

# **FLANDREAU FLIERS**



**FLANDREAU MIDDLE SCHOOL**

**2022-2023 HANDBOOK**

Flandreau Middle School  
District 50-3  
700 West Community Drive  
Flandreau, South Dakota  
57028

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**Rick Weber-Superintendent/Athletic Director**  
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# MIDDLE SCHOOL STAFF

2022-2023

Principal	Brian Relf
Secretary	Dawn Uilk
Guidance/Support Services	Kari Lena-Helling Josh Cleveland
Content Area/Classroom Staff	Brooke Albertson Sarah Anderson Josh Bieber Karissa Blum Amanda Hall Karla Kopejtko Laura Peters Michelle Pepper Julie Relf Megan Severtson Malerie Yeaton
Art	Jill Fedders-Ellefson
Agricultural Education	Ariann VanBocken
Title I	Amber Hoffman Ann Kuper
Computer	Matt Knippling
Instrumental Music	Patrick Weight
Vocal Music	Jacob Huber
Physical Education/Health	Josh Edlund
MS Special Education	Brooke Pearson Alycia Colvin
ELL	Dacey Turnquist Jennifer Rieff Robert Lack

## **Support Staff**

Custodian	Steve Brady
Resource Room Para	Deb Schliinz Christine Despinis

## **INTRODUCTION**

This student handbook was prepared for the purpose of orienting new students of Flandreau Public Schools and for use as a guide for those already enrolled at FMS. It is the position of the school board of Flandreau Middle School that learning can best take place in an orderly environment in which all students may develop to their fullest potential. To maintain this environment, students must be made aware of their rights and of certain conditions accompanying these rights. This handbook is intended to promote consistent and fair treatment of all students in an atmosphere of open communication, self-discipline, and clearly understood rules and regulations.

Contained herein is information that will help students plan their schoolwork in a manner that will be in keeping with their plans for the future. It is impossible to cover all of the problems that will present themselves to students so all students are urged to discuss their problems with the teachers, advisors, and the administration. It is sincerely hoped that each one of you will have a successful and enjoyable school year. Take the time to know the rules and regulations you are expected to follow and many of the little problems can be avoided.

A review of the student handbook shall be given to the students by the administration or faculty the first few days of school.

## **ELASTIC CLAUSE**

The Middle School handbook does not include everything that may possibly happen during the school year. If any situation not specifically covered should arise, the administration will make every effort to act fairly and quickly. The best interest of the student, school, and community will be considered. Each situation is different and will be handled on an individual basis.

## **DISSEMINATION OF POLICIES**

The school board shall provide for notice of all policies and regulations affecting student conduct, which could result in suspension or expulsion to be given to the students or parents, and otherwise give general publicity. Publication in a handbook shall be considered adequate notice.

## **NON-DISCRIMINATION POLICY**

The Flandreau School District 50-3 advises students, parents, employees, and the general public that educational programs or activities and employment opportunities will be offered without regard to sex, race, color, national origin, or disability. The person designated to coordinate Title IX is Thien Ho, High School Principal of Students/Activities and for Section 504 compliance activities is Brian Relf, Middle School Principal. If you have any questions or concerns about this policy you should contact:

Kristi Fisher, Title IX Coordinator  
Flandreau School District  
600 West Community Drive  
Flandreau, SD 57028  
(605) 997-2455

Brian Relf, 504 Coordinator  
Flandreau School District  
600 West Community Drive  
Flandreau, SD 57028  
(605) 997-2705

Regional Director, U.S. Department of Education, Office of Civil Rights, 8930 Ward Parkway, Suite 2037, Kansas City, MO 64114.  
Phone (816)268-0550. Fax (816) 823-1404.

## **STUDENT RIGHTS AND RESPONSIBILITIES**

All students are entitled to enjoy the basic rights of citizenship recognized and protected by law for persons of their age and maturity. Flandreau Schools shall foster a climate of mutual respect for the rights of others. Each student is expected to respect the rights and privileges of other students as well as the District's staff. Students shall exercise their rights responsibly, in compliance with rules established for the orderly conduct of the District's educational mission. The District's rules of conduct and discipline are established to achieve and maintain order in school. Students who violate District or school rules shall be subject to disciplinary measures designed to correct the misconduct and to promote adherence by all students to their responsibilities as citizens in the school community.

Student responsibilities for achieving a positive learning environment at school or school-related activities shall include:

1. Attending all classes daily and on time.
2. Being prepared for each class with assignments and appropriate materials.
3. Behaving in a responsible manner.
4. Observing all school rules.
5. Respecting individuals and property.
6. Being aware of all rules and regulations and conduct himself/herself in accordance with the student code of conduct.
7. Dressing in accordance with the school standards of propriety, safety, health, and good grooming.

## **GUIDANCE AND COUNSELING**

### **Our Mission**

The mission of the Flandreau School Counseling Department is to provide a comprehensive, developmental counseling program that will empower and assist all students in acquiring the skills, knowledge, and attitudes needed to become learners and leaders in a diverse and dynamic world. Flandreau's school counseling program is an integral part of the school's total program with a commitment to individual uniqueness and the maximum development of human potential.

### **Our Services**

The program offers many valuable services to students, parents, and the Flandreau Public School community, including classroom guidance, career and academic individual student planning, responsive services, and system support. It also addresses the personal/social, academic, and career needs and desires of all Flandreau students through individual and small group counseling; psych education; consultation and collaboration; referrals to community and student support services; and individual, family, and school crisis interventions. The department's ultimate goal is to help students graduate with self-confidence and the ability to make self-directed, realistic, and mature decisions that are right for them. *(These guidelines were adapted from the American School Counseling Association's National Model)*

## **CHURCH NIGHT**

The school, along with the ministers of the various churches, has agreed that Wednesday evening is Church Night. The school will avoid scheduling activities for that evening after 6:00 PM thus leaving the students free to participate in activities held by their respective churches. This practice does not include homework.

## **ACTIVITY TICKETS**

Students in grades 5-8 have the option to purchase activity tickets in the fall. This activity ticket is good for all home sponsored athletic events. Tournaments held in our school are not considered home events; and therefore, the activity tickets are not honored.

## **SCHOOL HOURS**

The Flandreau Public Schools are open to students Monday through Friday from 8:00 AM to 4:00 PM. Students should not be in the building beyond school hours, unless the students have permission from a staff member and remain under the supervision of that staff member. School classroom hours are as follows:

Kindergarten - 8:30 AM - 3:25 PM  
Elementary - 8:30 AM - 3:25 PM  
Middle School - 8:30 AM - 3:30 PM  
High School - 8:30 AM - 3:30 PM  
Wednesdays- 8:30 AM – 3:00 PM

## CLASS SCHEDULES

### M-T-T-F

1 <sup>st</sup> Period	8:30--9:18
2 <sup>nd</sup> Period	9:21--10:09
3 <sup>rd</sup> Period	10:12--11:00
4 <sup>th</sup> Period	11:03--11:51
5 <sup>th</sup> Period	11:54--12:57
6 <sup>th</sup> Period	1:01--1:48
7 <sup>th</sup> Period	1:51--2:39
8 <sup>th</sup> Period	2:42--3:30

### Wed.

1 <sup>st</sup> Period	8:30--9:14
2 <sup>nd</sup> Period	9:17--10:01
3 <sup>rd</sup> Period	10:04--10:48
4 <sup>th</sup> Period	10:51--11:35
5 <sup>th</sup> Period	11:28--12:39
6 <sup>th</sup> Period	12:42--1:26
7 <sup>th</sup> Period	1:29--2:13
8 <sup>th</sup> Period	2:16--3:00

#### **M-T-T-F Lunches**

<b>5/6<sup>th</sup> Music Lunch</b>	<b>10:55-11:15</b>
<b>5/6<sup>th</sup> Non Music Lunch</b>	<b>10:58-11:20</b>
<b>7/8<sup>th</sup> Music Lunch</b>	<b>11:54-12:17</b>
<b>7/8<sup>th</sup> Non Music Lunch</b>	<b>12:34-12:57</b>

#### **Wednesday Lunches**

<b>5/6<sup>th</sup> Music Lunch</b>	<b>10:45-11:05</b>
<b>5/6<sup>th</sup> Non Music Lunch</b>	<b>10:48-11:08</b>
<b>7/8<sup>th</sup> Music Lunch</b>	<b>11:38-12:00</b>
<b>7/8<sup>th</sup> Non Music Lunch</b>	<b>12:14-12:39</b>

The Breakfast program begins at 7:45 AM and students entering the building early for breakfast should go directly there and not be in the hallways. The school is liable for children only during school hours and at school-sponsored programs.

### **SCHOOL FOOD SERVICES/LUNCH PERIOD**

The Flandreau School District offers a nutritious food service, which includes a breakfast and lunch program for any interested student. Prices for the school Lunch Program will be established by the Board of Education each year.

All students are required to eat their lunch at school. Lunches and breakfast must be pre-paid and must be eaten in the cafeteria. Students may bring sack lunches, but meals are not to be ordered and delivered to the school from businesses. Over the noon hour students are not to be in cars or in the parking lot without permission from the principal's office. Students who purchase a hot lunch are not allowed to have pop with the lunch because of federal regulations.

### **FOOD AND DRINK IN CLASSROOMS**

Outside food and drink will not be allowed in any classroom, unless approved by the principal. Water, in a clear container with a lid/cap, is allowed in classrooms.

### **INSURANCE**

The school makes insurance available to all grade and high school students. It is not compulsory, but in order to make it available to our athletes, it must be made available to all students at the beginning of each school year. A child in elementary, middle or high school may be insured for the entire school year against medical, dental and hospital expenses resulting from injuries sustained while engaged in a school activity, whether it be classroom, hall, playground, gym, shop, laboratory, extra-curricular activity or field trips. In addition, a child may be covered for all accidents occurring between home and school.

### **REPORT TO PARENTS**

In order to check your student's progress, reporting periods are set up quarterly. Report cards are not intended to be a comparison of students but rather an indication of several learning factors. If you have questions regarding the grade earned, please honestly discuss the situation student to parent, and then with the teacher. Report cards will be issued the week following the close of each nine week period. Parent-Teacher conferences will be held following the 1st nine week period and again during the 3rd quarter. We encourage parents to be active participants in the conferences and do ask that parents contact the teacher or building principal as any questions or concerns arise regarding your child's progress. Mid-term progress reports are issued in cases where students are failing or when teachers want to better acquaint parents with a student's work in class. Access to a student's grades is always available through the school phone system or website. (See page 10 for the school website)

## FLANDREAU MIDDLE SCHOOL ECIA TITLE I PARENT INVOLVEMENT POLICY

**Flandreau Middle School will complete the following in order to ensure that our school encourages and promotes parent involvement.**

- ❖ **Flandreau Middle School will** convene an annual meeting, at a convenient time, to which all parents are invited and encouraged to attend and to inform parents of our school's participation in Title I and to explain the requirements and the rights of the parents to be involved. This meeting is to be held annually in October in the Elementary Commons.
- ❖ **Flandreau Middle School will** involve parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of programs including planning, review and improvement of the school parental involvement policy. Suggestions will be noted at each meeting to revise the Parent Involvement Policy. Parents will also be given a copy of our **School-Parent Compact** at the beginning of the school year to sign and return to the middle school office.
- ❖ **Flandreau Middle School will** provide parents of participating children:
  - **Timely information** about Title programs.
  - **Describe and explain the curriculum** in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet.
  - **If requested by parents**, opportunities for regular meetings to formulate suggestions and to participate in decisions relating to the education of their children and respond to any suggestions as soon as possible.
  - **If the school wide program** is not satisfactory to our parents, this will be documented on our School wide Plan.
  - **Flandreau Middle School will** provide assistance to the parents of our children in understanding such topics as the State's academic content standards and the State student academic achievement standards, state and local academic assessments and how to monitor a child's progress and work with educators to improve the achievement of all of our children. This will be fulfilled at parent-teacher conferences, and during our Back to School Night held in August in which teachers explain procedures and expectations to parents for the upcoming school year. Teachers and the principal are available to answer any questions regarding content standards and/or assessments.
- **Flandreau Middle School will** educate teachers, paraprofessionals, and other staff, with the assistance for parents, in the value and utility of contributions of parents and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and the school. This will take place at our beginning of the year in-service where the building principal places an emphasis on establishing parent involvement. Each teacher is required to keep a log of the number of times parent contacts are made throughout the year. These logs are turned in to the middle school office quarterly.
- **Flandreau Middle School will** coordinate and integrate parent involvement programs and activities. Our school will also utilize the parent resource network to encourage and support parents in more fully participating in the education for their children. All programs are in coordination by telephone, email and also meetings pertaining to the needs of a specific child or children.
- **Flandreau Middle School will** ensure that information related to school and parent programs, meetings, and other activities is sent to the parents of participating children in a format and to the extent practicable, in a language parents can understand. Our school employs interpreters when needed and also disseminates information via the newspaper, and our public access channel to ensure each parent is aware of each meeting, program or other activity.
- **Flandreau Middle School will** provide full opportunities for the participation of parents with children with limited English proficiency, parents with children with disabilities, and parents of migratory children, including providing information and school reports in a format and, to the extent practicable, in a language such parents can understand. Interpreters will be available when needed and all information, including assessments, will be sent in "parent-friendly" language, always attached with clear directions in how to interpret.

