

Welcome to Dickinson Middle School (DMS) where our brand is “Growing Minds Building Community”. This brand along with our eight beliefs that are found below drive all decisions that are made at DMS. Our vision is to Empower all Learners to Succeed.

The adolescent years are an exciting and challenging time for our students. We know that students come to us with a wide spectrum of needs and abilities. At no time in a child’s development, except for 0-2 years of age, will their mind and body grow at such rapid rates.

At DMS, we are fully aware of these needs and abilities, which is why we have developed a school to challenge all students. Our schedule is supported with a wide range of interventions. If a student is struggling, academically or socially, we have courses or programs to support them.

If a student is not being challenged, we have courses within the schedule to further challenge them. At DMS, we have Gifted and Talented and/or Advanced Language Arts and Math. The structure of our school is also designed to provide teachers with an environment to challenge students. Our academic classrooms have discovery spaces and operable walls, making it easy to provide alternative learning environments. We even have a Maker Space in the library to offer opportunities to those students who quest for more.

We also offer many different exploratory and elective options for students. In 6<sup>th</sup> grade, all students take a music course. We also have the facilities to offer all students Physical Education for the entire year. We know that physical activity is important to the development of a healthy mind. Our students will participate in P.E. all year. We have elective options of Art, Skills for Daily Living, Technology, Band, Choir, and Spanish.

The adolescent years are a time of self-discovery and belongingness. At DMS, we have taken great steps to build a community where all students feel they belong. Our building has been designed to create small communities within a larger school. Teams of teachers work in close proximity with the same students to create small communities of students.

At DMS, teachers integrate 21<sup>st</sup> Century learning skills of Creativity, Communication, Critical Thinking, and Collaboration, to assist students in working on those skills important to future employers. These skills also develop a sense of belonging and self identify, characteristics adolescents yearn for. Special curriculum integrated with Project Based Learning allows students to show case these skills.

Lastly, DMS provides students with a wide-array of clubs and activities. I encourage each student to become involved with an activity throughout the entire year. At DMS, we strive to create challenging opportunities, socially and academically, that adhere to the school brand of Growing Minds and Building Community.

*We Believe:*

**In Job Embedded PLC and TEAM Time**  
**In Additional Time for Literacy and Numeracy**  
**A Student’s Education Should Be Personalized**  
**In Preparing Students for the Future**  
**In Flexible Learning Opportunities**  
**In Integrated Learning**  
**In A Safe and Comfortable Environment Conducive to Learning**  
**That All Students Can Learn and Succeed**

Sincerely,

Marcus Lewton Ed.D

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## SCHOOL ATTENDANCE

### BUILDING HOURS

The school will be open from 7:30 a.m. to 4:00 p.m. each day. In general, students are to be out of the building by 3:45 p.m., unless engaged in supervised activities or staying after school at a teacher's request. Students not waiting for rides should leave the school grounds immediately. School hours are 8:10 a.m. to 3:35 p.m. each day.

### ARRIVAL AT SCHOOL

Students who arrive at school and enter the building prior to 8:05 a.m. must report to the gym and will be released to go to their 1<sup>st</sup> Period at 8:05 a.m. Any student not in 1<sup>st</sup> Period by 8:10 a.m. is considered tardy and must report to the office when they arrive at school. Schools doors are locked from 8:15 a.m. to 3:35 p.m. during our school day so any students or visitors will need to be buzzed in from the office. Students will not be supervised prior to 7:30 a.m. and after 4:30 p.m. Students arriving by bus will be dropped off approximately between 7:45 a.m. and 7:55 a.m. All 6<sup>th</sup> grade students will report directly to the cafeteria upon arriving at school. All 7<sup>th</sup> and 8<sup>th</sup> grade students will report directly to the gymnasium upon arriving at school.

### DEPARTURE OF SCHOOL

Students who utilize bus services will be released from classes at 3:33 p.m. The busses will depart from DMS promptly at 3:40 p.m. It is imperative that bus students report immediately to the proper location after school. All buses will have a specific order to lineup in for ease of student recognition.



**EMERGENCY CLOSING PROCEDURE**

If there is any doubt about school being open or closed, parent(s) or guardians are asked to listen to radio stations KDIX 1230 AM, KLTC 1460 AM, KDXN 105.7 FM, KCAD 99.1 FM, and KXDI 94FM. The District’s Alert Solutions message system will be activated should weather conditions warrant the closing of schools or early dismissal. Residents are requested not to telephone the school office or Central Administration Office when weather is bad. Too many calls tie up vital phone lines, making it much more difficult to keep everything running smoothly.

In the event of other emergencies not related to weather that might require the schools to close or be evacuated during the school day, all District staff will follow the steps outlined in the District’s Emergency Procedures Manual to ensure the safety and well-being of all children in the schools.

**ABSENCES**

**NOTIFYING THE SCHOOL**

When a student is going to be absent, a parent(s) or guardians must call DMS and report the reason for their absence. This call shall be made before the first class the student will miss. Failure to contact the school will result in the absence being recorded as an unexcused absence. **Please call 701-456-0021.**

**TARDINESS**

A tardy is defined as not being at the correct workstation to begin class after the bell signals the start of the new class period. A student must report to the office for a pass if they are tardy in the morning or when returning at noon. Consequences for being tardy are as follows.

