored activities may receive training covering basic information about diabetes and its management, how to recognize symptoms of hypoglycemia and hyperglycemia, and which school employees should be contacted for assistance in providing diabetes care.

H. Notwithstanding the other provisions in this section, a parent or guardian may elect to perform diabetes care for his or her child at school or during school-sponsored activities. The election should be made in writing and shall specify the circumstances under which the parent or guardian will provide care and the circumstances, if any, under which school personnel will provide care.

III. DIABETES MEDICAL MANAGEMENT PLAN (DMMP)

A. The parent of a student with diabetes who requests services from the school must provide written physician's orders (Diabetes Medical Management Plan, or "DMMP"), signed by the student's physician. The DMMP identifies the health care needs of, and services to be provided to, a student with diabetes. If the DMMP changes, the parents/guardians shall provide a copy of the changed DMMP, signed by the student's physician, to the principal or principal's designee, and to the UAP. The parents/guardians shall authorize the principal or the principal's designee authorization to speak directly with the student's physician related to the DMMP. The DMMP must contain:

1. A list of the equipment and supplies, if any, that the student is permitted to carry during the school day;
2. A statement that the student has been trained on the proper and safe use of medication and supplies needed at school, such as syringes and needles, if the child is to carry such supplies at school;
3. A statement as to which, if any, diabetes care tasks the student is capable of performing without assistance, which of these tasks require assistance from school personnel, and which of these tasks the student is unable to perform;
4. If the student requires assistance from the UAP with blood glucose or ketone monitoring;
5. If the student requires assistance from the UAP with insulin, glucagon or other medication administration at school, the medication to be taken, the timing of medication administration, and instructions for calculating the proper dose;
6. Instructions regarding activity monitoring and exercise plan;
7. A chart with hypoglycemic recognition and treatment;
8. A chart with hyperglycemic recognition and treatment; and
9. Instructions for emergency Glucagon administration.

B. Once the school receives a copy of the DMMP, the school shall develop and implement a Student Health Plan (SHP) for the student with diabetes that incorporates the provisions of the DMMP. The plan shall specify which school personnel or unlicensed assistive personnel (UAP) will provide diabetes care to the student, if needed. The school may use an individualized Student Health Plan, or include the DMMP in a student's Rehabilitation Act Section 504 Plan (504 Plan), or include the DMMP in a student's Individualized Education Program (IEP).

C. All supplies and equipment needed by the school to provide diabetes care, including insulin, glucagon, blood glucose meters, and test strips, shall be provided by the student's parent or guardian.

D. The school may consult with a physician of its own choosing related to any DMMP.

IV. SELF-MONITORING AND TREATMENT

Where a student's DMMP indicates that the student is able to perform specific diabetes care tasks independently, the student shall be permitted to perform these tasks independently while in school and while participating in school-sponsored activities. If specified in the student's DMMP, the student shall be permitted to possess on his or her person all supplies and equipment needed to perform diabetes care.

Legal Reference: ARSD Chapter 20:48:04.01:16 and 20:48:04.01:17.

Adoption Date: February 9, 2015

STUDENT PSYCHOLOGICAL SERVICES

A teacher or administrator may not refer a student for psychiatric treatment, either within or outside the school, without the prior written consent of the student's parent(s)/guardian(s).

Established by Law.

LEGAL REFS.: SDCL 13-32-3

Adoption Date: May 14, 1998
Policy Committee Review: March 6, 2006
Policy Committee Review: November 6, 2014

STUDENT SAFETY

Elementary and middle school students will not be allowed to drive motorized vehicles to or from school unless they are accompanied by their parent(s)/legal guardian(s), and have been issued a driving license by the State of South Dakota.

The above restriction(s) apply to any and all school district sponsored activities either before, during, or after normal school hours or days.

Rollerblades, skateboards, and the like, **(excluding bicycles)** not requiring motors are also prohibited from use on school district property or at any school function.

CROSS REFS.: EB, Safety Program

Adoption Date:	May 14, 1998
Revised:	May 10, 2006
Revised:	December 10, 2007
Revised	June 13, 2011
Policy Committee Review:	November 6, 2014

SUPERVISION OF STUDENTS

When students are in school, engaging in school-sponsored activities, or traveling to and from school on school buses, they are responsible to the school, and the school is responsible for them. School personnel assigned to their supervision serve in loco parentis.