## 6835 FLANDREAU COMPLAINT POLICY FOR FEDERAL PROGRAMS

A parent, student, employee or district stakeholder who has a complaint regarding the use of Federal NCLB funds and is unable to solve the issue, may address the complaint in writing to the district's superintendent. 140 Disputes addressing the enrollment, transportation (including inter-district disputes) and other barriers to the education of children and youth experiencing homelessness are also addressed under this procedure. Parents, guardians, and unaccompanied youth may initiate the dispute resolution process directly at the school they choose, as well as at the district or district's homeless liaison's office. The parent or guardian or unaccompanied youth shall be provided with a written explanation of the school's decision including the rights of the parent, guardian, or youth to appeal the decision. Students should be provided with all services for which they are eligible while disputes are resolved. The Superintendent will investigate, within one week, the circumstances of the complaint and render a decision, within two weeks, after receipt of the complaint.

The Superintendent will notify the complainant of the decision in writing.

The complainant will be allowed one week to react to the decision before it becomes final.

The complainant will either accept or disagree with decision and will provide such acknowledgement in writing, addressed to the district superintendent.

If the issue is not resolved with the superintendent, the complaint will be forwarded to the district's Board of Education for further review. The parent or guardian or unaccompanied youth shall be provided with a written explanation of the district's decision including the rights of the parents, guardian, or youth to appeal decision.

Unresolved complaints may be forwarded by the stakeholder to the South Dakota Department of Education for review. (Consult SD Department of Education Complaint Procedure)

### HOW DO I KNOW ABOUT MY CHILD'S TEACHER

The federal education law put in place by President Bush called "No Child Left Behind," requires that all parents in a Title I school be notified and given the opportunity to request information about the professional qualifications of classroom teachers instructing their child. This information may include (1) whether the teacher has met the state requirements for licensure and certification for the grade levels and subject matters in which the teacher provides instruction; (2) whether the teacher is under emergency or other provisional status through which state qualification or licensing criteria have been waived; (3) the college major and any other degree; and (4) whether the child is provided services by paraprofessionals, and if so, their qualifications. If you are interested in this information, you may send a request to the building principal who will provide a response.

In addition, parents in the Title I schools will be provided timely notice if the parent's child has been assigned or has been taught four or more weeks by a teacher who is not highly qualified. This is to include long-term subs.

Staff professional profiles can be found on the district web site or Middle School home page under the staff link.

### TEXTBOOKS AND FINES

The school district provides all textbooks and workbooks necessary for the educational program. Classroom instruction is supplemented by textbooks and materials that have been especially selected for Flandreau students. Textbooks are expensive however, there is no charge for the use of books except for loss or damage. Fines will be levied for damage to books, supplies, or school property and penalties imposed when appropriate. **Textbooks remain the responsibility of the student; lost or damaged books and issued school property must be paid for by the student responsible for them.** Flandreau School District follows a textbook replacement policy insuring that our books are updated and replaced on a regular cycle. New textbooks are often issued so students will want to take special care of books and keep desks and lockers orderly so that books do not get damaged. Students are taught to take care of all books and to conserve supplies.

### MEDICATIONS

For the safety of all the children, students are not permitted to have medicine in their possession while at school. If a child is required to take oral medication during the school hours and the parent cannot be at school to administer the medication only the principal's designee will administer the medication in compliance with the guidelines that follow:

1. Written authorization **signed by the prescribing physician and the parent will be required for prescription medications** and will include:
  - A. Child's' name
  - B. Name of medication
  - C. Purpose of medication
  - D. Time to be administered

E. Dosage

F. Termination data

2. Written authorization designating type of non-prescription medicine (Tylenol, cough drops, etc.) signed by a parent will also be required.
3. The parents of the child must assume responsibility for informing the school of any change in the child's health for change of medication.
4. The school retains the discretion to reject requests for administration of medicine.
5. If a child is diabetic, epileptic, and asthmatic or has other serious health concerns, the school must be notified to insure safety.
6. **Medication must be provided in original containers as issued by the pharmacist or as purchased over-the-counter, and labeled clearly with the child's name.**

Use of a drug authorized by a medical prescription from a registered physician shall not be considered a violation of rules. However, students at school should not carry these drugs. Upon arrival at school, such drugs should be taken to the office, left there for the day and taken in the presence of office personnel. (From time to time during the year, health screenings or education may be provided through a contract with Moody County Public Health, who is subject to the rules and regulations of the Health Insurance Portability and Accountability Act (HIPAA). You may view the notice of the privacy practices at the Moody County Public Health offices or you may request a copy be mailed to you by calling (605) 997-3779.)

## IMMUNIZATION

The Board encourages parents and students to preserve and protect each student's general health. The Board will, therefore, recommend that each child should have a complete physical examination by a licensed physician upon entrance to the kindergarten or first grade, and upon entering fourth, eighth and twelfth grades. All new entrants to the school system will also receive a recommendation for a physical examination.

By state law, children who attend the district's nursery school will also be examined by a physician prior to admission.

Pre-school, Kindergarten, and all out-of-state entrants must, prior to admission, be tested and free from contagious form of tuberculosis, and have received or are receiving immunization against polio, diphtheria, pertussis, rubella, rubella, mumps and tetanus.

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 parents that such immunizations are against the religious beliefs of the child's family.

Physical examinations may also be required for all students who participate in interscholastic athletics and other school activities. A licensed physician would administer the examination and the cost would be borne by the district.

Annually, students will also be subject to routine health screenings for hearing and visual acuity, and dental, scoliosis, and communicable diseases.

## SOUTH DAKOTA IMMUNIZATION ENTRY LAWS/POLICIES PRIMARY/SECONDARY SCHOOLS & HIGHER EDUCATION

### SCHOOL IMMUNIZATION LAW

South Dakota Codified Law (SDCL 13-28-7.1) requires that any pupil entering school or school-based early childhood program shall, prior to admission, be required to present to school authorities certification from a licensed physician that he or she has received, or are in the process of receiving, adequate immunization for childhood diseases.

South Dakota Department of Health administrative rules require both the Tdap (Tetanus, Diphtheria, Pertussis) and MCV4 (Meningococcal ACYW) vaccines for 6th grade students. The requirement is a result of legislation passed in 2016 adding meningococcal infection to the list of diseases specified in [South Dakota Codified Law 13-28-7.1](#) for which DOH can require vaccination for school entry in South Dakota.

### Kindergarten Entry Requirements

- Four or more doses of diphtheria-tetanus-peruses vaccine (DTP/Data/DT/Td- at least one dose must be given after the 4th birthday; Td should only be given to children over the age of seven);

- Three or more doses of polio vaccine (OPV/IPV-at least one dose of polio vaccine must be given after the 4th birthday);
  - Two doses of measles-mumps-rubella vaccine (MMR) administered on or after the 1st birthday, with a minimum interval of 30 days (OR documentation of physician-diagnosed measles, serological evidence for rubella antibodies and 2 doses of single-antigen mumps vaccine); and
  - One tuberculin skin test administered in the United States.
  - **6<sup>th</sup> grade Student Requirements**
  - One dose of Tdap vaccine (tetanus, diphtheria, pertussis)
  - One dose of MCV4 vaccine (meningococcal ACYW)
  - The requirements apply only for 6th grade entry and 6th–12th grade transfer students
  - If a child is 10 years old when entering the 6th grade, they have 45 days after their 11th birthday to be vaccinated
  - **Transfer Student Requirements**
  - Requirements are the same as above. **Exception:** Transfer students 7 years of age and older only need proof of at least 3 doses a diphtheria-tetanus-containing vaccine (DTP, DTaP, DT or Td) with at least 1 dose after their 4th birthday.
  - **School-based Early Childhood Program Requirements**
  - Children in a school-based nursery school or pre-kindergarten program are required to receive:
  - Age-appropriate immunization for diphtheria-tetanus-pertussis (DTP, DTaP,(DT), polio(OPV,IPV)and measles-mumps-rubella(MMR)based upon the latest Recommended Childhood Immunization Schedule.
  - A tuberculin skin test administered in the United States anytime before entering a school-based early childhood program in South Dakota.
  - **Note:** Age-appropriate immunization against Haemophilus influenza type B (Hib)is highly recommended.
  - **BOARD OF REGENTS’POLICY FOR COLLEGE IMMUNIZATIONS**
  - Based upon Board of Regent policy, all new incoming freshmen, newly admitted graduate students, transfers, special students (who reside on campus) and returning former students who were born after 1956 must document their immune status for measles.
  - Proof of two doses of measles-mumps-rubella (MMR) vaccine separated by a minimum of 30 days or the presence of immune antibody titer against measles shall be **required**.
- Note:** Immunization for tetanus, diphtheria, poliomyelitis, rubella and mumps, as well as a tuberculin skin test are **recommended**.

### **SCHOOL ADMISSIONS**

In accordance with state law, all persons over five 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. Proof of date of birth through a birth certificate or affidavit in lieu of birth certificate.
2. Record of immunizations and a health certificate from a licensed physician.
3. Proof of residence and **legal** guardianship.
4. If any student is under suspension or expulsion in a school district, the student may not be transferred to another school district until the suspension or expulsion has expired. The sending district shall notify, in writing, the receiving district of the suspension or expulsion upon request of the student's permanent school records by the receiving school.

### **WEATHER CLOSING/BLACKBOARD CONNECT SYSTEM**

In case of inclement weather, school will be closed. School authorities will make the decision as early as possible on these occasions and the Alert Now system will contact parents at their listed primary number. School closing announcements will also be aired over local radio stations, local television stations and their respective website addresses. The Alert Now system will go into effect when school is closed early for any reason.

### **RELEASING STUDENTS FROM SCHOOL**

1. Children should be released from school duty to their parents or to persons authorized by their parents. The school principal will make certain that the person claiming to represent the parent is so authorized.
2. In cases of family dissension (divorce, step-parents, grandparents of separated parents, etc.), a request often comes to prohibit one party of the conflict from taking the child from school. Such requests will be honored only if legal status is established, and the request is in writing.
3. School children will only be sent home during school hours with the permission of the parent or with another authorized and reliable adult, if the parent is not available.

## STUDY HALLS

Study halls and study periods are designed for an important purpose--to study. To aid students in making the best possible use of time during these periods and to maintain an atmosphere conducive to studying, study hall teachers will determine a set of rules which are to be carried out in the study hall for the benefit of all concerned. Pop and candy are not allowed except for special occasions cleared by the Study Hall teacher with the principal.

## ASSEMBLIES

Assemblies primarily for Middle School as well as all-school assemblies are a fun part of school and will be held periodically throughout the school year. Enter the assembly area respectfully, find a seat as soon as possible and be seated. Quiet conversation is normal until the program is introduced and begins, then please pay attention and refrain from talking while the program is going on. Remember that your conduct expresses your appreciation of the assembly and is an indication to others that you can make good choices in attending a special event. Leaving the assembly should also be orderly while maintaining quiet conversation. Please visit with your teachers about the program and be sure and let others know how much you enjoyed it. Don't forget a "thank you" is still important in school.

## TELEPHONE USE AND MESSAGES

Students are asked to use the telephone for emergency calls only. The telephone is to be used only with the permission of the office, and telephone use is not to be an excuse for tardiness. Incoming calls and messages to the school for students should be kept to a minimum and reserved for emergencies only. Students and teachers will be given messages at the time of announcements during the day so that class, student, and staff disruptions will be kept to a minimum. School personnel make every effort to get messages to students, but schedules and class locations may prevent delivery of messages at times later in the day or at the last minute.

## ELECTRONIC COMMUNICATION DEVICE POLICY

Students shall not use Personal Electronic Devices (PED's) during the school day. Personal Electronic Devices (PED's) encompass any electronic item in an individual's possession that is not provided through the school district such as cellular phones, IPODS, IPOD touches, MP3 players, pagers and PDA's, in the classrooms, hallways, and other academic settings. Such devices are disruptive to the learning environment and are inappropriate for the school settings.

Cellular phones may be used before school. Phones and other Electronic Devices must be kept in lockers throughout the day. Any staff member is allowed to confiscate the item. Students who choose not to turn over their devices, either to the person requesting or to the office will be given additional consequences.

**1<sup>st</sup> violation**-item is confiscated, and student is assigned one (1) hour of detention. Student may pick up phone after school.

**2<sup>nd</sup> -violation**-item is confiscated, and student is assigned one (1) Saturday School. Parents will be required to pick up the phone

**3<sup>rd</sup> violation**-item is confiscated, and student is assigned one (1) day of in-school suspension. Parents will be required to pick up the phone.

**4<sup>th</sup> violation**-item is confiscated, and student is assigned three (3) days of in-school suspension. Parents will be required to pick up the phone.

## LOST AND FOUND

Lost and found articles should be turned in at the principal's office. Any article may be reclaimed by proper identification. Students are urged not to leave money, jewelry, or anything of value in their coats, jackets or lockers at any time. If you do, you do so at your own risk and the school cannot be responsible if such things disappear. Middle school and high school students should be sure to lock their gym and hall lockers.

## LOCKERS

Lockers are assigned to students for their convenience but remain the property of the school and may be opened by school authorities at any time. Periodic inspections will be held including unannounced searches with the drug dog and officer. Students are responsible for the locker assigned to them and are responsible for keeping them in good condition. Fines will be assessed for undue wear, damage, writing, or materials that are difficult to remove from the locker.

For 5-8th graders, no backpacks shall be carried during the school day, all backpacks, personal items and books should be kept in lockers. Backpacks will not be allowed in classrooms. Students should not keep money or valuable items in desks since they may not be secure. The school is not responsible for lost or stolen articles.

Students shall not store in their lockers, or have in their possession, any items that are expressly prohibited or violate safety, health, or standard morality. Examples are opened containers with pop or juice and etc., weapons, drugs, alcohol, tobacco, or any items that may jeopardize the welfare or safety of other students. Students will use only the locker assigned to them.