1. Three tardies will count as one tardy absence. Absences resulting from tardies will not count toward the total absences allowed. Disciplinary consequences include lunch detention for each tardy and if student fails to complete lunch detentions, other consequences may be given at the principal’s discretion.
2. Habitual tardiness will be treated as insubordination and may result in referral to an outside agency.

**ATTENDANCE POLICY**

The **Stay in School Program** is a collaborative effort to impact school attendance through preventative and/or early intervention services to students and families. The intention is to increase the student’s regular attendance in school by implementing positive intervention strategies and assist in removing the barriers that prevent daily on-time attendance.

Involved Agencies/Community Attendance Team:

- Dickinson Public Schools
- West Dakota Parent and Family Resources
- Stark County Juvenile Court
- Stark County Social Services
- Dickinson Police Department (Phase IV)
- DMS Day Treatment Program

The program progresses through various phases as needed to assist the student in establishing regular on-time attendance patterns. The series of phases build upon one another with specific procedures to be followed. It starts with notifying the parent(s) or guardians of the school’s concern and progresses to conferences and interventions to resolve the attendance problem. The policies and procedures for each phase are as follows:

E = Excused Absence  
 U = Unexcused Absence  
 A= Absence  
 PA = Principal Approval  
 X = Extracurricular Activity  
 \*these codes are as marked in PowerSchool.

**School Defined Excused Absence:** Any day or time missed that proper documentation has been provided for the absence.

**School Defined Unexcused Absence:** Any day or time missed that documentation, or notification from parent(s) or guardians, has **not** been received. School-sponsored activities are not counted as absences.

**School Defined Absence:** Any day or time missed that has been reported to the DMS attendance office, but is not accompanied by proper documentation. If notification is not provided, the absence will be marked as unexcused.

**Principal approval will be granted for family related absences.** Family related absences include weddings, vacation, funerals, family emergencies, and legal/court requirements. Parent(s) or guardians are responsible to communicate these activities with the

school and submit an Absence Request form available at the front office. Upon submission, the principal may approve or deny the request.

\*Proper Documentation: Doctor's note, court document, other documents deemed appropriate by the principal.

\*School-sponsored extracurricular and intra-curricular events do not count toward absence policy.

\*Administration will work with parent(s) or guardians on extreme circumstances such as major illness.

**Phase I** – 8 days of absence from school or 8 tardies (late arrival to school). The student's team of teachers will provide a **Phase I** letter of concern to parent(s) or guardians. This letter will describe concern, offer possible resources, and communicate attendance history.

**Phase II** – 12 days of absences from school or 12 tardies (late arrival to school). The principal will provide a **Phase II** letter of concern to parent(s) or guardians requesting a conference. The conference agenda will consist of an explanation of the Stay in School Program, a review of past attendance and performance, explanation of the assessment of barriers interfering with the student's regular daily attendance, and a plan of interventions by the student, parent(s) or guardians, teachers, and school. The student may also be referred to the Day Treatment Program. The Day Treatment staff would assist the parent(s) or guardians and student with the attendance concerns. Together they would come up with a plan in order for the student to attend school on a regular basis.

**Phase III** – 16 days of absences from school or 16 tardies (late arrival to school). The principal will provide a **Phase III** letter of concern to parent(s) or guardians requesting a conference along with the Day Treatment director/teacher. The conference agenda will again consist of an explanation of the Stay in School Program, a review of past attendance and performance, an explanation of the assessment of barriers interfering with student's regular daily attendance, and a plan of interventions by the student, parent(s) or guardians, and teachers. Notification will be given to the student and the parent(s) or guardians that continued inability to be on time and in regular attendance will result in a referral to Stark County Social Services for educational neglect.

**Phase IV**- 20 days of absences from school or 20 tardies (late arrival to school). The school administration and the Day Treatment staff at this time will refer the student to Stark County Social Services and the Dickinson Police Department. The Community Attendance Team (which consists of professionals from the West Dakota Parent and Family Resource Center, Dickinson Public Schools, Dickinson Middle School Day Treatment Program, Stark County Juvenile Court, Stark County Social Services, and Dickinson Police Department) will meet with the parent(s) or guardians and student to discuss and review the attendance plan. The team will address all concerns at this time and discuss possible consequences/actions.

\* As always we attempt to work with families and realize life is full of unexpected surprises.

\*The DMS Attendance Policy was developed under the guidelines of the DPS District Attendance Policy FFB.

#### **PERMISSION TO LEAVE SCHOOL DURING THE DAY**

Students are not permitted to leave the school building during the day unless approved by the office. Parent(s) or guardians are required to sign students out in the school office before leaving the building. If you leave school without permission from the office, you will be considered truant.

The following are examples of excused reasons for permission to leave campus:

1. Family Emergencies and Health Related Appointments. The parent(s) or guardians will contact the office and provide documentation and an appropriate pass will be issued to the student.
2. Sudden Illness. The student should report to the office for the appropriate pass. Parent(s) or guardians will be contacted from the office.
3. School-Sponsored Activities. The coach or advisor of the activity will notify the office and teachers and give them a list of students who will be leaving and when they will be gone.