The board expects all students to be under assigned adult supervision at all times when they are in school, on school grounds, traveling under school auspices, or engaging in school-sponsored activities. School personnel assigned this supervision are expected to act as reasonably prudent adults in providing for the safety of the students in their charge.

In keeping with this expected prudence, no teacher or other staff member will leave his/her assigned group unsupervised except as an arrangement has been made to take care of an emergency.

During school hours, or while engaging in school-sponsored activities, students will be released only into the custody of parents or other authorized persons.

The school administration will assure that anyone who wishes to contact a student during the school day is doing so for proper reasons.

LEGAL REFS.: SDCL 13-32-1

Adoption Date:	May 14, 1998
Policy Committee Review:	April 3, 2006
Policy Committee Review:	March 30, 2011
Policy Committee Review:	November 6, 2014

SCHOOL ACTIVITIES REQUIRING USE OF EYE PROTECTION DEVICES

Every pupil and teacher in the district who participate in any of the following activities are required to wear industrial quality eye protection devices at all times while observing or engaging in any such activity:

- 1.) Vocational or industrial art shops or laboratories involving use of or exposure to:
 - a.) hot metals;
 - b.) milling, sawing, turning, shaping, cutting or stamping of any solid materials;
 - c.) heat treating, tempering, or kiln firing of any kind of metal or other materials;
 - d.) gas or electric welding;
 - e.) repair or servicing of any vehicle;
 - f.) caustic or explosive materials.
- 2.) Chemical or combined chemical-physical laboratories involving caustic or explosive chemicals or hot liquids or solids.

It is the policy of this district that the above shall be policy of the district whether the requirement is codified in law or at some point in time repealed. The district shall purchase the industrial quality protective eye devices for use by students, teachers, and visitors to such classrooms or laboratories.

LEGAL REFS.: SDCL 13-24-18.3

Adopted On: March 9, 1992
Reaffirmed: May 14, 1998
Policy Committee Review: April 3, 2006
Policy Committee Review: March 30, 2011
Revised: December 8, 2014

REPORTING CHILD ABUSE

Because of their regular contact with school-age children, school employees are in an excellent position to identify abused or neglected children.

To comply with the law, it is the policy of the Dakota Valley School District #61-8, that any teacher or other school employee who suspects that a child under 18 years of age has been neglected or physically abused (including sexual or emotional abuse) by any person including parent(s) or other person(s), other than by accidental means, shall report orally or in writing to the principal or superintendent who shall then immediately report to the States Attorney or to the Department of Social Services or to the County Sheriff or to the police. The principal or superintendent shall inform the school employee initiating the action within twenty-four (24) hours, and in writing, that the report has been made. The employee shall make the report directly to the proper authorities if the principal or superintendent fails to do so.

The report shall contain the following information: name, address, and age of the child; name and address of the parent(s) or caretaker; nature and extent of injuries or description of neglect; any other information that might help establish the cause of injuries or condition.

School employees, including administrators, shall not contact the child's family or any other person(s) to determine the cause of the suspected abuse or neglect. It is not the responsibility of the school employees to prove that the child has been abused or neglected, or to determine whether the child is in need of protection, only to report his/her suspicions of abuse or neglect.

Any personal interview or physical inspection of the child should be conducted in a considerate, professional manner and information on records concerning reports of suspected abuse or neglect are confidential and the release to persons other than provided by law is punishable by \$1,000 fine, one year in jail or both. Failure to make a report where abuse or neglect is suspected is subject to the same punishment.

Anyone who participates in making a report in accordance with the law and in good faith is immune from any civil or criminal liability that may otherwise arise from the reporting or from any resulting judicial proceedings even if the suspicion is proved to be unfounded.

Copies of this policy shall be distributed by the superintendent or his/her designee to all school employees at the beginning of each school term and to new employees when they begin employment if at a different time than the beginning of the school term.

The board will support any employee making a report of suspected child abuse or neglect until and unless it is determined that the employee was acting in bad faith in making the report.