## LOCKER USE

Students may decorate the inside of their lockers but are not allowed to use tape. Rubber cement or sticky tack may be used. (Once used, the rubber cement should be taken home and may not be stored in the locker.) Students will be responsible for cleaning and checking out of their locker at the end of the year and leaving them in good condition for the next occupants. Students should not give their combinations to other students. Locker combinations will not be changed throughout the year due to a friend or others getting into a locker when the combination was given out. Students who have locker partners need to respect each other's locker space and be considerate. **Do not jam lockers so that they open without using the combination because doing so damages the lock mechanism**

## INTERROGATIONS AND SEARCHES

### Searches by Staff

The right of inspection of students' school lockers is inherent in the authority granted school boards and administrators. Lockers remain the property of the school district and the school district has the right of access to these lockers at any time for any reason. This authority may be exercised as needed in the interest of safeguarding children and their own and school property.

Whenever school authorities have any cause to believe that articles may be in a locker, desk, or other storage space, which constitutes contraband, or are in violation of a school rule, a search will be made.

The following rules apply to the search of school property assigned to a specific student (locker, desk, etc.), and the seizure of items in his/her possession:

1. There should be reasonable cause for the school authorities to believe that articles are kept in the locker, desk, or other storage space whose possession constitutes a crime or rule violation.
2. A school official's search of an area assigned to a student shall be in the presence of another school staff member or law enforcement official.
3. General housekeeping inspection of school property may be conducted with reasonable notice.
4. Illegal items (drugs, weapons, etc.) or other possessions reasonably determined to be a threat to the safety or security of others may be seized by school authorities at any time.

### **Searches of Student Property by Police**

A proper search warrant is required for any search of a student's personal property kept on school premises; however upon notification to the administration, if the police have reason to believe any item that might pose an immediate threat to the safety or security of others is kept in a student locker, desk, or other storage space, searches may be conducted without a previously issued warrant.

### **Interrogations by Police**

The school district has physical custody of students during the school day and during hours of approved extracurricular activities.

School authorities stand in loco parentis to the students and thus have responsibility regarding the circumstances under which access to students is allowed.

Therefore:

1. When law enforcement officials find it necessary to question students during the school day or periods of extracurricular activities, the school principal or the student's designee will cooperate. A school administrator or counselor shall be present for questioning. A documented effort will be made to contact the student's parent or guardian so that the responsible individual may be notified of the situation.
2. Parents or guardians will not be contacted in child abuse cases or other interrogations if the law enforcement official requests confidentiality.
3. If custody and/or arrest are involved, a documented effort will be made to contact the student's parent or guardian.

### **PASSES**

During the class hour, students are to be in their assigned learning areas unless they have a signed pink pass or have a signed pass entry in their student planner indicating they have staff permission to be elsewhere. Teachers will not permit students to leave their classes or study hall without passes. There should only be one name per pass.

### **VISITORS**

Student visitors are not allowed due to the disruption of the teaching-learning process. Visitors may come for lunch if the school is notified by 8:30 the morning of the visit. Adult visitors should check in with the office, advance notice is appreciated.

### **DRESS CODE**

Your individual grooming, the way you dress and how you behave have a direct bearing on how others react to you. Dress and grooming should be clean and appropriate to the situation. The administration reserves the right to determine whether a student's attire and appearance is potential hazardous, disruptive to the education process, appropriate or acceptable. The administration may request a student to change attire.

The following are examples of appropriate and inappropriate dress:

- A. Footwear must be worn at all times.
- B. Students may not wear caps, hats, visors, or bandanas in the building during the school day.
- C. All students must wear shirts, blouses, or sweaters that cover the chest, stomach and back.
- D. Sunglasses may not be worn in the building unless required for medical reasons and a note has been issued from a doctor.
- E. Shorts may be worn during the 1st and 4th nine-week periods. Shorts and skirts of reasonable length are permitted. Dresses, skirts and shorts, as well as slits in any of these garments and shorts are not to be shorter than fingertip length or mid-thigh.
- F. Pants are not to be worn so that they expose the posterior part of the body or any underclothing.
- G. Clothing bearing inappropriate images or messages is not permitted. Inappropriate is identified as related to drugs, alcohol, cigarettes, sexual content, discrimination, gang related clothing/gang symbols or any other subjected banned by Board policy or regulation.
- H. Yoga pants, spandex shorts/pants, leggings, tights and similar articles of clothing must be covered by shorts, pants, a skirt or long top that meets the dress code.
- I. Immodest dressing is not permitted. Cut-offs, swimsuits, see-through tops and/or pants or clothing with immodestly located holes are not to be worn during school hours. Lounging and/or sleep wear, pajamas or bed garments are not permitted. Under garments shall not be exposed or worn as outer garments.
- J. No string/spaghetti strap tank tops or dresses may be worn during the school day.
- K. Spikes, chokers, dog collars, and chains are not permitted.

Acceptability of attire will be determined by building administration. Students failing to meet stated standards of dress will be sent to the office where they will change, be sent home, or request a change of clothes from a parent or guardian. Students will not be allowed back into the classroom until they have changed. Additional violations may result either in detention or sent to the alternative learning room.

### **7<sup>th</sup> and 8<sup>th</sup> GRADE ACADEMIC ELIGIBILITY POLICY**

Students must pass all of their classes to be eligible for Flandreau Public Middle and High School activities. Any student with a failing grade (F) in any one or more classes will be placed on academic probation for one (1) week for all classes. The student must be passing all classes by the end of the probation week to continue to be eligible for all activities. If not, the students is ineligible to play or participate for one (1) week and must have a passing grade (D- or higher) or all classes before he or she can resume play or

participation in said activity or activities. The student will continue to practice during the probation and ineligibility week. Grades will be checked at 12:00pm on Monday. The probation and eligibility week begins at 12:00pm on Monday and ends, or begins again, the following week on Monday, 12:00pm. A failing grade (F) will carry into the next nine weeks except at the beginning of each semester. All students will be eligible at the beginning of the year or semester unless ineligible according to the South Dakota High School Activities Association guidelines. Administrator (AD or Principal) will let parents/students know of probation or ineligibility. This policy affects all sports, fine arts activities (sponsored by SDHSAA), FFA, FCCLA competitions and conventions.

### **GRADING SYSTEM/HONOR ROLL**

**GRADING** - All grades given by teachers on report cards will be as indicated below with the accompanying explanation and grade point assignment.

A plus=100	A =99-93	A minus=92-90	B plus= 89-87	B=86-83	B minus= 82-80
C plus= 79-77	C=76-73	C minus=72-70	D plus 69-97	D=66-63	D minus=62-60
F--59 or below, not passing work			S--Satisfactory		
I—Improving		N—Needs Improving		Inc—Incomplete	

An "incomplete" on a 9-weeks or semester grading period must be made up within two (2) weeks after the end of the period for which the grade was given. In cases of extended illness, or other circumstances of hardship additional time may be granted by the school principal. If the make-up work is not completed in the allotted time, the incomplete reverts to a non-passing mark.

The honor roll will be posted at the end of each nine weeks period.

Straight "A" Honor Roll \*All "A" grades

"A" Honor Roll \*All "A" grades and one "B" grade

"B" Honor Roll \*All grades of "B" or better with allowance for one "C" grade if offset by an "A".

(\*Core academic courses are designated as honor roll courses.)

### **WEB ACCESS TO STUDENT GRADES**

Access to a student's grades is always available through the school phone system or website [www.flandreau.k12.sd.us](http://www.flandreau.k12.sd.us). Please check with the office for more information and to get the necessary information and passwords, upon parent/guardian approval.

### **MIDDLE SCHOOL RETENTION POLICY**

All Flandreau Middle School students will meet the following criteria in order to be promoted to the next grade level:

1. To be promoted to the next grade level, students are expected to pass their five core classes (reading, language arts, math, science, and social studies). Successful completion of a class will be determined by a passing final grade according to the district grading scale. The final grade will be determined by using the average of the four quarter grades, based on a twelve-point scale.
2. If students do not pass the five core classes, they must meet nine out of the following twelve requirements:
  - a. The student must have earned at least a 60% average for the class and/or classes in question.
  - b. The student must demonstrate grade-level ability on a standardized test.
  - c. After official notification of failure, the student must attend at least four hours per class failed of extra work sessions (morning work room, after school homework help or Saturday School). These will be completed in ½ hour increments the following quarter.
  - d. The student must complete all of the graded assignments.

- e. The student must meet guidelines for correcting or redoing work that does not meet 80% standard.
  - f. The student must meet Middle School reading goal.
  - g. The student must have a 95% attendance rate for the year. (Out of 175 days, students must not be absent more than nine days.)
  - h. The student must have no more than four unexcused tardies a year.
  - i. The student must have no more than two in-school or out-of-school suspensions.
  - j. The student and parent must attend all progress sessions held in relation to the academic concern.
  - k. The student must take a semester test, and meet the requirements for the course as outlined by the teacher.
  - l. The student must meet any recommendation made by Special Education teacher.
3. Students who do not meet the above criteria may petition to be assigned to the next grade level through the Flandreau Middle School Accountability Transition Committee.

### **PETITION PROCESS FOR GRADE LEVEL ASSIGNMENT**

Students who do not meet the criteria may petition to be assigned to the next grade level through the Flandreau Middle School Accountability Transition Committee. This committee is made up of eight members: the principal, the counselor, the student's English, social studies, mathematics, and science teachers, and one high school educator. If necessary, the special education teacher will be a part of the committee.

- 1. The principal will notify the student that they are going to be retained by June 5<sup>th</sup>.
- 2. The **student** will contact the principal to request a petition hearing with the transition committee by June 10<sup>th</sup>.
- 3. At the hearing:
  - A. The **student** may bring samples of work that he/she feels demonstrates competency of the South Dakota Content Standards.
  - B. The **student** may discuss any extenuating circumstances that should be considered.
  - C. The **committee** may ask the student to respond to content-oriented questions or fulfill other appropriate requirements to give the student the opportunity to demonstrate competency of the South Dakota Content Standards.
  - D. The **student** will be required to make a statement on his/her own behalf.
  - E. The **parents/guardian** has the right to attend the hearing. At the conclusion of the hearing, the parents may make a statement on behalf of their child.
- 4. The principal will notify the student of the committee's final decision within seven days following the completion of the hearing.
- 5. The Flandreau Public School Board has designated the Transition Committee's decision as final in all general education student retention, promotion, and assignment.
- 6. For special education students, the student's case conference committee will determine any adaptations, modifications, or waivers to the policy for that student. The principal will attend the conference of students who do not meet the requirement for promotion to the next grade level. Special education teachers will convene for a conference in June (following the student's petition request to the principal) to discuss identified Special Education student's accountability plans for the next school year.

**\*\* Students that do not meet the criteria for promotion may also choose the option of earning credit through an accredited agency at the parent's expense. (Example: Sylvan Learning Center) Arrangements would need approval by the school administration.**

### **COMPULSORY ATTENDANCE**

South Dakota School Law requires regular school attendance for pupils of school age for the entire school year in accordance with the school calendar. The statutes are very specific and leave little option with the school, if any, to excuse students. The Flandreau Public School will comply with state law. It is compulsory that all children from age seven and not exceeding age eighteen regularly attend school.

While it is true that written work can be completed when a student is absent from class, instruction and presentation, discussions, and audio-visual presentations along with student-teacher interaction can never be made up for the student who has missed them. This is the essence of schooling and a student's contribution to, and achievement in class, are directly related to attendance. Therefore, parental cooperation is expected and necessary when the best interests of the students are to be considered.

### **ATTENDANCE POLICY**

Daily attendance of all students who are enrolled in Flandreau Middle School is required in accordance with state law. South Dakota statutes require the local board of education to enforce definite standards of attendance, with few valid excuses for absences. Though middle school does not use a credit system, it is much more difficult for a student to pass a class if excessive absences are a habit of that student. At the high school level a student may not be absent more than NINE (9) days per semester. Middle school students should be prepared for high school by following this same expectation.

Illness, doctor or dental appointments, work at home, etc., will be counted as absences (for school purposes they are considered "excused," however, for State Department purposes they remain a recorded absence). Absenteeism due to lengthy illness, (which is 3 days or longer), family trips, death or family emergency will be given consideration by the administration.

### **9-DAY ABSENCE/ATTENDANCE POLICY:**

1. A five (5) day ATTENDANCE NOTICE will be prepared for every student who reaches 5 days of absence from school.
2. A seven (7) day ATTENDANCE NOTICE will be prepared when a student accumulates 7 absences from school. In the report, a conference is requested to include the parents/guardian, student, and principal. The purpose of the conference shall be to discuss the attendance policy and to determine an action plan for the student to improve the student's attendance.
3. When excessive absences accumulate or after a student's 9th absence from school, a determination of truancy will be made and the superintendent will be notified along with the State's Attorney. Legal action may commence according to established procedures.

### **EXCUSED ABSENCES:**

1. Personal illnesses or serious illness in the student's immediate family.
2. Bereavement.
3. Inclement weather.
4. Observance of religious holidays.
5. Absences due to family vacations, students must be with parent/guardian.
6. Family emergencies.
7. Documented Excused Absences: medical, physical therapy, orthodontics, dental & legal appointments that cannot be scheduled after school hours and are necessary to be scheduled during the school day.
8. School activities.
9. Court.
10. Suspensions.

### **ADDITIONAL GUIDELINES:**

1. Class absence as a result of approved school activities will not count in the 9 day limit.
2. An absence from school without the authorization of the parents or the school is an unexcused absence and shall be considered truancy.
3. A student shall not leave school during the school day without reporting to the principal's office and obtaining permission. Failure to report will result in being charged with an unexcused absence.
4. A student who becomes ill while in school shall report to the principal's office. The student will not be allowed to leave school without permission from a parent/guardian or an authorized adult.
5. Students who plan to participate in a school activity which takes place after school hours must be in attendance that school day. A student that is not in school in the afternoon due to illness shall not be allowed to participate in a school activity that same afternoon/night. This includes practice. Any exceptions must be cleared through the principal.
6. Students who take part in co-curricular activities on a school night are expected to be in school the following morning at 8:30 am.
7. The school reserves the right to determine when an absence shall be excused.