#### **MAKE UP WORK**

**The responsibility for getting and making up missed work rests with the student, not the teacher.** Students that are truant or receive unexcused absences are required to make up work. Students that have a large number of absences for any reason may be removed from elective course work and placed in a study hall. All missed work is required to be made up. Parent(s) or guardians can request the assignments from the main office. Teachers are allowed 24 hours to turn the assignments into the office.

#### **PHYSICAL EDUCATION EXCUSES**

Physical education is required. If it is necessary for a student to be excused from P.E. for a short time, even though he/she is in school, the student must have a note from their parent(s) or guardians. Excuses for a longer period of time must be according to doctor's orders.

## **BREAKFAST-HOT LUNCH PROGRAM**

### **BREAKFAST SCHEDULE**

All students may participate in the breakfast program by purchasing a meal ticket or by paying cash daily. Breakfast will be served each day from 7:45-8:00 a.m. Students will be dismissed to attend breakfast at 7:45 a.m.

### **LUNCH SCHEDULE**

All students may participate in the hot lunch program by purchasing a meal ticket or by paying cash daily. The scheduled time for lunch will depend on the student's grade level.

### **MEAL ACCOUNTS**

Students will be issued one meal account number that will remain the same from one year to another. Students may add money to their account in the school office at any time. Deposits to the student's lunch count can be made online from our school's website, <http://www.dms.dickinson.k12.nd.us/>. Students with a negative account balance will be given a written notice and may be required to make a phone contact with account information.

### **LUNCH**

By direction of the Dickinson Public School Board, DMS has been declared a closed campus. Students must remain on the grounds from the time of their arrival until 3:35 p.m.

### **LEAVING SCHOOL FOR LUNCH**

Any students going home for lunch on a regular basis must apply for this privilege in the office. This privilege will only be granted to students going to their own home, not that of another student. One day passes will be available in the office after the principal or secretary receives a phone call from the student's parent(s) or guardians. The student will only be released to his/her guardian after the principal approves the request and the guardian signs them out in the school office.

**BRINGING COLD LUNCHEs** Students may bring cold lunch which will be eaten in the lunch room. Cold lunches should be a well-balanced, nutritional lunch.

## **GENERAL POLICIES AND PROCEDURES**

### **LOCKERS**

Each student will be assigned a locker and is responsible for the condition and contents of that locker. No one else will be given the combination; therefore, the only way others can learn the combination is if the student has provided the information to others. **STUDENTS MAY NOT REVEAL THEIR LOCKER COMBINATIONS OR SHARE THEIR LOCKERS WITH ANOTHER STUDENT.**

Students' lockers should be locked at all times. Lockers are school property and should be treated with care. Students are allowed to put up pictures on the **INSIDE** of their lockers with funtack. No pictures involving alcohol, tobacco or nudity will be allowed. The outside of the locker is not to be decorated in any way without permission from the principal. The school is not responsible for articles lost in the building or from lockers. Therefore, nothing of great value should be kept in the lockers. Ownership and control of all lockers is retained by the school district. Access to all lockers, under certain conditions, is a legal right of school officials whose responsibility it is to protect the health, safety, and welfare of all students enrolled.

### **TELEPHONE**

The telephone in the office is the only telephone to be used during the school day and may be used to call parent(s) or guardians only. The student must obtain permission before using the office phone.

### **CELL PHONES, MP3 PLAYERS, AND COMPUTER TABLETS**

Students are not allowed to use cellular phones (they need to be turned off during the school day), MP3 Players, personal cameras, and other telecommunication devices at DMS during regular school hours. Any items discovered during school hours will be returned to the student at the end of the day.

If a student's phone is held more than one time in the office, parent(s) or guardians will need to sign and pick up the cell phone after school from the office before 3:45 p.m. Electronic devices can be authorized for students to use for educational use as defined by the classroom teacher's established rules and following prior approval by the building principal. Students are not to use devices in class for streaming video or music for personal use. When using devices in school the "Student Access to the Internet" rules on Page 7 of this handbook and school district policies will apply. Possession of any image/recording device in an

area where there is a reasonable expectation of privacy is strictly prohibited and will result in confiscation of the device. Excessive abuse of this policy can be further grounds for action by an administrator.

### **HOMEWORK PLANNER**

The homework planner is an important tool for promoting communication between parent(s) or guardians, teachers, and students. All students will be required to carry the homework planner that will be issued during registration. Parent(s) or guardians and teachers may request to see a student's homework planner at any time. The planner also contains the students' hallway passes, which must be used to allow students to move within the building. If the student does not have a planner, they may not move about the building unless they have a note from the teacher.

### **LOST AND FOUND**

The office maintains a lost and found department. Students are urged to turn in all articles they find to the office. They should also inquire as to the articles they have lost. Unclaimed articles are usually donated to local charities after they have been in the office for 12 weeks.

### **VISITORS**

Adults and students from other schools are welcome as visitors at DMS. All visitors must report to the office upon entering the building. All doors will be locked from 8:15 AM to 3:35 PM and visitors will have to buzz the office for entrance. Visitors are required to wear a Visitor ID.