LEGAL REFS.: SDCL 26-8A-6, 26-8A-3, 26-8A-6 through 26-8A-15

Adoption Date: May 14, 1998
Policy Committee Review: April 3, 2006
Policy Committee Review: March 30, 2011
Policy Committee Review: November 6, 2014

STUDENT AWARDS AND SCHOLARSHIPS

The board of education encourages the professional staff to maintain a set of criteria and procedures for presenting letters or other suitable awards to students for scholarship and distinguished service in any school activity. In all cases, the relationship between the award and the relevant goal or goals of the school should be pointed out.

The school administration is authorized to review and approve, or reject, proposed trophies, prizes, scholarships, or other awards from non-school donors. Acceptance will require affirmative answers to the following questions:

- 1.) Can the proposed award be considered free from motives of personal or corporate gain and publicity?
- 2.) Are the criteria for making the award under the control of the professional staff, or acceptable to the staff?
- 3.) Are the purposes (either implied or explicit) of the proposed award consistent with our schools' goals?

Adoption Date:	May 14, 1998
Policy Committee Review:	April 3, 2006
Policy Committee Review:	March 30, 2011
Policy Committee Review:	November 6, 2014

SOLICITATIONS

The superintendent or designee will annually approve all solicitations that are to be permitted in the schools. No organization may solicit funds from students in the schools, nor may anyone distribute flyers or other materials related to fund drives through schools, without the approval of the superintendent.

CROSS REFS.: IGDF, Student Fund-Raising Activities
KI/KJ, Public Solicitations/Advertising in the Schools

Adoption Date: May 14, 1998
Revised: May 10, 2006
Policy Committee Review: March 30, 2011
Policy Committee Review: November 6, 2014

STUDENT FEES, FINES, AND CHARGES

It is a responsibility of the board to assure that the children of the district are provided with free public education. Therefore, no fee or charges may be required as a condition of school year attendance, credit in a required course, or for materials or activities that are part of a course requirement. Neither may a fixed activity fee be required of all students, nor class dues exacted. Students will be responsible for the cost of replacing any school district materials or property that is lost or damaged through the student's negligence.

Certain fees and charges, however, may be established under the following conditions:

- 1.) When established to pay for optional activities that are not part of the regular school program, nor essential to success in a course;
- 2.) When established to pay for materials that are optional for use in a course, and when grades or credit are not dependent on their use;
- 3.) When established to pay for materials that will result in shop products, clothing, or other items that the student will take home for personal use.

Certain other items or equipment required of students for personal use may be purchased by the school system and rented to the student. When these are no longer needed by the student, they may be returned to the school, with a refund of the rental fee, dependent upon their condition.

The board will annually review a list of fees and charges proposed at the various school levels. In making recommendations, school administrators will consider the cost of the time and bookkeeping involved in collecting fees and rental charges for minor items.

LEGAL REFS.: SDCL 13-28-5

Adoption Date:	May 14, 1998
Policy Committee Review:	April 3, 2006
Policy Committee Review:	March 30, 2011
Policy Committee Review:	November 6, 2014

STUDENT RECORDS POLICY

I. Classification and Maintenance of Records -

Information about students that is collected and stored by school personnel shall be separated into one of the following classifications:

A.) Administrative Records - This classification shall include the permanent record card and other official administrative records that constitute the minimal personal data necessary for operating the school system. It shall include the name, gender, date of birth, place of birth; names, addresses, and places of employment of parents; home telephone number; number of siblings; academic work completed; level of achievement, such as grades and scores on standardized achievement, aptitude and intelligence tests; attendance records; withdrawal and re-entry; honors and activities; date of graduation; class rank; and follow-up records.

B.) Supplementary Records - This classification includes the administrative record as well as verified information that is important in operating the educational system but is of a more sensitive nature and of less historical importance. It includes:

- 1.) Observational data such as systematically gathered teacher or counselor evaluations and observations of social and personal assets, summaries of clinical findings, and verified reports of serious or recurrent deviant behavior patterns.
- 2.) General data such as health data, family background information, and educational and vocational plans.

C. Unverified Records - This classification includes potentially useful information not yet verified or clearly needed beyond the immediate present, including unevaluated reports of teachers, counselors and other personnel which may be needed in ongoing investigations and disciplinary or counseling actions. This record must be maintained separately from the administrative and supplementary records in order that its unverified contents be protected from unauthorized use. Such data must be reviewed and destroyed as soon as its immediate usefulness is ended, or transferred to the supplementary record. Transfer to the supplementary record may be made only if two conditions are met:

- 1.) The continuing usefulness of the information is clearly demonstrated; and
- 2.) Its validity has been verified.