### **PROCEDURE IN CASE OF AN ABSENCE**

1. All absentee students shall have parents phone the school office indicating the absence at the time the absence occurs. The student must also bring a written excuse for absence upon their return to school, which will be filed. **The Principal has the final say as to whether an absence is excused or unexcused.** The following provide guidelines for excused absences:
  - a. "Excused" absence will only be given if the parent/guardian has given written permission. Work must be made up by the student.
  - b. For school activities which are directly under the supervision of a faculty advisor, excused absences are given.
  - c. In general, excused absences are: illness, doctor/dental appointments, family emergencies, and family vacation. Working at home with parental permission and the principal's approval is an excused absence. Excused absences are counted as part of the nine (9) allowed absences per semester. Absenteeism beyond the nine (9) allowed absences' due to lengthy illness (which is 3 days or longer) and/or family emergencies will be given consideration by the administration.
2. When a student knows that there will be an absence at some future time because of school sponsored activities or other reasons, the parent should notify the principal and discuss the absence. The student should then make arrangements for make-up work beforehand with the teachers.
3. The principal will issue an admission and make-up slip to the student. This must be presented to each teacher for admission to class.
4. Three things the student must do with the make-up slip:
  - a. Present it to each teacher for admission to class. Without this, teachers must refuse admission:
  - b. Have each teacher indicate make-up work on the slip, teachers may write make-up assignments on a separate sheet, but so indicate on the slip and initial it.
  - c. After assigned make-up work is completed, the student must return the slip to respective teachers for their signatures.

### **CALLS TO SCHOOL CONCERNING ABSENCES**

Please call the Middle School office to report your student's absence. Calls to the school concerning student absences should be made before 8:30 AM so that proper notification can be given to your child's teacher and so that we can more efficiently get make up work notices ready. A call to school for a student absence also helps to maintain a good partnership between the home and school regarding student safety and whereabouts and helps to alleviate truancy issues.

### **EXCUSED AND UNEXCUSED ABSENCES DEFINED AND DISCUSSED**

1. If a student is expected to be absent or wishes to leave school during the school day, parents are asked to **call the office before the student leaves school. The student must have written parental permission before leaving, not when returning to school.**
2. A student shall not leave school during the school day without reporting to the principal's office and obtaining permission. **IMPORTANT:** Failure to report to the office before leaving the school shall result in being charged with an unexcused absence or truancy.
3. A student that becomes ill while in school shall report to the principal's office. We will contact a parent or an authorized adult before allowing the student to go home.
4. A student that is absent in the afternoon due to illness shall not be allowed to participate in an activity that same afternoon or evening. This encompasses all school events including practices. If a student is absent in the afternoon for a reason other than illness, permission to participate may be granted by the principal.
5. An absence from school without the authorization of the parents or permission from the school principal is an unexcused absence and shall be considered truancy. **NOTE:** See regulations on truancy for procedures and penalties.
6. For all excused student absences, work shall be made up and the student given full credit for such work if completed in the time allotted.
7. All excused and unexcused absences in grades 6-8 must be cleared through the principal the morning following each absence.

### **TRUANCY AND UNEXCUSED ABSENCES**

Truancy is absence from school without permission or prolonged or repeated absences.

- A. Elementary and Middle School, grades 1-8;
  1. When a condition of prolonged (three consecutive days) absenteeism exists, the building principal shall provide the parents with written notice of the school's concern.
  2. In the case of excessive absences, the principal will notify the parent as required in the attendance policy.
  3. If, after the initial contact, the student fails to return to school or repeated absences continue, the principal shall be notified and will make every reasonable effort to see that the student returns to school.
4. Should the truancy or excessive absence persist, the principal shall repeat step "2." At this point, a juvenile court petition shall be completed by the principal and presented to the States Attorney for disposition.

### **TARDINESS**

Tardiness is the failure to be in one's assigned work station when the final bell rings for each class period. The classroom teacher determines "work station". At the middle school level, a student's arriving to school on time is the responsibility of BOTH the parents and the student.

- A. A student who thinks that he/she may be tardy to the next class should get a pass from the instructor of the current class. The pass will admit the student to the next class. Otherwise, the tardy will be unexcused.
- B. There are no penalties for excused tardies. "Excused" indicates the student was not at fault or was justified in being tardy.
- C. In the case where a student was given enough time by the previous teacher to pass to the next class on time, the student must report to his/her next class. A determination will be made by that teacher if the tardiness was excused or unexcused. The tardy will be noted by the teacher and turned into the office on a tardy slip.
- D. Students will be allowed 8 unexcused tardies per semester. (Tardiness for over-sleeping, car problems, babysitting, etc. are unexcused unless unusual situations warrant special consideration.) The eighth tardy may result in Saturday Detention. Habitual tardies will require parental notification and involvement.
- E. Further unexcused tardies may result in any of the following in addition to Saturday Detention: time out of noon and recess/gym time, and/or time made up before or after school, and/or time in the Alternative Learning Room, time made up at the end of the school year, and/or, lost privileges to participate in special events.
- F. Truancy due to excessive tardies will be determined on an individual basis.

### **MAKE-UP WORK**

1. Students will be expected to complete all work assigned and turn it in on the due date. Assignments not turned in on the due date will be considered missing and the student will be assigned to ICU until the assignment is completed and meets the expectations of the assigning teacher. This applies to all classes in grades 5-6-7-8.
2. As stated in the Retention Policy, students must complete all of the graded assignments.
3. When students are absent, they must make up the work they have missed. Students will have 1 day to make up the work for each day they are absent. Students with absences known about in advance shall have the homework made up in advance unless prior arrangements are made with the instructor.
4. A student missing school on the day of a previously announced test will be expected to take the test on the first day back to school.
5. At the end of a semester, students that have been absent due to an extended illness or injury will be given a maximum of 2 weeks to complete all make-up work.

### **STUDENT CONDUCT**

#### **STUDENT DISCIPLINE**

The Flandreau School Board recognizes that staff, students and parents 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 population.

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 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 social, emotional, and, academic needs.
2. Every individual needs to feel worth and accepted as a person. In disciplining a student for conduct or attitude, and in taking corrective action, teachers and staff members will endeavor to show that it is the student's behavior that is objectionable, not the student.
3. The best discipline is self-discipline. Therefore, the teachers and staff, along with the parents, will strive to build the character of students by teaching the values of integrity, patriotism, self-esteem, truthfulness, loyalty, kindness, purity, and respect for others, their property, and the law.

Within the above guidelines and specific policies regulating conduct and disciplinary action, the Superintendent will set up procedures for dealing with disciplinary problems. The Board extends to all of its school employees, professional and non-professional, the authority to enforce policy and regulations governing student behavior. Students will show respect and comply with the directions given them by staff members. The Superintendent, principals, supervisors, and teachers have disciplinary authority over all students while the students are in school or participating in or attending school sponsored activities whether on or off school premises. Superintendents and principals may also **discipline** students for aggressive or violent behavior that disrupts school or that affects a health or safety factor of the school or its programs.

### **GENERAL BEHAVIOR**

Common courtesy and etiquette should also be used at all times and in the halls. All students should refrain from loud noises and running inside the building. School is a place where people of varying backgrounds meet together for the purpose of learning. Respect for each other, students and staff, in language as well as behavior is necessary. Disrespect, foul language, and public demonstrations of affection are examples of inappropriate behavior and poor choices that students will want to avoid, since these behaviors are subject to disciplinary action to include detention, short-term suspension or removal from class.

### **NUISANCE ITEMS**

Students have a responsibility to maintain a good learning climate and should not bring things to school that will be disruptive or distract the student or others from ongoing learning activities. School personnel have the right to set guidelines for or limit the types of items allowed at school or in the learning areas. Use of items such as yo-yos, toys, games, personal CD players, Laser pointers and cell phones are restricted according to school and/or classroom rules since they can easily become nuisance items if students show a lack of maturity when having them at school. Pop is not allowed with a school lunch and is not for sale in the lunchroom during school lunch hours due to federal lunch program restrictions.

### **STUDENT RIGHTS--DUE PROCESS**

Each student who is involved in some form of disciplinary action of any kind is entitled to due process, which would include the following items:

1. The student is entitled to know what he/she has done wrong or if any rules have been violated.
2. The student is entitled to present his/her version of the circumstances involved.
3. The student is entitled to know the disposition of the case.

### **DETENTION**

1. Detention will be held Mondays, Tuesdays, and Thursdays after school from 3:30 -4:00 pm and Tuesdays before school from 8:00 to 8:30am in the announced teacher's classroom.

2. All detentions are to be served in ½ hour increments only on the days and times stated above. Students will not be allowed to serve detentions in the office
3. Students must serve their detentions within three (3) days following the date assigned. (i.e.a detention assigned on Monday must be served the following Tuesday, Thursday or Monday.)
4. It is the student's responsibility to notify parents/guardians of their detention, the reason for the detention, and to make arrangements accordingly.
5. If a student fails to serve detention or is dismissed from detention, a one-day suspension in the Alternative Learning Room will be assigned.

#### Detention Hall Rules:

1. There will be no talking during detention hall time.
2. Students must have classroom work or a book to read.

#### **SATURDAY DETENTION**

1. Detention will be held from 8:30 a.m. to 11:30 a.m.
2. Students must be present the entire 3 hour period and must be on time.
3. Students must do school work.
4. Students will be allowed a bathroom/drink break.
5. Refusal to serve Saturday detention will result in three days in the Alternative Learning Room.
6. If a student misbehaves during Saturday detention the detention hall monitor may void the time served. The student will be assigned three days in the Alternative Learning Room.

#### **DENIAL OF PRIVILEGES**

When a student has had repeated discipline problems and use of detention has not worked to improve a student's behavior, denial of privileges, extracurricular activities and/or declaration of ineligibility to participate in extracurricular activities or special events, or classroom privileges may be invoked. The period of time will be specified by the principal or designee. In such cases a discipline plan may be set up beyond the code of behavior.

#### **REPEATED SCHOOL VIOLATIONS**

A student shall not repeatedly fail to comply with direction of teachers, student teachers, substitute teachers, teaching aides, principals, or other authorized school personnel during any period of time when the student should be properly under the authority of school personnel. Any behavior considered serious or determined to be habitually and/or dangerously insubordinate may result in suspension, expulsion and/or referral to law enforcement and the student is subject to the "Zero Tolerance" policy.

## ALTERNATIVE LEARNING ROOM

The Alternative Learning Room is staffed by a certified instructor and is meant to provide a learning environment that assists a student with behavioral issues. The goal is to support the student in academic behavioral study skills and social aspects so that the student can benefit from the regular classroom and learning environment without infringing on the learning or teaching opportunity of others. Coursework and curriculum may be altered if so determined by the teachers involved. Students are expected to be responsible for their learning and assignments to successfully complete assignments given. Students are assigned to the ALTERNATIVE LEARNING ROOM by administration or designated personnel in the absence of administration.

## ADMISSIONS POLICY

If any student is under suspension or expulsion in a school district, the student may not be transferred to another school district until the suspension or expulsion has expired. The sending district shall notify, in writing, the receiving district of the suspension or expulsion upon request of the student's permanent school records by the receiving school.

## STUDENT/ADULT EJECTION FROM ATHLETIC CONTEST

Any student, school personnel, or member of the general public ejected from an interscholastic home or away contest will be ineligible to attend the next two regularly scheduled home games/meets at the level and area of competition and all other levels of the respective competition. The second violation in a sport's season carries a four (4) regularly scheduled home game/meet attendance ineligibility from the respective competition. The third violation in a sport's season carries a home game/meet attendance ineligibility for a full year for the respective competition from the date of the ejection. Completion of ineligibility may carry over to the following sport season in the same area of competition. A sport official, school official, or law enforcement officer has the authority to eject individuals from an interscholastic contest.

## INAPPROPRIATE USE OF TECHNOLOGY

Students who misuse any form of technology are subject to discipline and to loss of the privilege of using that or other technology, including but not limited to: Internet, e-mail, computers, copy machines, calculators, audio/video machines, fax, modem, telephone, etc. Any unauthorized playing of games will be subject to disciplinary action determined by administration. The use of any form of technology requires appreciation for the availability of technology, respect for the District's provision of up to date resources, and maturity in responsible behavior regarding the tools of learning.

## ZERO TOLERANCE POLICY/VIOLENCE, PHYSICAL ABUSE OR ASSAULT/FIGHTING

A student shall not intentionally cause or attempt to cause physical injury or intentionally behave in such a way as could reasonably cause physical injury to any person. Fighting within the school building, on school grounds, or at school activities, home or away, will NOT be tolerated. This is in keeping with the National Goals of a Violence-Free Environment. Deliberate violence against another may result in charges beyond the scope of the school discipline and the student could be referred to local law enforcement officers. Harassment and threatening of students will not be tolerated and may be cause for short-term suspension.

For situations involving K-6 students, the age and development of the student(s) and the nature and seriousness of the incident will be weighed. Discipline will be determined appropriate to school board policy. **For students in 7-12 fighting or assaulting another student will require the student to be suspended from school.** Parents must have a conference with the principal regarding the student's conduct and counseling will be established. The incident will be documented, and the sheriff's office notified.

So that the school may insure the safety of the general school population, further incidents of the student fighting or assaulting others will result in stricter consequences for the offending student. Violent students put everyone's safety at risk.

## PROGRESSIVE CONSEQUENCES PLAN FOR FIGHTING OR VIOLENCE

### Students in Grades 5-6

Consequences for fighting or violence:

First Offense:                      Three Days In School Suspension/Three Days Out of School Suspension.

Second Offense: Ten Days Out of School Suspension

Third Offense: Referred For Expulsion

Law enforcement will be notified for an investigation in all instances.