## **EMERGENCY DRILLS**

### **FIRE DRILLS**

Fire drills at regular intervals are required by law and are an important safety precaution. It is essential that when the first signal is given, everyone obey orders promptly and clear the building by the prescribed route as quickly as possible. The teacher in each classroom will give the students specific instructions on how to evacuate the building.

### **TORNADO DRILLS**

Command to take cover will be given verbally. Designated routes and protective areas will be posted in each classroom. When the city tornado alarm is sounded, faculty will direct their students to their assigned area and make sure all students assume the protective position.

### **BUILDING SECURITY AND LOCK DOWN PROCEDURES**

Building security and lock down procedures will be conducted in accordance with the Dickinson Public Schools "Emergency/ Disaster Preparedness and Response Plan."

## **RESOURCES AVAILABLE TO STUDENTS**

### **LIBRARY**

The library is open from 7:45 a.m. to 4:00 p.m. Students have access to the library throughout the day with permission. The library is also available for student use at noon. Students planning on using the library during the noon hour must have a pass from an instructor. Library orientation for students will be provided at the beginning of the year.

### **STUDENT ACCESS TO THE INTERNET**

The use of the Internet in the Dickinson Public Schools must be in support of educational goals and consistent with the stated objectives of the school district. Transmission of any material in violation of any U.S. or state laws or regulations is prohibited. This includes, but is not limited to, copyrighted material, threatening, harassing, or obscene material, or material protected by trade secrets. Use for commercial activities is generally not acceptable. Users are expected to abide by the generally accepted rules of network etiquette. Vandalism will result in cancellation of privileges. Obscene, abusive or otherwise offensive materials are inappropriate for students and it is the responsibility of all students to access only appropriate servers and sites on the Internet. An Internet Users and Parent Permission Form will be distributed. This form must be on file in the office for a student to access the Internet.

### **GUIDANCE**

The guidance counseling program is designed to assist the student in fully understanding academic, social, and personal strengths and weaknesses. With this knowledge, the student should be capable of making wise decisions and satisfactory adjustments.

The guidance counselors administer the school testing program and strongly urge students to make use of the materials available in the guidance office. There are booklets and folders containing information on the world of work, trades, health, family and social problems, vocational and technical schools, professional careers and colleges.

The counselors are available to any student desiring assistance with academic difficulties, school problems, personal problems, or vocational choices. The counselors also encourage interested parent(s) or guardians to call or visit and discuss the needs and concerns of their sons or daughters. Appointments may be made during the school day.

## **ACADEMICS – COURSE OFFERINGS**

### **6TH GRADE REQUIRED SUBJECTS**

Language Arts, Math, Social Studies, Science, Reading, P.E., Choir or Band

**Encore Classes:** Skills for Daily Living, Computer/Tech, Art, Communications A and Communications B, Interventions

### **7TH GRADE REQUIRED SUBJECTS**

Language Arts, Math, Science, Geography, P.E., Environmental Issues, Innovations in Engineering

**Required Electives:** Reading or Spanish

**Encore Classes:** Skills for Daily Living, Computer/Tech, Art, Choir, Band, Drumming, Interventions

### **8TH GRADE REQUIRED SUBJECTS**

Language Arts, Math, Science, History, P.E., Exploring Solutions, Innovations in Technology

**Required Electives:** Reading or Spanish

**Encore Classes:** Skills for Daily Living, Computer/Tech, Art, Choir, Band, Guitar, Interventions

## **Scheduling FAQ**

### **How do I sign up for classes?**

Future 6<sup>th</sup> Graders: In the spring, our counselor will hold registration nights for future 6<sup>th</sup> graders where students will register for the next year. Letters will go home to our 5<sup>th</sup> grade students with detailed information regarding this event.

Future 7<sup>th</sup> Graders: In the spring, our counselor will hold registration nights for future 7<sup>th</sup> graders where students will register for the next year. Letters will go home to our 6<sup>th</sup> grade students with detailed information regarding this event.

Future 8<sup>th</sup> Graders: In the spring, our counselor will visit the 7<sup>th</sup> grade classrooms and go over how to register for classes. Students will bring the registration forms home to get parent(s) or guardians input and signatures before returning it.

### **When is my schedule final?**

Your schedule is final on the first day of school. The week before school starts we have Registration Week. During that week, you may come in and change classes if it is possible.

### **Why can't I drop a class?**

It is disruptive to the learning environment when students are constantly switching classes. A student entering a class late in the quarter will be behind in foundational skills and would have a difficult time catching up to the rest of the class.

### **What if there is a mistake in my schedule?**

Sign out during Home Base to see our counselor. An example of a mistake would be a required course is missing or you have two of the same classes. It is not a mistake if you did not get into all of your first choice elective/encore courses.

### **What if I don't get into all the classes I want?**

You probably won't get into all the classes you want. In a school of 800 students (and growing) it is nearly impossible for your schedule to work out for you to get every class you want. However, we try our best to fit in as many of your first choices as we possibly can into your schedule.

### **How come some students have study halls and I do not?**

Some students may have either Reading Interventions or Math Interventions built into their schedules. These interventions re-teach the day's lesson in those subjects. Students must qualify for these classes via state test scores and teacher recommendations. Your parent or guardian may request to have you placed in an intervention at registration. Students can be removed from intervention courses when test scores are proficient and teachers agree the student has the skills to be without the class.