D.) In addition, two other forms of information may exist but NEVER as a part of a student's records:

1.) Confidential communications with certified guidance counselors. Communications between a student and a certified guidance counselor are confidential, and shall not become a part of the student's record. They shall be kept in a separate file in the custody of the certified guidance counselor, and shall not be disclosed, except if the right of the confidentiality is lawfully waived.

2.) Communications in professional confidence. It is recognized that, in some instances, professionals working in the school may maintain confidential files, containing notes, transcripts of interviews, clinical diagnosis and other memory aids for their own use in counseling students.

E. Questions on Record Content - Parent(s) shall have an opportunity for a hearing to challenge the content of their child's school records, to insure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein.

The parent(s) shall have the right to make written objections to any information contained in the records. Any written objection shall be signed by the parent(s)/guardian(s) and dated, and it shall become part of the student's supplementary record.

F. Procedures - Administrative records shall be permanent and maintained by the school for an indefinite period. When the student graduates, supplementary records shall be destroyed or shall be transferred to the administrative records if they have permanent usefulness.

To eliminate unnecessary or outdated information, a student's records shall be reviewed, at a minimum, when moving from elementary to junior high and from junior high to high school and upon graduation.

II. Dissemination of Student Records -

A. School Officials - The school may, without the consent of either the student or parent(s), release student records to school officials who have a legitimate educational interest in examining the information.

B. Parents - A student's parent(s)/guardian(s) shall have access to the administrative and supplementary records at all reasonable times. Access to unverified records may be given parent(s)/guardian(s) as necessary in establishing accuracy or adding information. A school official competent in interpreting student records shall be present to explain the records that are examined. Regardless of marital statutes, both natural parents have the right to access student records unless there is a Court Order prohibiting the same.

C. Students - For the purpose of this policy, "Student Records", whenever a student has attained eighteen (18) years of age, the permission or consent required of and the rights accorded to the parent(s)/guardian(s) of the student shall thereafter only be required of and accorded to the student. However, if the student is residing at home, parent(s) also have access to the student records.

D. Other Persons - The Dakota Valley School District will not furnish in any form, any personally identifiable information contained in personal school records to any person other than those already listed, unless:

- 1.) There is written consent from the student's parent(s)/guardian(s) specifying records to be released, the reasons for such release, and to whom, and with a copy of the records to be released to the student's parent(s)/guardian(s) and the student if desired by the parents;
- 2.) Such information is furnished in compliance with judicial order, or pursuant to any lawfully issued subpoena, upon condition that parent(s)/guardian(s) and the student(s) are notified of all such orders or subpoenas in advance of the compliance therewith by the school officials;
- 3.) In an emergency situation, when the student or parent(s)/guardian(s) cannot be reached, the principal or superintendent may, at their discretion, release information as needed for the health and/or safety of individuals;
- 4.) When data for outside research purposes are released in such a form that no individual student is identifiable;
- 5.) The student is applying at a post high school institution.

E.) With respect to "D - Other Persons", all persons, agencies, or organizations with authorized access to the records of a student shall be required to sign a written form which shall be kept permanently with the file of the student, but only for inspection by the parent(s)/guardian(s) or student, indicating specifically the legitimate educational or other interest that each person, agency or organization has in seeking this information. Such form shall be available to parents and to the school official responsible for record maintenance as a means of auditing the operation of the system. With respect to this section, personal information shall only be transferred to a third party to have access to such information without the written consent of the parent(s) of the student.

F. The right of inspection may be exercised only during customary office hours of the school.

III. Superintendent's Discretion in Allowing or Denying Access to Records -

If the superintendent has special information that would indicate granting or denying access, in accordance with Section II of this policy, would be harmful to the student, the superintendent may exercise discretion in granting or denying access in a manner other than that provided for in Section II.

IV. Procedure -

The principal shall have the over-all responsibility for maintaining and preserving the confidentiality of student records. The principal may, however, designate another school official to perform these duties.

The principal or a designee, is responsible for classifying records and maintaining them so that each record can clearly be identified by classification. The principal is responsible for reviewing the files and deleting supplementary and tentative records when necessary. The principal is also responsible for granting or denying access to records on the basis of these regulations.