First or Second Offense: Three days out of school suspension may be forgiven upon arrangement of anger counseling/therapy.

Based upon the severity of the incident, the administration may escalate the consequence level for fighting.

#### Remediation

1. Prior to student being allowed to return to school a mandatory conference with the principal will be held with the student and parent/guardian.
2. Student shall meet with guidance counselor a minimum of once per week for a month following return to school.

#### Consequences for habitual misbehavior other than violence

-On the third suspension from school the student is subject to a ten-day suspension from school.

-On the fourth and subsequent the student is subject to long-term suspension or expulsion from school.

### **DANGEROUS WEAPONS IN THE SCHOOL**

**\*\*\*NOTE: FLANDREAU SCHOOL DISTRICT MAINTAINS A STRICT POLICY REGARDING FIREARMS AND DANGEROUS WEAPONS ON SCHOOL GROUNDS OR AT SCHOOL SPONSORED ACTIVITIES. STUDENTS WHO BRING DANGEROUS WEAPONS TO SCHOOL ARE SUBJECT TO EXPULSION. \*\*\***

The Board recognizes the importance of establishing and maintaining a safe and orderly school environment for students, staff and community. Students must feel safe and secure in the school setting to benefit from the educational program.

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

A dangerous weapon is defined as any firearm, or air gun, knife or device, instrument, material or substance, whether animate or inanimate, which is calculated or designed to inflict death or serious bodily harm. Students shall be subject to discipline when bringing imitative or noisemaking weapons to school. Pocket knives or other sharp instruments are prohibited.

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

Any student bringing a firearm to school shall be expelled for not less than twelve months and will be referred to law enforcement authorities. The superintendent shall have the authority to recommend to the school board that this expulsion requirement be modified on a case-by-case basis. This policy shall be implemented in a manner consistent with IDEA and Section 504. For the purpose of this portion of this policy, the term "firearm" includes any weapon which is designed to expel any projectile by action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for weapon or any explosive, including any poison gas.

LEGAL REF., SDCL 13-32-4.2; 13-32-7; 22-1-2  
Improving America's Schools Act of 1994 P.L. 103-382

## **POLICY ON DRINKING/DRUGS**

No student shall possess, use, sell, or dispense any controlled or mind-altering substance including, but not limited to, glue for inhaling, drugs, alcoholic liquor, wine, beer, etc. during a school activity or on school property which includes building, grounds, parking lot, and school buses. Any student who reports to school or activity with evidence of having used the substances shall be subject to penalties, which may range from a minimum short-term suspension to a maximum expulsion. Violation of the above policy will result in referral to a law enforcement agency. **The drug dog will be brought in periodically to check student lockers and vehicles in the school parking lots.**

### **A. First Offense**

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

The suspension of a student who agrees to be evaluated and treated will be commuted to five (5) 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.

## **POLICY ON USE OF TOBACCO AND TOBACCO PRODUCTS**

Smoking and the use of tobacco products, is against South Dakota law. No student shall possess, use, sell or dispense any tobacco/tobacco products, or any device or product that contains, or a device that is used for inhaling or ingestion unless used for medical purposes with a prescription during a school activity or on school property which includes buildings, grounds, parking lots and school buses. The student shall be subject to the following penalties:

1. First violation: three (3) day suspension in Alternative Learning Room
2. Second violation: five (5) day suspension in Alternative Learning Room
3. Third violation: ten (10) day suspension in Alternative Learning Room

**NOTE:** Smoking of any kind, with any device\* will be referred to law enforcement officials for a citation.

Possession of smoking related items such as lighters, matches, etc. would also result in suspension. Such items serve no legitimate educational purpose at school. \* To include cigarette, vape, juul, e-cigarette, or any device that can contain nicotine, tobacco, or other substance considered illegal for consumption.

## **SHORT-TERM SUSPENSION/CLASS CREDIT**

The Principal may invoke a short-term in-school suspension when it could benefit both the student and the school to keep the student in school. Students on in-school suspension are not permitted to participate in after-school activities. Students on short-term suspension must complete all schoolwork assigned during their suspension. Students suspended must turn in schoolwork upon their return to classes to receive full credit.

## **STUDENT SUSPENSION/EXPULSION**

Serious breaches of standards of behavior or violation of school rules may result in suspensions or expulsions from school. By law, the School Board has the authority to suspend or expel from school any pupils for violation of rules/policies, insubordination, or misconduct. The Superintendent or Principal may suspend any such pupils. Expulsions by the School Board may not extend beyond the end of the school year. The Principals are authorized to suspend pupils for not more than ten school days. The Superintendent of Schools is authorized to suspend pupils for not more than 90 school days.

Generally, a suspension may be imposed when a student violates school rules or policies, when a student's behavior creates a threat to property or premises, or when a student's behavior creates a threat to his/her own or other's safety. 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, disrespectful, or threatening behavior or language; general disobedience; or possession of tobacco, alcoholic beverages, or illegal drugs on the school premises, at school activities, or on school owned or contracted busses or vehicles

may result in suspensions or expulsion.

Students who are guilty of continued serious misconduct or habitual disobedience, who therefore interfere with the opportunity of other students to carry on their learning activities are subject to the “zero tolerance” policy and may be recommended to the School Board for expulsion from school.

Students who are suspended from school are also suspended from attendance or participation in all school activities.

Hearing procedures will be followed for all students who receive long-term suspensions or expulsion. Information regarding hearing procedures can be found in the school district policy manual.

### **SENDING A SUSPENDED STUDENT HOME DURING THE SCHOOL DAY**

When a student is suspended out of school, the principal shall attempt to reach the student's parents or legal guardian to inform them of the school's action and to request that they come to the school for their child. If the principal cannot reach the parents, the student must remain on school property until the close of the school day for in school suspension.

Notwithstanding the above requirement that a suspended student be released only to a parent, the principal may order students to leave the school premises immediately when faced with mass violations of school rules and it is not possible to keep the student on school grounds and restore order to protect people on the school grounds. Even in this case, distance to home and the age of the individual child may require keeping the child until the child's parents can be contacted. If necessary, law enforcement may be called.

### **INFORMING THE PARENTS IN CASES OF SUMMARY AND SHORT-TERM SUSPENSION OUT OF SCHOOL**

When a student is suspended out of school, the principal shall:

1. Secure written statements and keep on file documents and relevant information received about the misconduct.
2. Notify parents, and in addition, make every effort to hold a conference with the parents before or at the time the student returns to school;
3. Send a statement to the parents and to the superintendent fully describing the misconduct, stating the rule violated, and stating the principal's reasons for action.

### **NOTICE OF HEARING/SUSPENSION**

24:07:03:02 - Notice of hearing. If the Superintendent deems that there are grounds for a long-term suspension or expulsion, the Superintendent will notify the president of the school board as soon as possible that a hearing may be required. Within two school days from the day on which the notice of the alleged misconduct is received, the superintendent shall give notice of hearing to each board member, the student and the student's parents. Such notice shall contain the following minimum information:

1. The rule, regulation or policy allegedly violated.
  2. A summary of the current evidence.
  3. A list of proposed witnesses.
  4. A tentative date, time and place for the hearing.
  5. A description of the hearing procedure.
  6. The reason for the disciplinary proceedings.
  7. A statement that the evidence and some of the student's records are available at the school for examination by the student, parents and their representative.
6. A statement that the student may present witnesses and shall submit to the superintendent prior to the hearing a list of such witnesses and details of the evidence to be presented in the student's behalf.

### **WAIVER OF HEARING**

An accused student who would otherwise be entitled to a hearing may with the knowledge of the parents, waive the necessity of a hearing and acknowledge the guilt of the charges. The waiver shall be in writing and signed by the student and parent. The hearing may be dispensed with, and punishment assessed upon the receipt of such a waiver.

## LAW ON CHILD PROTECTION

Law requires Child abuse or neglect reports by school personnel. Failure to report is a misdemeanor. Written policy is required. Any person who has contact with a child through the performance of services in any public or private school, whether accredited or unaccredited, as a teacher, school nurse, school counselor, school official or administrator, or any person providing services pursuant to 13-27-3 shall notify the school principal or school superintendent or designee of suspected abuse or neglect. The school principal or superintendent shall report the information in accordance with the provisions of 26-8A-8. Any person who knowingly and intentionally fails to make a required report is guilty of a Class 1 misdemeanor. Each school district shall have a written policy on reporting of child abuse and neglect.

## STUDENT CONDUCT (SCHOOL BOARD POLICY)

Students in the district schools are expected to act in such fashion that their behavior will reflect favorably on the individual student and on the school; will show consideration for fellow students; and will create a harmonious school atmosphere. To accomplish this, all students must recognize their individual responsibilities and obligations and discharge them in accordance with the school regulations.

Any of the following actions will subject a student to suspension, expulsion, or other school disciplinary measure:

1. Intentionally causing or attempting to cause substantial damage to school property, stealing or attempting to steal school property, or stealing or attempting to steal private property.
2. Intentionally causing or attempting to cause substantial damage to private property on school property or at a school event either home or away.
3. Intentionally causing or attempting to cause physical injury to another person (student, school employees, or member of the general public) in school, on school property or in a school related situation. (Cases in which physical injury caused by accident or any other action undertaken on the reasonable belief that it was necessary to protect some person or self shall not constitute a violation of the rule.)
4. Knowingly possessing or transmitting any firearm, knife, explosive, or other dangerous object, except as allowed by law.
5. 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 in school, on school property, or in a school related situation.
6. Knowingly using or copying the academic work of another and presenting it as his own without proper attribution.
7. Repeatedly and intentionally defying the valid authority of supervisors, teachers, or administrators and/or causing interruption of the school program.
8. Using a substance or device to communicate a terroristic threat.
9. Using a hoax substance or device to cause fear.
10. Use of obscene or disrespectful language or communication.
11. Use of or possession of tobacco in the school, on school property, or vehicles.
12. Participation in non-school activities in which the student's conduct presents a threat to the student or others and is not in the best interest of the school.
13. Possession of pornographic matter in the school, on school property, or in a school related situation.
14. Falsely reporting a threat.
15. Harassment as identified in the school district harassment policy.
16. Lewd or inappropriate sexual behavior.
17. Bullying or intimidation.
18. Violations of the permissible use of technology policy.
19. Wearing clothing with profane language or suggestive themes, such as alcohol, drugs, sex or violence.
20. Situations in which the student's misconduct is of such a nature that continuation of the child in school would clearly be detrimental to the physical safety of the student or would be clearly detrimental to the education, welfare, safety or morals of other students.
21. Leaving the school grounds without permission of the administration.
22. Reckless or exhibition driving on school parking lots or streets immediately surrounding the school.
23. Excessive tardies and/or failure to attend detention.
24. Habitual disobedience.
25. Engaging in any activity forbidden by federal law, the laws of the State of South Dakota or the ordinances of the City of Flandreau, which activity constitutes a danger to other students or interferes with school purposes.

In addition to school disciplinary measures, some of the above actions are subject to punishment through civil authorities.

The above prohibited actions will be printed in a handbook or other publication and made available to students and parents.

The above includes violations in school buildings, grounds, away activities, and school owned or contracted buses and other vehicles and in school related situations.

School administrators will not recommend a student for suspension or expulsion, except as the student has engaged in one of the prohibited actions mentioned above or other acts of misconduct while on school property or taking part in a school activity off school grounds.

## **HAZING**

It is the policy of the Board of Education and school district that hazing activities of any type are inconsistent with the educational process and will be prohibited at all times. Hazing is defined as:

Doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person. Permission, consent, or assumption of risk by an individual subjected to hazing does not lessen the prohibition contained in this policy.

No administrator, faculty member, or other employee of the school district will encourage, permit, condone, or tolerate hazing activities. No student, including leaders of student organizations, will plan, encourage, or engage in any hazing.

Administrators, faculty members, and all other employees of the school district will be particularly alert to possible situations, circumstances of events which might include hazing. If hazing or planned hazing is discovered, involved students will be informed by the discovering school employee of the prohibition contained in this policy and will be required to end all hazing activities immediately. All hazing incidents will be reported immediately to the superintendent.

Administrators, faculty members, students, and all other employees who fail to abide by this policy may be subject to disciplinary action, and may be liable for civil and criminal penalties in accordance with state law.

The contents of this policy will be distributed in writing to all students and school district employees following its official adoption by the Board of Education. In addition, this policy will be incorporated into building, employee staff meetings or inservice programs.

LEGAL REFS.                      SDCL 13-8-39, 13-32-1, 13-32-2, 13-32-4, 13-32-5  
  
    South Dakota Executive Order 81-08  
  
    Federal Title IX (1972 Education Amendments)

## **TERRORISTIC THREATS AND HOAXES**

The communication of a terroristic threat or hoax is a criminal offense and can carry felony penalties of \$10,000 and 10 years in prison. This is of special importance to the educational arena because the new law redefines terroristic threats. Actions that were previously considered pranks or vandalism may now rise to criminal activity in some circumstances. The activity can be verbal, written or physical in nature. For example, a student who etches terroristic threats on a bathroom wall, calls the school threatening violence or uses a hoax substance to make people believe it is a dangerous chemical can now face serious criminal penalties. Schools are tasked with the responsibility of providing an education for our youth in a safe and secure environment. It is the duty of the school officials and staff to assure student and staff safety.

(Taken from Mark Barnett, Attorney General, Letter to Superintendents August 5, 2002) South Dakota Law SDCL B22-14A through 22-14A-27

Upon receipt of a report, the Flandreau School District will take appropriate action. Such action may include, but is not limited to: warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. Flandreau School District action taken for violation of this policy will be consistent with requirements of application South Dakota and federal law and Flandreau School District policies.