### **Can I switch my classes to be with my friends?**

No. But don't worry, there will still be time to visit with them!

### **Can I switch teachers?**

No. If you have questions about this, you may speak with one of our principals.

### **Can I switch my classes if I don't like the order of my classes?**

No. We simply have too many students to allow this option.

### **Can I switch my classes if I am in a sport?**



No. As a student athlete, you must be responsible to collect your homework BEFORE you leave early for a sport. You are a student first and an athlete second.

### **USER AND ACTIVITY FEES**

The Dickinson Board of Education adopted a fee schedule for activity fees, participation and for user's fees. This action was taken to defray costs for activities and consumable supply materials. Provisions for hardship cases based on food stamp eligibility will be used to waive payment of these fees. If you qualify to have these fees waived, contact the principal's office.

The following fees were adopted:

1. Technology Fee - \$10.00 - The fee will defray the costs of consumable materials used in technology classes. Students who do not pay the technology fee will not be allowed to keep their projects. The technology fee only applies to students in 7<sup>th</sup> or 8<sup>th</sup> grade.
2. Participation fee - an individual will be charged an activity fee for a school-sponsored activity. The fee will be paid at the start of the activity and students will be notified of the amount by the advisor.
3. User fee - \$25.00 - per semester for use of school owned instruments will be charged to participating band members.

### **TEXTBOOKS**

All textbooks are furnished by the school district and are assigned to students for in-class use at the beginning of the year. Not all classes will require the use of a textbook. Students may check out a textbook if necessary for outside of class time use. Students who lose or damage a book while it is checked out to them will be expected to pay for it.

### **HOME BASE**

The last 26 minutes of every school day will be the Home Base period. This time is devoted to reteaching, completing homework and enrichment. It is an opportunity for personal growth activities, monitoring of student's academic progress, student advisory activities, and making contact with individual teachers. Students can access the library and computer rooms during this time as well as attend meetings concerning school activities.

### **OPPORTUNITY TIME**

Students who are having difficulty in any subject areas will be referred for participation in Opportunity Time. Opportunity Time is scheduled Monday through Friday afternoon during Home Base time. Students will be scheduled to take part in the program as assigned by teachers making the referral. The program will provide the students with additional daily instruction, time for completion of work, and/or supplementary education. Opportunity Time will be reserved for school clubs on Mondays and Encore classes on Wednesdays. Students will be provided an opportunity to work within their academic or recreational club of choice.

### **GRADING**

The suggested grading system is as follows:

(92% -100%)	A	- Superior
(83% - 91%)	B	- Good/Above Average
(74% - 82%)	C	- Average
(65% - 73%)	D	- Below Average
(Below-65%)	F	- Failing
	I	- Incomplete

### **DEFICIENCY NOTICES/ MID-TERM REPORTS/ SCHOLASTIC ELIGIBILITY**

Mid-term reports are sent home with students at the end of each quarter for all students. In addition, a student who is doing inferior work or not working up to his/her ability will have been notified and made plans for success with a school counselor. Students and parent(s) or guardians may check grades by using their PowerSchool Parent and Student login at <https://dickinson.ps.state.nd.us/public/home.html>

### **SCHOLASTIC ELIGIBILITY**

In accordance with the North Dakota High School Activities Association, Dickinson Public Schools has adopted the following academic requirements for eligibility in school activities. To participate, DMS students may not be failing in any class. Grades are checked weekly to determine eligibility to participate. If a student has a failing grade for the week in any class, he/she is

declared academically ineligible for one week. The student's grades will then be reviewed again the following week, and the student will remain academically ineligible until passing the class. Also, any DMS student participating on a Dickinson High School team/activity must be passing ALL classes to be academically eligible for that particular activity.

### **REPORT CARDS**

Report cards will be issued at the end of each quarter.

### **HONOR ROLL**

An Honor Roll is tabulated, based on each subject the student takes, and posted at the end of each nine-week reporting period. The honor roll is based on the Grade Point Average (GPA) for quarter or semester.

Straight A Honor Roll	4.00 GPA
Special Honor Roll	3.50 to 3.99 GPA
Regular Honor Roll	3.00 to 3.49 GPA

### **INAPPROPRIATE ACADEMIC BEHAVIOR/ACADEMIC MISCONDUCT**

The following examples are considered inappropriate academic behavior/academic misconduct (which is not all inclusive):

#### **Plagiarism:**

Submitting another person's words, ideas, images, or data as your own in any academic writing or other project.

#### **Cheating:**

- a) Possession of unauthorized material;
- b) Giving or receiving substantial assistance in the editing or writing of a report, research paper or project;
- c) Submission of another student's material already graded for credit;
- d) False claims or references; or
- e) Providing answers to or copying from someone else's assignment, quiz and/or test.

Student's Inappropriate Academic Behavior/Academic Misconduct will be handled on a case-by-case basis; students may be required to redo the assignment/test outside of the regular classroom to provide evidence of achievement.

### **PARENT-TEACHER CONFERENCES**

Scheduled parent-teacher conferences will be held twice during the school year. The first is at the conclusion of first quarter and the second is at the conclusion of third quarter. If it becomes apparent that a conference regarding school work or behavioral concerns is needed, one can be arranged at a time convenient to both parties by calling the school.