V. Rules and Regulations -

This policy shall constitute the rules and regulations to protect student records against damage or disorganization, or to keep student personnel information confidential, pursuant to State and Federal laws.

LEGAL REFS.: Family Educational Rights and Privacy Act (FERPA) of 1974, PL 93-380

CROSS REFS.: KBB, Public's Right to Know

Adoption Date: May 14, 1998
Policy Committee Review: April 3, 2006
Policy Committee Review: March 30, 2011
Policy Committee Review: November 6, 2014

DIRECTORY INFORMATION

The Dakota Valley School District #61-8 designates the following personally identifiable information contained in a student's education record as "directory information" and it will disclose that information without prior written consent:

- 1.) The student's name;
- 2.) The names of the student's parents;
- 3.) The student's address;
- 4.) The student's date of birth;
- 5.) The student's class designation (i.e., 1st grade, 10th grade, etc.);
- 6.) The student's extra-curricular participation;
- 7.) The student's achievement awards or honors;
- 8.) The student's weight and height if a member of an athletic team;
- 9.) The student's photograph;
- 10.) The school or school district the student attended before he/she enrolled in the Dakota Valley School District.

After the parent(s) or eligible student(s) have been notified, they will have two weeks to advise the school district in writing (a letter to the school superintendent's office) of any or all of the items they refuse to permit the district to designate as directory information about that student(s).

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

Adoption Date:	May 14, 1998
Policy Committee Review:	April 3, 2006
Policy Committee Review:	March 30, 2011
Policy Committee Review:	November 6, 2014

CONFIDENTIALITY

The Dakota Valley School District, in accordance with the Family Educational Rights and Privacy Act of 1974 and the No Child Left Behind Act of 2001, has established the following policy on the school records.

Parent(s)/guardian(s) are guaranteed the right to inspect and review any and all official records, files, and data directly related to their children. To insure a complete understanding of the contents of such data, files, and records, the inspection and review will be done with a school official. Students 18 years or older will have the same rights with the same conditions in reviewing their own files. Any authorized persons desiring to review said records will be asked to sign a statement indicating that they were granted access to files and that the contents were reviewed with them by a school official.

Parent(s)/guardian(s) have the right for a hearing to challenge any part of the record which they deem inappropriate, and request its correction or deletion.

The Dakota Valley School District will prohibit the release of the students records, except for the following circumstances: (a) the use by local school officials, (b) the transfer to another school where the student is to enroll, (c) written parental consent specifying the records to be released, and, (d) compliance with a judicial order or subpoena.

All persons, agencies, or organizations desiring access to the records of a student shall be required to sign a written form which shall be kept permanently with the file of a student, but only for inspection by the parent(s)/guardian(s) or student, indicating specifically the legitimate educational or other interest that each person, agency or organization has in seeking this information.

The person desiring access to the records must agree not to transfer the information to another person without the written consent of the parent(s)/guardian(s).

Student Names - Lists of student names will not be provided to any business, insurance firm, congressman, or to students. This is to protect the student from uninvited soliciting. United States military recruiters may receive the names, addresses, and phone numbers of all 11th and 12th grade students upon written request as required by the No Child Left Behind Act.

Adoption Date:	May 14, 1998
Revised:	November 11, 2002
Policy Committee Review:	April 3, 2006
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STUDENT TRAVEL

1.) Field Trip is defined as a trip of one day or less, and does not need Board approval.

A.) Plans for field trips must be presented to the principal or principal's designee for review an adequate time in advance of the trip to provide reasonable opportunity to review transportation and supervision arrangements, to examine cost and school budget limitations, and to arrange qualified substitutes where necessary. The administrator will review the relationship of the field trip to the teacher's instructional goals and will approve or disapprove the trip.

B.) Travel request form and a parent permission form must be on file as a prerequisite for participation in any out-of-district field trip.

C.) Out-of-district field trips may require a student fee to defray transportation costs. Expenses for meals or other items are the responsibility of the participant.

D.) When a field trip is provided to students as an optional activity for a specific class, sufficient transportation will be provided by the district to accommodate the number of students who wish to participate.

E.) When commercial transportation is used, it must be with a bonded carrier. At least one approved chaperone must ride in each vehicle. When private vehicles are used, an insured adult will drive each vehicle.