The result of the Flandreau School District’s investigation of each complaint filed under these procedures will be reported in writing to the complainant by the Flandreau School District in accordance with state and federal law regarding data or records privacy.

The entire Anti-Harassment Policy is included in the district policy manuals, which are located in each administrative office. Students, employees, and members of the general public may review the policy manual upon request

### **ANTI-BULLYING/HARASSMENT OF STUDENTS**

Bullying and harassment of students is not tolerated by the Flandreau School District. The school district is committed to providing all students with a safe and civil school environment in which all members of the school community are treated with dignity and respect. Therefore, the school district prohibits harassment or bullying.

Bullying and harassment are intentional harmful behavior initiated by one or more students and directed toward another student or students which creates an objectively hostile school environment including, but not limited to, the following:

- Physical – harmful action or threat of harmful action against another person;
- Verbal, Written or Electronic – threatening, unkind, abusive or hurtful communication to a person or about a person;
- Emotional – taunting or other conduct intended to upset, exclude, or embarrass a person;
- Sexual – conduct or communication based on actual or perceived trait or characteristic of a person because of gender and/or initiation of unwarranted or unwelcome sexual advances, or
- Racial – rejection, exclusion, isolation, or embarrassment of a person because of ethnicity.

This policy applies while students are on school property; while in school-owned or school-operated vehicles; while attending or engaged in school-sponsored activities, or while using school equipment.

If, after an investigation, a student is found to be in violation of this policy, the student shall be disciplined by appropriate measures up to, and including, suspension and expulsion.

Retaliation against a person because the person has filed a bullying or harassment complaint, or assisted or participated in a harassment investigation or proceeding is prohibited. An individual who knowingly files a false harassment complaint and a person who gives false statements in an investigation shall be subject to discipline by appropriate measures, as shall a person who is found to have retaliated against another in violation of this policy. A student found to have retaliated or filed a false complaint in violation of this policy shall be subject to measures up to, and including, suspension and expulsion.

The building principal, school counselor or principal’s designee will be responsible for investigating all complaints by students alleging bullying or harassment. All documentation associated with a complaint shall be maintained by the building principal.

### **ANTI-BULLYING/HARASSMENT FORMAL COMPLAINT FORM**

Name of complainant: \_\_\_\_\_

Date of complaint: \_\_\_\_\_

Name of alleged harasser or bully: \_\_\_\_\_

Date and place of incident or incidents: \_\_\_\_\_

\_\_\_\_\_

Description of misconduct: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name of witnesses (if any) : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Evidence of harassment or bullying, i.e., letters, photos, etc. (attach evidence if possible):  
\_\_\_\_\_  
\_\_\_\_\_

Any other information: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*I agree that all of the information on this form is accurate and true to the best of my knowledge.*

Signature: \_\_\_\_\_

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

ANTI-BULLYING/HARASSMENT WITNESS STATEMENT FORM

Name of witness: \_\_\_\_\_

Position of witness: \_\_\_\_\_

Date of testimony, interview: \_\_\_\_\_

Description of incident witnessed: \_\_\_\_\_  
\_\_\_\_\_

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Any other information: \_\_\_\_\_

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*I agree that all of the information on this form is accurate and true to the best of my knowledge.*

Signature: \_\_\_\_\_

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

### **BULLYING/HARASSMENT INVESTIGATION PROCEDURES**

Students who feel that they have been bullied or harassed should:

- Communicate to the perpetrator that the individual expects the behavior to stop, if the individual is comfortable doing so. If the individual wants assistance communicating with the perpetrator, the individual should ask a teacher, counselor, bus driver, other staff, School Resource Officer or principal to help.
- If the bullying or harassment does not stop, or the individual does not feel comfortable confronting the perpetrator, the individual should:
  - tell a teacher, counselor, bus driver, other staff, School Resource Officer or principal; and
  - write down exactly what happened, keep a copy and give another copy to the teacher, counselor or principal including:
    - \* what, when and where it happened;
    - \* who was involved;
    - \* exactly what was said or what the perpetrator did;
    - \* witnesses to the bullying or harassment;
    - \* what the student said or did, either at the time or later;
    - \* how the student felt; and
    - \* how the perpetrator responded.
  - teachers, counselors, bus drivers or other staff receiving a report, or who witness bullying or harassment, must report the incident to the building principal by the end of the school day in which the event occurred, but in no case later than the morning of the next school day.

## **FORMAL COMPLAINT PROCEDURE**

An individual who believes that he/she has been harassed or bullied will notify the principal in his/her building who is the designated investigator. The alternate investigator is the school counselor or School Resource Officer assigned to a student's attendance center. The investigator may request that the individual complete the Harassment/Bullying Formal Complaint form and turn over evidence of the incident, including, but not limited to, letters, tapes, or pictures. Information received during the investigation is kept confidential to the extent possible.

The principal or the alternate investigator, with permission from the principal, has the authority to initiate an investigation in the absence of a written complaint.

## **INVESTIGATION PROCEDURE**

The investigator will reasonably and promptly commence the investigation upon receipt of the complaint. The length of the investigation is governed by the facts and complexity of each individual case but should be completed within 30 days of the complaint. The superintendent may approve an extension in special circumstances. The investigator will interview the complainant and the alleged perpetrator. The alleged perpetrator may file a written statement in response to the complaint. The investigator may also interview witnesses as deemed appropriate.

Upon completion of the investigation, the investigator will make written findings and conclusions as to each allegation of bullying or harassment and produce written findings and conclusions. An alternate investigator will provide a copy of the written findings of the investigation to the principal.

## **RESOLUTION OF THE COMPLAINT**

Following the completion of his/her own investigation or upon receipt of School Counselor or School Resource Officer's or an alternate investigator's report, the principal may investigate further, if deemed necessary, and make a determination of any appropriate additional steps which may include discipline.

The principal will file a written report documenting any disciplinary action taken or any other action taken in response to the complaint. The remedial actions taken by the principal, including disciplinary action where appropriate, should be designed to prevent further bullying or harassment. The principal, or designee, will monitor the effectiveness of the remedial actions taken by contacting the complainant at least twice during the month following the investigation resolution. These contacts should be included in the documentation. If further remedial actions are necessary, the case shall remain open with ongoing monitoring and documentation. The complainant, the alleged perpetrator and the investigator will receive notice as to the conclusion of the investigation. The principal will maintain a log of all complaints, findings, and actions taken, and will maintain all documentation related to a complaint investigation for during the duration of school years.

## **POINTS TO REMEMBER IN THE INVESTIGATION**

- Evidence uncovered in the investigation is confidential.
- Complaints must be taken seriously and promptly investigated.
- No retaliation will be taken against complainant/individuals involved in the investigation process.
- Retaliators will be disciplined up to and including suspension and expulsion.

## **CYBER BULLYING**

Cyber bullying is all forms of harassment over the Internet or other forms of electronic communications, including cell phones. Students and staff will refrain from using communication devices or District property to harass or stalk another. The District's computer network and the Internet, whether accessed at school or away from school, during or after school hours, may not be used for the purpose of cyber bullying. All forms of cyber bullying are unacceptable and viewed as a violation of this policy and the District's acceptable computer use policy and procedures.

Users are responsible for the appropriateness of the materials they transmit. Hate mail, harassment, discriminatory remarks, or other anti social behaviors are expressly prohibited. Cyber bullying includes, but is not limited to the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, digital pictures or images, or web site postings, including blogs. It is also recognized that the author (poster or sender) of the inappropriate material is often disguised (logged on) as someone else.

Students and community members, who believe they have been victims of such misuses of technology, as described in this policy, should not erase the offending material from the systems. A copy of the material should be brought to the attention of a principal or teacher.

In situations in which cyber bullying originated from a non-school computer, but brought to the attention of school officials, any disciplinary action shall be based upon whether the conduct is determined to be severely disruptive of the educational process so that it markedly interrupts or severely impedes the day to day operations of a school. In addition, such conduct must also violate a school policy. Such conduct includes, but is not limited to, threats, or making threats off school grounds, to harm a member of the school staff or a student.

Malicious use of District's computer system to develop programs or to institute practices that harass other users to gain unauthorized access to any entity on the system and/or change the components of an entity on the network is prohibited.

Disciplinary action may include, but is not limited to, the loss of computer privileges, detention, suspension, or expulsion for verified perpetrators of cyber bullying. In addition, when any kind of threat is communicated or when a hate crime is committed, it shall be reported to local law officials.

## **DIRECTORY INFORMATION**

The Flandreau School District No. 50-3 designates the following student information as "directory information," which can be disclosed without prior written consent. Parents will be notified as of this disclosure through school newsletter or at the time of registration.

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 or she enrolled in the Flandreau School District No. 50-3.

Within the first three weeks of each school year, the Flandreau School District will publish in the official newspaper the above list, or a revised list, of the items of directory information it proposes to designate as directory information. For students enrolling after the notice is published, the list will be given to the student's parents or the eligible student at the time and place of enrollment.

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

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

## **STUDENT RECORDS**

The Flandreau Public Schools recognize the district responsibility to protect the privacy and rights of the students and parents of this community. The following policy shall be adapted in an effort to assure the right of privacy and to comply with the Family Rights and Privacy Act of 1974. The record keeping procedures of the school district shall be governed by the following:

1. Parents of students attending Flandreau School District 50-3 upon giving proper notice of completing the necessary written form shall be able to inspect the school records of their children and have the right to a hearing with school officials to challenge the accuracy of such records.
2. Written consent of parents shall be obtained before releasing school records or portion of same to third parties except where permitted by law. Eighteen year-old students may sign their own consent forms.

## **TITLE IX - GRIEVANCE PROCEDURE**

Any student or school employee who has a complaint regarding sexual or racial discrimination or employment activity, prohibited by federal law contained in Title IX of Educational Amendments of 1972 shall attempt promptly to resolve the complaint by discussion with (a) counselor, in case of a student; (b) building principal; (c) superintendent, in that order. A school employee shall attempt to resolve the complaint by discussion with (a) building principal; (b) superintendent, in that order. The complaint must be in writing and describe, in as much detail as possible, the facts of the situation. The complaint must be signed by the grievant to be considered. At all levels listed above, an informal conference is to be held within five (5) days of the date of filing of the complaint. The burden of proof is upon the grievant to show that a rule is unfair, it is discriminatory or that an unfair procedure has occurred. In all cases, a written record of the discussion shall be kept with a copy given to the grievant and one copy to the school superintendent. Failure to appear at the appointed time and place will waive the grievant's right to the conference provided by the school personnel unless extenuating circumstances make it impossible for the grievant to appear. After going through the above procedure, if the grievant is not satisfied, the grievant may then schedule a meeting with the school board. The board shall consider the complaint at the earliest appropriate meeting at which time the grievant shall have the right to present their position to the board. The board shall, within thirty (30) calendar days after the meeting, advise the grievant in writing of the action taken in regard to the complaint.

## **MOTOR VEHICLES**

Students are not allowed to transport other students during the school day without parental permission. A note signed by the parents must be brought to the office and approved by office personnel before a student may drive or ride in a motor vehicle other than his/her own. The note must follow the guidelines as set forth in the Attendance Policy.

All traffic laws shall be obeyed. For safety reasons, "cruising" around the school and parking lot will not be permitted. Any student who drives irresponsibly will have his/her car keys taken away when arriving in the school building. The keys will be kept in the office and returned at the end of the day to the student or parent. Parents will be notified when driving privileges have been restricted.

Students will observe designated parking areas and park only where allowed in general parking areas. Improperly parked vehicles will be towed. Due to the number and age of students coming and going at the start and end of the school day, extreme caution must be taken to be alert to unexpected, dangerous driving conditions. Vehicles in the school parking lots are subject to search by law enforcement, including the drug dog and officer, and/or school officials at any time.

## **TRANSPORTATION POLICY**

The safety of every child on the bus is of great concern to all of us. Every effort is taken to see that children arrive to their destination safely. The cooperation of the parents is needed and requested in this endeavor. Driving a bus is a difficult and responsible task and should anything divert the bus driver's attention from his or her driving responsibility, it would endanger the safety of all children. It is absolutely necessary that the children riding the bus conduct themselves in the best possible manner. The up-keep and repair of transportation equipment is expensive and pupils are expected to cooperate in the preservation. Any pupil found guilty of destroying bus equipment will be expected to pay for the cost of repair or replacement of such destruction. Bus drivers have the right to assign seats on the bus.

## **POP, SUCKERS, AND GUM ARE NOT ALLOWED ON ROUTE BUSES.**

When students misbehave on the bus, the bus driver will report the misbehavior to the bus manager. The bus manager will write up a Bus Conduct Report with one copy submitted to the principal and one copy to the parent. The bus manager will attempt to contact the parent as soon as possible.

Guidelines for discipline problems on the bus are as follows:

First Offense: The student may be suspended from Bus Transportation from 1-3 school days.

Second Offense: The student may be suspended from bus transportation up to a maximum of 10 school days.

Third Offense: The student may be suspended indefinitely or expelled from bus transportation system.

NOTE: The seriousness of any single offense may determine the number of days the student will be suspended/expelled from the bus transportation system. In addition to all transportation rules, all school student behavior rules apply to students while on the transportation system. Misbehavior by a student in connection with the bus transportation system may also warrant school discipline procedures, which may include after school detention, Saturday detention, or suspension/expulsion from school

## **Introduction**

To Flandreau Public Schools Parents/Guardians, Students, and Staff Members:

Success in school occurs when there is close cooperation between the students, parents, and staff. The purpose of this handbook is to communicate the expectations of Flandreau Public Schools for student conduct in order to promote a safe, orderly, and positive learning environment and to address student rights and responsibilities.

The Flandreau Public Schools Board, administration, and staff regard student and staff safety as paramount. The rights of each student to receive a quality academic education, provided by caring and supportive faculty, will be fostered in an environment that generates respect and appreciation of others.