### **PROMOTION AND RETENTION**

Students that fail a large portion of Math and Language Arts standards or miss large amounts of school may be required to retake specific standards during summer school for promotion.

#### **1. Standard for 6th Grade**

Failure of three or more core classes (math, language arts, science and social studies) may result in the student repeating the entire 6th grade curriculum the next school year. Consideration may be given to students who have been previously retained.

#### **2. Standard for 7th Grade**

Failure of three or more core classes (math, language arts, science and geography) may result in the student repeating the entire 7th grade curriculum the next school year. Consideration may be given to students who have been previously retained.

#### **3. Standard for 8th Grade**

Failure of three or more core classes (math, language arts, science and history) may result in the student repeating the entire 8<sup>th</sup> grade curriculum the next school year. A student may be promoted to 9<sup>th</sup> grade at the end of the first semester if satisfactory progress is made. Consideration may be given to students who have been previously retained.

#### **4. Reasonable Effort to Complete Work**

Homework completion is primarily the responsibility of the student. Teachers and administration will make reasonable efforts to provide needed assistance during class, before or after school, during Homebase, or at other arranged times. The final consequence for not making a reasonable effort is the grade reported and possible retention in the class or grade level.

#### **5. Attendance**

A birth certificate and current immunization records are required for all students entering Dickinson Public Schools for the first time. Any student with excessive absenteeism during the school year may be retained in that grade. Severe medical reasons or other acts of an extreme nature which could be substantiated by a professional in that field of expertise would be considered for waiver by the principal after consulting with the Superintendent. Excessive absences will result in the development of a student

attendance intervention plan to improve the student's attendance and/or referral to appropriate agencies.

### **DRESS CODE**

Clothing and accessories worn during normal school hours should make the students feel comfortable and promote behavior conducive to the well-being of self and others. Student clothing and personal hygiene should not disrupt the educational process or constitute a threat to the safety and health of the student and others.

Clothing judged to be disruptive to the education process or a safety issue will be dealt with by the administration. This may include offensive, too-short, too-tight, and too-bare attire. The following are examples and are not all inclusive:

- Clothing and all other personal items/accessories that a. contain vulgar, derogatory, violent, or suggestive diagrams, pictures, slogans, or words; b. belittle any race, religion, nationality, or gender; c. portray or promote tobacco, alcohol, or illicit drugs; d. may be interpreted as "gang" apparel.
- Strapless or backless shirts or sundresses, including tank tops, muscle shirts, tube tops, mesh tops, sheer halters, bare midriff tops, or tops with shoulder straps less than two inches wide. Tops must completely cover the stomach/midriff area and all undergarments, including bra straps. Necklines and backs cannot be lower than a straight line from the top of one underarm across to the other underarm (straight line from armpit to armpit).
- Dresses, skirts, skorts, and shorts that are shorter than 5 inches (length of an index card) above the top of the knee cap. Items that are shorter than the 5-inch rule will be allowed if leggings, tights, spandex, or other similar non see-through material is worn underneath the garment. a. Excessively baggy shorts, etc. worn at or below normal level are prohibited. Pants need to be pulled up to hip/waist level. b. Clothing that contains holes, tears, rips, etc. or what would be termed as "stressed" above the 5-inch rule. c. Clothing including leggings, tights, spandex, or other similar attire when worn alone may not be excessively tight or see through.
- Chains (including chains attached to clothing and other accessories), studded jewelry, safety pins, or other items that pose a potential hazard.
- Pajamas, slippers, or other sleeping attire.
- Being barefoot. Appropriate footwear must be worn at all times while on school campus.
- Clothing and personal items that promote musical groups whose lyrics are considered explicit.
- All other clothing and personal items/accessories that are deemed inappropriate or unsafe as determined by the administration. Note that certain classes may require additional dress code requirements due to safety issues, such as shop classes, PE classes, etc.
- Sunglasses, permanently tinted dark glasses, or similar items unless medically necessary.
- Head coverings of any kind. Upon entering any of the buildings on campus, all head coverings such as hats, bandanas, caps, hooded sweatshirts, etc. are to be removed immediately. Exceptions may be granted by the administration upon request for religious reasons, medical reasons, or special events.

**PROCEDURE:** Students will be asked to correct dress code violations and may be provided with alternate clothing if necessary. Repeated offenses or additional disciplinary action may be taken as determined by the administration.

### **GUM, FOOD ITEMS AND POP**

Gum chewing and food items are only allowed in DMS classrooms with teacher approval. Gum is not allowed in the cafeteria and the gym. Pop, sport drinks and flavored waters are not allowed in hallways, classrooms or during lunch. Exceptions to this rule will be school-sponsored events.

### **SCHOOL RESOURCE OFFICER**

Our School Resource Officer is a sworn law enforcement officer, assigned to our school on a long-term basis. The officer is specifically trained in and performs three main functions: law enforcement officer, law related counselor and law related educator. In addition, the School Resource Officer works in collaboration with the school and the community as a resource. Students are encouraged to utilize the Text-a-Tip service (701-260-7804) to report concerns or illegal activities.