2. Regularly scheduled Extra-Curricular travel is defined as a trip outside the school district for participation in an activity with students of other school districts, less than five nights/six days duration and does not need Board approval.

A.) The advisor of a regularly scheduled extra-curricular travel activity must submit a schedule of activities to the principal or principal's designee before the beginning of the season for review and approval.

B.) Transportation will be at no cost to the students. When overnight lodging is required, costs may be paid by the school. Expenses for meals or other items may also be paid by the school.

- C.) Participation in Dakota Valley School District events or other South Dakota communities, e.g., parades, festivals, or contests, should be confined to weekends, holidays or vacation periods, unless permission is granted by the Superintendent or designee.
3. Non-regularly scheduled travel that consists of an overnight duration and not falling within the definition of regularly scheduled extra-curricular travel needs Board approval.
- A.) Guidelines for developing a proposal for non-regularly scheduled travel:
 - 1.) General considerations:
 - a.) The objectives of the proposed travel activity should be compatible with the general objectives of the instructional program and related to the student's program of study.
 - b.) The total school program should not be adversely affected by participation of staff and students in the activity.
 - c.) Participation in the travel activity should not be detrimental to the total program of individual students.
 - d.) The proposed program should be feasible within the time allotted.
 - 2.) Content of a proposal:
 - a.) A statement of the objectives and expected educational experiences.
 - b.) A statement of costs, including transportation, accommodations, and evidence that the basic costs are fair and reasonable.
 - c.) A statement of expenses, if any, in addition to basic costs, e.g., inoculations, passports and visa, baggage, laundry, trip insurance, and expenses of a personal nature.
 - d.) A statement of procedures to be used for maintaining financial records for the trip; fundraising activities for purposes of audits must be made and a fundraising plan must be submitted.

- e.) A description of transportation arrangements with assurance that when public transportation is used, only a government approved carrier with a certificate of insurance will be used.
- f.) Identification of accommodations with assurance that they are (1) non-discriminatory and (2) have adequate health and safety standards.
- g.) An itinerary
- h.) Identification of and justification for the number of chaperones - the final list of chaperones to be submitted to the appropriate administrator one month before the departure date.
- i.) Identification of travel agency, if appropriate, and procedures for handling personal emergencies of the participant(s).
- j.) Orientation plan for parents and pupils to include:
 - (1) the objectives of the travel activity,
 - (2) the required standards of conduct and disciplinary procedures,
 - (3) responsibilities of participating students,
 - (4) itemized statement of cost,
 - (5) travel arrangements,
 - (6) personal emergency and illness arrangements,
 - (7) equipment and clothing requirements,
 - (8) arrangements and responsibility for additional costs in the event the participant needs to return before the scheduled date for return,
 - (9) a description of the method to be used to evaluate the activity.

B.) Submission and approval of proposals for non-regularly scheduled travel:

- 1.) The School Board may approve non-regularly scheduled trips. However, before a proposal is submitted to the Board, it must be in written form and presented to appropriate administrative personnel and the superintendent not later than three (3) months before the contemplated departure date and at least one (1) week before the Board of Education meeting.

C.) Financial Help:

- 1.) The School Board may approve financial help for the trip.

D.) Implementation of approved proposal for non-regularly scheduled travel and travel study:

Upon approval of the travel request by the School Board, appropriate school personnel should:

- 1.) Obtain parental consent for each pupil participant.
- 2.) Sign contracts with carriers or travel agency where required.
- 3.) Provide parents with specific written information about objectives, costs, itinerary, chaperones, and accommodations.
- 4.) Schedule conferences or orientation sessions for pupils and parents to assure that all plans and arrangements are clearly understood.

E.) Evaluation of non-regularly scheduled travel:

- 1.) Within one (1) month after the completion of the trip, an evaluation and recommendation for future activities should be submitted by faculty and participants to the superintendent.

4.) General Considerations for all travel

A.) All policies governing student conduct will be enforced during student travel.

B.) This travel policy will not conflict with any rules established by the South Dakota High School Activities Association. In case of conflict, the rules of the South Dakota High School Activities Association shall supersede this travel policy.

C.) The School District will not provide school district funds for non-curricular based field trips; such as: skating parties, amusement parks, field days, movies, etc.

Adopted on: November 11, 1991
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