Please review the handbook with your child (ren). Any questions regarding the contents of this handbook should be expressed with your child's principal.

Thank you for your continued support of Flandreau Public Schools.

## **Preamble**

Flandreau Public School does not tolerate drugs, weapons, or threatening behavior. Any such act will result in a recommendation for long-term suspension or expulsion.

There are a variety of consequences (discipline) for misconduct. Depending on the seriousness of the situation, there may be more than one consequence for a single event. Nothing in the charts is intended to restrict the District from imposing more severe consequences if, in the discretion of the District, the severity of harm, danger, damage or potential harm warrants it, or if the incident involves more than one infraction. In addition, although not listed as a potential consequence on the charts for a particular behavior, long term suspension or expulsion may be imposed based upon the facts.

All discipline referrals submitted to the school administration/designee will begin with a conference with the student(s). In the case of suspension/expulsion, parents will be notified through a personal phone call, text/email, letter, or by the written referral form.

PLEASE NOTE: Federal privacy laws prohibit the District from naming students involved in disciplinary actions and from revealing the consequences of those actions to the parents of other students.

## **Philosophy of Student Conduct**

A positive learning environment in our schools and a good state of student conduct start with students, parents, and staff having knowledge and understanding of the basic standards of acceptable conduct. In order to assist everyone in the pursuit of a quality education, the District has established guidelines designed to ensure a safe

environment for all students and staff in our schools. For these guidelines to be most effective, it is vital for the family, the school, and the community to work together. Students are responsible for their own actions. Students whose actions are in violation of school/District guidelines will be expected to accept the appropriate consequences. We are proud of our students and strive to see that all students learn to recognize the essential worth of each individual. Students are expected to respect the rights and property of others while demonstrating high standards of personal integrity. To meet these goals, we enlist the support of our community.

### **Unacceptable Behavior**

When a District employee observes a student engaged in behavior that violates District policy, the employee is instructed to intervene either by requesting the unacceptable behavior cease or by immediately reporting the incident to the administration. Whenever the school administrator becomes aware of a report from a staff member, prompt and effective action to resolve the problem will be taken. When disciplinary action is appropriate, it shall be according to an established discipline plan. The assistance of the home, other educational supportive services, and other professional community agencies may be utilized. Each teacher will have a discipline plan for his/her classroom. When a student's actions go beyond those which the teacher can effectively control using his/her plan, the student will be referred to the administration. Students who break rules outside of the classroom may be referred directly to the administration or its designee.

### **Law Enforcement**

The District shall notify appropriate law enforcement agencies of violations of the law.

#### **Definitions**

Throughout this handbook, unless the context otherwise requires, the following definitions apply:

**District Property** is any property owned, leased, or used by the District.

**District Sponsored Event** is any event, which is sponsored or supervised by the District or District personnel.

**Electronic Devices** are cellphones, iPads, tablets, laptops, computers, iPods, MP3 players, or other electronic items.

**Restitution** is providing an equivalent replacement or compensation for damages or loss of personal or District property.

**School/District Property** is any personal or real property owned or under the control of the school or District.

#### **Violations**

**Alcohol Violation** means the unlawful use or imitation of, distribution, sale, purchase, possession, or transportation of any intoxicating element. This includes any equipment or devices used for ingesting alcohol. This violation also includes being under the influence, possession, distribution, or sale of alcohol at school, school-sponsored events and on school-sponsored transportation. This category does not include tobacco or drug possession.

**Arson** is knowingly damaging property by knowingly causing a fire or explosion on property owned or used by the school district.

**Arson of a Structure or Property** occurs when a person knowingly and unlawfully damages a structure or property by knowingly causing a fire or explosion.

**Arson of an Occupied Structure** is committed when a person knowingly and unlawfully damages an occupied structure by knowingly causing a fire or explosion.

**Aggravated Assault** occurs if the person commits assault under any of the following circumstances: (1) if the person causes serious physical injury to another; (2) if the person uses a deadly weapon or dangerous instrument; (3) if the person commits the assault after entering the private home of another with the intent to commit the assault; (4) if the person is eighteen years of age or older and commits the assault upon a child the age of fifteen years or under; (5) if the person commits the assault knowing or having reason to know that the victim is a peace officer, or a person summoned and directed by the officer while engaged in the execution of any official duties; (6) if the person commits the assault knowing or having reason to know the victim is a teacher or other person employed by any school and the teacher or other employee is upon the grounds of a school or grounds adjacent to the school or is in any part of a building or vehicle used for school purposes, or any teacher or school nurse visiting a private home in the course of the teacher's or nurse's professional duties, or any teacher engaged in any authorized and organized classroom activity held on other than school grounds.

**Assault** is (1) intentionally, knowingly, or recklessly causing any physical injury to another person; Or (2) intentionally placing another person in reasonable fear of imminent physical injury; or (3) knowingly touching another person with the intent to injure, insult, or provoke such person.

### **Bullying: STUDENT VIOLENCE/HARASSMENT/INTIMIDATION/BULLYING**

The School Board of Flandreau Public Schools believes it is the right of every student to be educated in a positive, safe, caring, and respectful learning environment. The School Board further believes a school environment that is inclusive of these traits maximizes student achievement, fosters student personal growth, and helps a student build a sense of community that promotes positive participation as citizens in society. To assist in achieving a school environment based on the beliefs of the School Board, bullying in any form will not be tolerated. Bullying may occur when a student or group of students engages in any form of behavior that includes such acts as intimidation and/or harassment that

- has the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm or damage to property;
- is sufficiently severe, persistent or pervasive that the action, behavior, or threat creates an intimidating, threatening, or abusive environment in the form of physical or emotional harm;
- occurs when there is a real or perceived imbalance of power or strength: or
- may constitute a violation of law.

Bullying of a student or group of students can be manifested through written, verbal, physical, or emotional means and may occur in a variety of forms including, but not limited to the following:

- verbal, written/printed or graphic exposure to derogatory comments, extortion, exploitation, name calling, or rumor spreading either directly through another person or group or through cyber bullying;
- exposure to social exclusion or ostracism;
- physical contact including but not limited to pushing, hitting, kicking, shoving, or spitting;
- damage to or theft of personal property;

**Harassment** is intentional behavior by a student or group of students that is disturbing or threatening to another student or group of students. Intentional behaviors that characterize harassment include, but are not limited to, stalking, hazing, social exclusion, name calling, unwanted physical contact and unwelcome verbal or written comments, photographs and graphics. Harassment may be related, but not limited to, race, religious orientation, sexual preference, cultural background, economic status, size or personal appearance. Harassing behaviors can be direct or indirect and by use of social media.

**Intimidation** is intentional behavior by a student or group of students that places another student or group of students in fear of harm of person or property. Intimidation can be manifested emotionally or physically, either directly or indirectly, and by use of social media.

Students are prohibited from bullying on school grounds, school property, school buses, at school bus stops, at school sponsored events and activities, and through the use of electronic technology or electronic communication equipment on school computers, networks, forums, or mailing lists. Disciplinary action may result for bullying, which occurs outside of the school and the school day when such acts result in a substantial physical, mental, or emotional negative effect on the victim physically, while on school grounds, school property, school buses, at school bus stops, or at school sponsored events and activities, or when such act(s) interfere with the authority of the school system to maintain order. This includes cyberbullying. All suspected violations of law will be reported to local law enforcement.

Students who believe they are experiencing bullying or suspect another student is being bullied should report their concern to any staff member of the School District. School personnel are to maintain appropriate confidentiality of the reported information. Reprisal by any student directed toward a student or employee 35 related to the reporting of a case or a suspected case of bullying shall not be tolerated, and the individual(s) will be subject to the disciplines set out in applicable District policies and administrative regulations. Students found to be bullying others will be disciplined up to and including suspension or expulsion from school. Knowingly submitting a false report under this policy shall subject the student to discipline up to and including suspension or expulsion. Where disciplinary action is necessary pursuant to any part of this policy, relevant District policies shall be followed.

Law enforcement authorities shall be notified any time District officials have a reasonable belief that an incidence of bullying is a violation of the law.

**Bullying/ Threatening/and Intimidating Behavior to Students (Including Cyberbullying)** a verbal or nonverbal implication to do physical injury to or damage to a student, their property, or their family's property.

**Bullying/ Threatening/ and Intimidating Behavior to Staff (Including Cyberbullying)** is a verbal or nonverbal implication or an attempt to do physical injury or damage to any Flandreau Public school district employee, their family, or property.

**Burglary** is the unauthorized entry for the purpose of committing a crime.

**Cheating/ Falsification/Forgery/ and Plagiarism: Plagiarism or cheating** is intentionally using information or property of another, without permission of the school and/or author, to obtain an unfair advantage. Forgery or **falsification** is the act of falsely or fraudulently marking or altering a document or a verbal, written, or electronic communication, or any verbal or written communication that is intentionally false or fraudulent (i.e., dishonesty or lying).

**Contraband** is defined as any item prohibited from the school campus. Such items include dangerous instruments, firearms, weapons, illegal, prescription and over the counter drugs, alcohol, and any other item or substance that could be considered a safety or health hazard.

**Dangerous Instruments/Devices** means anything that, under the circumstances in which it is used, attempted to be used, or threatened to be used, is readily capable of causing death or serious physical injury. Includes, but not limited to, knives, guns, clubs, chains, thrown stones, cigarette lighters, fireworks, etc. This includes the sale, possession or distribution of dangerous instruments/devices, with or without compensation on any school campus, school sponsored event, or school transportation.

**Defiance/ Disrespect towards Authority/ Insubordination/ and Non-Compliance** involves intentional disobedience, resisting or disregarding the authority and direction of District personnel, or treating District personnel or others with contempt or rudeness. Includes, but not limited to, the failure to respond to a reasonable request, or the **refusal to identify self**, or give correct name when requested to do so by school personnel.

**Disorderly Conduct** is any act which substantially disrupts the orderly conduct of a school function; a behavior, which substantially disrupts the orderly learning environment; or poses a threat to the health, safety, and/or welfare of students, staff, or others. Includes, but is not limited to, **verbal provocation**, which is 36 language that incites others to fight, and physical aggression. Physical Aggression includes tussles, **minor aggressive acts** (hitting, pushing and/or shoving).

**Disruption** is creating disturbances in class, on campus, or at school-sponsored events. Continual or repeated disruptions may warrant more severe consequences.

**Dress Code Violation** is failure to follow the dress or uniform guidelines established at the school of attendance.

**Drug Violation** is the unlawful use or imitation of, cultivation, manufacture, distribution, sale, purchase, possession, transportation or importation of a controlled drug or narcotic substance or equipment and devices used for preparing or taking drugs or narcotics. Includes being under the influence, possession, distribution, or sale of drugs at school, school-sponsored events and on school-sponsored transportation. Category includes over-the-counter and prescription medications if abused by the student. This category does not include tobacco or alcohol possession.

**"Drug"** means any narcotic drug, illicit or dangerous drug, inhalant, marijuana or peyote; inhalant, glue, paint, or any intoxicating substances that may impair an individual's physical or mental capacity; any narcotic or dangerous drug, unless prescribed by a physician and used in accordance with the prescription and governing board policies.

**"Drug paraphernalia"** means all equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a drug in violation of this chapter.

**Endangerment** is creating a substantial risk of injury or imminent death to oneself or another.

**Extortion** is the act of knowingly obtaining or seeking to obtain property or services, or causing or seeking to cause another to act in a manner by means of a threat to do any of the following: (1) cause physical injury; (2) cause damage to property; (3) engage in illegal conduct; (4) make false accusations.

**Fighting** is engaging in physical contact for the purpose of inflicting harm on another person. In cases that are determined to be mutual combat situations, all students involved will be disciplined regardless of who actually initiated the fight. This includes **Verbal Provocation**, defined as the use of language or gestures that may incite another person or people to fight.

**Self-Defense** • It is the policy of the District that physical force should be avoided at all times. Under some circumstances, however, physical force is justified. Physical force is not illegal under this student code of conduct when a review of the evidence determines that physical force is immediately necessary to protect the student or another person against another's use or attempted use of unlawful physical force. Physical force is never justified to protect property, in response to verbal provocation, or after the initial user of physical force has stopped.

**Firearm** is (a) weapon (including a starter gun) which will, or is designed to, or may be readily converted to expel a projectile by an explosive, or by gas, or air; (b) the frame or receiver of any such weapon; (c) any firearm muffler or firearm silencer; (d) any destructive device, including explosives, incendiaries, poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive charge of more than one-fourth ounce, or mine, or any weapon or combination of parts which will, or is designed to or may be readily converted to expel a projectile by action of an explosive or other propellant. For purposes of application and enforcement of this policy, a B-B/pellet gun is considered a 'firearm'.

**Gambling** is to risk money or anything of value on the outcome of anything involving chance.

**Gangs/Negative Group Affiliation/Secret Societies** initiate, advocate, or promote activities that threaten the safety or well-being of persons or property on school grounds or that disrupts the school environment. The use of hand signals, graffiti, or the presence of any apparel, jewelry, accessory, or manner of dress or grooming that, by virtue of its color, arrangement, trademark, symbol, or any other attribute indicates or implies membership of affiliation with such a group is prohibited because of the disruption to educational activities. Any activity involving an initiation, hazing, intimidation, assault, or other activity related to group affiliation that is likely to cause or does cause bodily danger, physical harm, personal degradation or disgrace resulting in physical or mental harm to others is prohibited.

**Harassment** is intentional behavior by a student or group of students that is disturbing or threatening to another student or group of students. Intentional behaviors that characterize harassment include, but are not limited to, stalking, hazing, social exclusion, name calling, unwanted physical contact and unwelcome verbal or written comments, photographs and graphics. Harassment may be related, but not limited to, race, religious orientation, sexual preference, cultural background, economic status, size or personal appearance. Harassing behaviors can be direct or indirect, or through the use of social media.