### **DISCIPLINE/VIOLENCE**

The purpose of DMS is to give students, parent(s) or guardians, staff, and the community a clear understanding concerning our school's stand against violent or disrespectful behavior and the consequences that will follow. Students in our school are treated as individuals and discipline problems are handled on a case-by-case basis. Parent(s) or guardians and students can expect to be informed of infractions via a Behavior Intervention Form. This form is sent home with a brief description of student conduct. The Behavior Intervention Form is a means of communication, in addition to PowerSchool, between the teacher and parent(s) or guardians. The form should be signed by the parent(s) or guardians and returned to school the next day. Further disciplinary action may follow if the policy is not adhered to.

Violence is any mean word, look, sign or act that hurts a person's body, feelings or things.

- No one is entitled to use violence.
- Violence is not tolerated in our school.

- Students are expected to conduct themselves in a manner suitable to their age and grade. Students that are willfully disobedient or consistently disturbing class will be subject to corrective discipline.

A principal has complete authority to deal with disciplinary problems in his/her school and the administration shall be called into a disciplinary action only when requested by the principal or upon written request of the student involved, or his/her parent(s) or guardians.

A principal may suspend a student for up to ten days or recommend a longer suspension or expulsion of a student.

1. Conduct exhibited while on school grounds, during a school-sponsored activity or during a school-related activity is subject to suspension or expulsion, including but not limited to the following:
  - all forms of harassment;
  - causing or attempting to cause damage to school property or stealing or attempting to steal school property;
  - causing or attempting to cause damage to private property or stealing or attempting to steal private property;
  - possessing or transmitting any firearms, knives, explosives or other dangerous objects or weapons;
  - possessing, using, transmitting or being under the influence of narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, alcoholic beverages, tobacco or intoxicants of any kind;
  - continued disobedience or persistent defiance of proper authority;
  - behavior which is detrimental or disruptive to the educational process, as determined by the principal; and offensive and vulgar language, whether or not it is obscene, defamatory or incitive to violence, where it is disruptive of the educational process; alarming act, condition or behavior.
2. Disciplinary consequences can include but are not limited to the following:
  - Grounded \*
  - restitution;
  - detention;
  - in-school suspension;
  - out-of-school suspension;
  - expulsion; referral to proper authority and/or non-school agencies.

\* Grounded means a student has lost the ability to use a sign out pass to leave an assigned area and cannot check out to the library, computer lab or other classrooms. Students that are grounded will be allowed to check out to complete school work.

### **Board Policy FFD--CARRYING WEAPONS**

#### **Definitions**

- *Firearm* is defined in accordance with 18 U.S.C. 921.
- *School property* is defined in NDCC 15.1-19-10 (6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by the District, and the site of any school-sponsored event or activity.
- *Weapon* includes, but is not limited ~~any knife, razor, ice pick, explosive, smoke bomb, incendiary device, firearm, slingshot, bludgeon, brass knuckles or artificial knuckles of any kind, or any object that can reasonably be considered a weapon, dangerous instrument, or look-alike.~~
  - Any dangerous weapon as defined by NDCC 62.1-01-01
  - Any device designed to stun through use of voltage whether through direct contact or through a projectile
  - Any firearm look alike or dangerous weapon look alike brought on school property with the intent to threaten or intimidate
  - Any other object that a student used, attempted to use, or intended to use to threaten or intimidate, cause destruction to property, or to cause injury to self or others
  - Spray or aerosol containing ortho-chlorobenzamalonitrile or other irritating agent intended for use in the defense of an individual

#### **Prohibitions**

No student will knowingly possess, handle, carry, or transmit any ~~firearm or weapon on school property or dangerous objects, or look-a-likes, in any school building, on school grounds, in any school vehicle or at any school-sponsored activity.~~

#### **Disciplinary Consequences**

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

Bringing a firearm to school will require that the District immediately initiate proceedings for the expulsion of the student involved for a minimum of one calendar year in accordance with the District's suspension and expulsion policy. The Superintendent may modify the length of a firearms-related expulsion on a case-by-case basis based on the following criteria:

1. The totality of the circumstances, including the severity of the incident and the degree of endangerment of other students and staff.
2. The age and grade level of the student.

3. The prior disciplinary history of the student being expelled.
4. Relevant factors which contributed to the student's decision to possess a firearm in violation of this policy.
5. The urgency and severity of prior acts resulting in suspension or expulsion.
6. Whether the optional provision of educational services in an alternative setting is a viable alternative to modifying the duration of the expulsion.
7. Input, if any, provided by licensed professionals (psychologists, psychiatrists, counselors) as to whether the expelled student would place himself/herself or others at risk by returning to the school prior to the expiration of the expulsion period.

Parent(s) or guardians will be notified and all weapons, ~~dangerous objects, or look-a-likes~~ will be confiscated and may be turned over to the student's parent(s), guardians, or to law enforcement officials at the discretion of the administration. Firearms will be confiscated and turned over to law enforcement.

### **Special Education Students**

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

### **Nonapplicable Provisions**

This policy does not apply to students enrolled and participating in a school-sponsored shooting sport, provided that the student informs the school principal of the student's participation and the student complies with all requirements set by the principal regarding the safe handling and storage of the firearm. The principal may allow authorized persons to display weapons, other dangerous objects or look-a-likes for educational purposes. Such a display will be exempt from this policy.