**Hazing** means any intentional, knowing or reckless act committed by a student, whether individually or in concert with other persons against another student, and in which both of the following apply:

- The act was committed in connection with an initiation into, affiliation with, or the maintenance of membership in any organization that is affiliated with an educational institution.
- The act contributes to a substantial risk of potential physical injury, mental harm or degradation, or causes physical injury, mental harm or personal degradation.

**Horseplay/Roughhousing/Recklessness or Minor Aggressive Acts** means rough, boisterous or unsafe play; outbreak of rough and noisy behavior with potential for injury

**Inappropriate Language** means any language that is harmful to another person; including **defamation**, which is wrongfully injuring another person's reputation through a written, spoken, or electronic communication that is not otherwise privileged under the law; **death threat** which is the act of stating an intended action, either verbally or in writing that could cause death; **hate speech**, which is defined as any written, oral, or electronic communication that manifests malice towards others based on their race, gender, or ethnicity; **profanity**, defined as the use of obscene language or gestures to the extent that it disturbs the educational process or

environment; or **verbal abuse**, which is profanity or any derogatory language stated publicly to others. This violation includes, but is not limited to, racial slurs, oral or written speech, gang paraphernalia, symbols or gestures.

**Intimidation/ Threats** is intentional behavior by a student or group of students that places another student or group of students in fear of harm of person or property. Intimidation can be manifested emotionally or physically, either directly or indirectly, and by use of social media.

**Public Display of Affection** is visible affectionate physical contact (kissing, hugging, touching) that exceeds accepted standards of reasonable public contact.

**Robbery** is the taking, or attempting to take, any property of another from his/her person or immediate presence against his/her will, and threatening or using force against any person with intent either to coerce surrender of property, or to prevent resistance toward such person taking or retaining the property.

**School Threat/Disruption of an Educational Institution** is threatening to cause physical injury to any employee of an educational institution or a person attending an educational institution; threatening to cause damage to any educational institution, the property of any employee of an educational institution or the property of any person attending an educational institution; knowingly going on or remaining on the property of an educational institution for the purpose of interfering with or disrupting the lawful use of property by others; knowingly refusing to obey a lawful order given by an administrative officer of an educational institution who has reasonable grounds to believe that any person or persons are committing any act that interferes with or disrupts the lawful and safe use of the property by others at an educational institution. Includes but not limited to **bomb threats, chemical biological threats, and fire alarm misuse**.

**Sexual Harassment** is defined by but not limited to: (1) suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, touching, impeding or blocking movement, leering, gestures, display of sexually suggestive objects, pictures, or cartoons; (2) continuing to express sexual interest after being informed that the interest is unwelcome; (3) implying or withholding support or offering or granting favors in exchange for sexual favors. This includes **sexual harassment with contact**.

**Sexual Offenses** is the use of verbal, written, electronic, or physical threats/actions, or any language that is sexually demeaning or offensive. This includes **pornography, indecent exposure**, touching toward private areas, depantsing, pulling another's underclothing in public, or any form of sexual relations, including **sexual abuse** or **sexual assault**.

#### **Surreptitious Photographing, videotaping or filming**

- A.** It is unlawful for any person to knowingly photograph, videotape, film, digitally record or by any other means secretly view, with or without a device, another person without that person's consent under either of the following circumstances: 1. In a restroom, bathroom, locker room, bedroom or other location where the person has a reasonable expectation of privacy and the person is urinating, defecating, dressing, undressing, nude or involved in sexual intercourse or sexual contact. 2. In a manner that directly or indirectly captures or allows the viewing of the person's genitalia, buttock or female breast, whether clothed or unclothed, that is not otherwise visible to the public. **B.** It is unlawful to disclose, display, distribute or publish a photograph, videotape, film or digital recording made in violation of subsection A of this section without the consent or knowledge of the person depicted.

**Tardy** is failure to be at a designated location, such as a classroom, at a specified time without permission.

**Technology Misuse/Improper Use** is the failure to use hardware, software, electronic devices, web pages, social media and network for the intended educational use, without permission, or in a manner that causes disruption at a campus or any District facility. Device tampering, such as altering, damaging, or destroying an electronic device, computer hardware, software or school data; introducing a computer contaminant into any or network; causing the disruption of a device or network; and/or using a device or computer system to threaten, alarm, harass, or cause another person to suffer substantial emotional distress, is also prohibited. This includes such violations as **computer tampering, network infractions, cell phone misuse (telecommunications device)**, and surreptitious photography/video using an electronic device.

**Theft** is taking property that belongs to another. Theft does not include confiscation by school authorities of property not permitted at the school. NOTE: In the event of theft or damage, personal items brought to school, such as musical instruments, radios, etc. are not covered by District insurance.

**Tobacco Violation** refers to, but is not limited to, smoking tobacco, (e.g., cigarettes, cigars, e-cigarettes, inhalation devices), smokeless tobacco (e.g., dip, chew, snuff, or twist), or tobacco-like substance such as herbal mixtures/smoking blends.

**Trespass** occurs when a person(s) enters upon, or in, school property without legal justification or without the implied or actual permission of the administration. This violation also includes **loitering**, which occurs if a person is intentionally present in or about school after a reasonable request to leave and does not have any specific legitimate reason for being there, or does not have written permission to be there from anyone authorized to grant such permission.

**Truancy/Leaving Campus without Authorization** is being absent from class or school without parent or school permission (unexcused absence). Being habitually truant occurs when a student is truant for at least five days within a school year. The district desires to encourage and ensure students attend school daily. It is important for parents/guardians to communicate with school officials regarding any absences of their children. If a student continues to have unexcused absences, the student may be referred to the States Attorney. Absences 40 will be considered excessive when the number of absent days exceeds ten percent of the number of required attendance days in a school year.

**Unexcused Absence** is being absent from class or school without permission.

**Vandalism/Criminal Damage/Property Destruction** the act of defacing or destroying any building, fixture, vegetation, or personal property. This includes, but is not limited to **graffiti, tagging, and vandalism of personal or school property.**

**Weapon** includes, but is not limited to, firearms, knives, bombs, other **combustibles**, daggers, dirks, stilettos, iron bars, brass knuckles, chains, bat or any object used to do bodily injury to any person. This infraction also includes **simulated weapons**, which is any instrument displayed or represented as a weapon or dangerous instrument.

A student who has violated multiple infractions in different areas may be referred for long-term suspension or expulsion.

## Recommended Discipline Actions: Grades 5-8

<b>Infraction</b>	<b>1st Referral</b>	<b>2nd Referral</b>	<b>3rd Referral</b>
* Alcohol possession, use, under the influence or distribution of alcohol on District property or at a District sponsored event	Up to 10 Day Suspension	Long Term Suspension, Expulsion	Expulsion
* Arson	Up to Expulsion Restitution	Expulsion, Restitution	
*Assault-Aggravated	Long Term Suspension; Restitution	Expulsion, Restitution	
*Assault-Student	Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to 10 Day Suspension, Long Term Suspension, Expulsion
*Assault- Staff	Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to 10 Day Suspension, Long Term Suspension, Expulsion
*Bullying, Threatening and Intimidating Behavior, Including Harassment and Cyberbullying - to student	Mediation, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to 10 Day Suspension, Long Term Suspension, Expulsion
*Bullying, Threatening and Intimidating Behavior, Including Harassment and Cyberbullying - to staff	Detention, Up to Five (5) Day Suspension	Up to 10 Day Suspension	Long Term Suspension, Expulsion
*Burglary	Up to Five (5) Day Suspension, Restitution	Up to 10 Day Suspension, Restitution	Long Term Suspension, Expulsion, Restitution
Cheating, Falsification, Forgery, or Plagiarism	Notify Parent, Conference with Student	Detention	Up to Three (3) Day Suspension
Contraband	Detention, Long Term Suspension, Expulsion	Long Term Suspension, Expulsion	Long Term Suspension, Expulsion
Dangerous Instruments/Devices Possession, use of, or threat to use	Detention Up to 5 Day Suspension	Up to 10 Day Suspension	Long Term Suspension, Expulsion
*Death Threat	Up to 10 Day Suspension, May recommend evaluation with psychologist	Up to Long Term Suspension, May recommend evaluation with psychologist	Up to Long Term Suspension, May recommend evaluation with psychologist
Defiance, Disrespect towards Authority, Insubordination, or Non Compliance	Conference, Detention, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to 10 Day Suspension

Disorderly Conduct	Detention, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to 10 Day Suspension
Disruption	Conference, Detention	Up to Three (3) Day Suspension	Up to Five (5) Day Suspension
Dress Code Violation	Change Clothes, Notify Parent	Change Clothes, Detention Conference	Up to Three (3) Day Suspension
*Drugs; use, under the influence, distribution, or possession of drugs or drug paraphernalia on District Property or at a District sponsored event	Up to 10 Day Suspension	Long Term Suspension, Expulsion	Expulsion
Endangerment	Up to Five (5) Day Suspension	Up to 10 Day Suspension	Long Term Suspension, Expulsion
*Extortion	Notify Parent, Detention, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Long Term Suspension
*Fighting	Up to 10 Day Suspension (5 days ISS/5 days OSS)	Long Term Suspension, Expulsion	Expulsion
*Firearm	Up to 10 Day Suspension	Long Term Suspension, Expulsion	Expulsion
Gambling	Conference, Notify Parent, Detention	Up to Three (3) Day Suspension	Up to Five (5) Day Suspension
*Gang Related Activity, Secret Societies, Negative Group Affiliation	Up to Three (3) Day Suspension, Notify Police	Up to Five (5) Day Suspension, Notify Police	Up to 10 Day Suspension, Notify Police
Harassment	Detention, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to 10 Day Suspension, Long Term Suspension, Expulsion
Hazing	Detention, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to 10 Day Suspension, Long Term Suspension, Expulsion
Horseplay: Roughhousing, Recklessness, or Minor Aggressive Acts	Conference, Detention	Detention, One (1) Day Suspension	Up to Three (3) Day Suspension
Inappropriate Language: Defamation, Hate Speech, Profanity (See Death Threat and Verbal Abuse as well)	Conference, Mediation, Detention, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to 10 Day Suspension
Public Display of Affection	Administrative Warning	Conference Detention	Up to Three (3) Day Suspension
*Robbery	Up to Five (5) Day Suspension Restitution	Up to 10 Day Suspension, Restitution	Long Term Suspension, Restitution
* School Threat/	Expulsion		

Disruption of an Educational Institution			
*Sexual Harassment	Notify Parents, Conference, Detention, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to 10 Day Suspension
*Sexual Offenses; Pornography, Indecent Exposure	Notify Parent, Conference, Detention, Confiscation, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to 10 Day Suspension, Long Term Suspension, Expulsion
Sexual Offenses; Sexual Abuse, Sexual Assault	Up to 10 Day Suspension, Long Term Suspension	Long Term Suspension, Expulsion	Expulsion
Surreptitious Photographing, Videotaping, or Filming	Up to 10 Day Suspension, Long Term Suspension	Up to Long Term Suspension, Expulsion	Expulsion
Tardy (per quarter)			
Technology Misuse/ Improper Use	Conference, Loss of Technology Privileges, Up to One (1) Day Suspension, Restitution	Loss of Technology Privileges, Up to Three (3) Day Suspension, Restitution	Loss of Technology Privileges, Up to 10 Day Suspension, Restitution
*Theft	Notify Parent, Detention, Restitution	Up to Three (3) Day Suspension, Restitution	Up to 10 Day Suspension, Restitution
Intimidation/Threats	Mediation, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to 10 Day Suspension
Tobacco; use, possession, or distribution of tobacco-like substance	Up to Five (5) Day Suspension	Up to 10 Day Suspension	Long Term Suspension
Trespassing/Loitering	Notify Parent Detention Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to 10 Day Suspension
*Truancy, Unexcused Absences, or Leaving Campus without Authorization	Up to 1 Day Suspension	Up to Three (3) Day Suspension	Up to Five (5) Day Suspension
*Vandalism, Criminal Damage, Property Destruction	Detention, Up to Five (5) Day Suspension, Restitution	Up to 10 Day Suspension, Restitution	Long Term Suspension, Restitution
Verbal Abuse- to student	Notify Parent Detention	Detention Up to Three (3) Day Suspension	Up to Five (5) Day Suspension
Verbal Abuse- to staff	Notify Parent, One (1) Day Suspension	Up to Three (3) Day Suspension	Up to Five (5) Day Suspension
Verbal Provocation	Detention, Up to (3) Day Suspension	Up to Five (5) Day Suspension	Up to 10 Day Suspension
*Weapon, possession or use of	Up to 10 Day Suspension, Long Term Suspension	Long Term Suspension, Expulsion	

*Weapon-Simulated, possession of, use of, or threat to use	Notify Parent, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to 10 Day Suspension, Long Term Suspension
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An asterisk (\*) indicates that a police report will be filed.

### EXPLANATIONS OF CONSEQUENCES

**Informal Conference:** An informal conference between an administrator and a student.

**Administrative Warning:** A formal conference and warning from the school official to the student.

**Parent Contact:** The parent is notified by phone or in writing of student conduct.

**Detention:** The student will be detained either before school, at recess, at lunch, after school, or on Saturdays. The student will be under the supervision of a school employee. Transportation will not be provided for those students on detention. Parent notification will be attempted in advance of the detention.

**In-school Suspension/On campus Reassignment:** At the discretion of the building-level administrator; students may be assigned this consequence for various infractions. Students will remain in a classroom or specified location working on school assignments, while supervised by a staff member

**Restitution:** Students may be held liable for the cost of replacing or repairing school or personal property in the event of property damage, destruction, or theft.

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