### **Citation for Willful Disturbance**

Building principals may cite students for willful disturbance of schools under *North Dakota Century Code 15.1-06-16*. Any person, whether pupil or not, who willfully molests or disturbs a public school when in session, or who willfully interferes with or interrupts the proper order or management of a public school, by act of violence, boisterous conduct, or threatening language, so as to prevent the teacher or any pupil from performing his duty, or who, in the presence of the schoolchildren, upbraids, insults, or threatens the teacher, shall be guilty of a Class B misdemeanor which makes them subject to a potential fine up to \$1,000 or 30 days in jail.

### **Citation for Disorderly Conduct**

Building principals may cite students for disorderly conduct under *North Dakota Century Code 12.1-31-01*.

An individual is guilty of a Class B misdemeanor if, with intent to harass, annoy, or alarm another person or in reckless disregard of the fact that another person is harassed, annoyed, or alarmed by the individual's behavior, the individual:

- Engages in fighting, or in violent, tumultuous, or threatening behavior;
- Makes unreasonable noise;
- In a public place, uses abusive or obscene language, or makes an obscene gesture;
- Obstructs vehicular or pedestrian traffic, or the use of a public facility;
- Persistently follows a person in or about a public place or places;
- While loitering in a public place for the purpose of soliciting sexual contact, the individual solicits the contact;
- Creates a hazardous, physically offensive, or seriously alarming condition by any act that serves no legitimate purpose; or
- Engages in harassing conduct by means of intrusive or unwanted acts, words, or gestures that are intended to adversely affect the safety, security, or privacy of another person.

### **Search and Seizure**

According to school policy, all school property including student lockers, desks, and storage areas are subject to being searched by school officials. Not only are the above items subject to search, but also personal property including handbags, wallets, backpacks, and automobiles may be searched. In the rare occasion that a body search might be necessary, the parent(s) or guardians will be contacted and the appropriate personnel will be present. Furthermore, the use of drug sniffing dogs may be employed when deemed appropriate by the administration. "Reasonable suspicion" and "probable cause" will be factors in any search and/or seizure.

### **EXCLUSION FROM SCHOOL-SPONSORED ACTIVITIES, FIELD TRIPS AND SPORTS EVENTS**

During the course of the school year, students have the privilege of participating in events outside the classroom. Students may be excluded from participating based on the following:

1. In or out of school suspension,
2. Absence from school or practice,
3. Inappropriate attitude,
4. Lack of cooperation and respect,
5. Excessive inappropriate behavior,
6. Lack of academic performance, or
7. Possession or use of alcohol, drugs or dangerous objects.

The decision to exclude a student rests with the coach, advisor or team of teachers with approval by the principal. The team representatives will meet with the student personally and parent(s) or guardians will be notified by phone or letter.

## Board Policy FFK--SUSPENSION AND EXPULSION

### **Definitions**

For the purposes of this policy:

- *School property* is defined as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by the District, and the site of any school-sponsored activity.
- *Suspension* includes out-of-school exclusion from school classes, buildings, grounds, and activities.

### **Suspension/Expulsion Authority**

The Board hereby delegates to the Superintendent and each principal the authority to deal with disciplinary problems in his/her school, including suspension and recommendation for expulsion of a student. Suspension shall not be imposed beyond the maximum duration permitted by law.

The Board designates the Superintendent to serve as the hearing officer for expulsion hearings unless not qualified to serve as defined in board regulations. In such cases, the Board shall appoint an alternative hearing officer. The hearing officer may expel a student for conduct that violates this policy after providing notice and a hearing as set forth in board regulations. When the hearing officer is someone other than the Dickinson Public School Board, the student may seek a review of the hearing officer's expulsion decision by the Board based on the record of the hearing.

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

### **Conduct Subject to Suspension/Expulsion**

Conduct, including but not limited to the following, exhibited while on school grounds, during a school-sponsored activity, or during a school-related activity is subject to suspension or expulsion:

1. Causing or attempting to cause damage to school property or stealing or attempting to steal school property;
2. Causing or attempting to cause damage to private property or stealing or attempting to steal private property;
3. Causing or attempting to cause physical injury to another person except in self-defense;
4. Possessing or transmitting any firearms, knives, explosives, or other dangerous objects or weapons;
5. Possessing, using, transmitting, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind;
6. Disobedience or defiance of proper authority;
7. Behavior that is detrimental to the welfare, safety, or morals of other students;
8. Truancy;
9. Offensive and vulgar language, whether or not it is obscene, defamatory, or inciting violence, where it is disruptive of the educational process;
10. Threats of violence, bomb threats, or threats of injury to individuals or property;
11. Any student behavior that is detrimental or disruptive to the educational process, as determined by the principal.

Copies of these rules shall be posted in a prominent place in each school and shall be published in student handbooks.

### **Suspension or Expulsion of Students with Disabilities**

Suspension or expulsion of students with disabilities must comply with the provisions of the Individuals with Disabilities Education Act. The District is not required to refer a regular education student who has been suspended for violation of school rules and/or District policy for special education assessment and evaluation to determine if such a student might have a disability. A suspended regular education student is not entitled to reinstatement to classroom and campus privileges pending any assessment and evaluation that is to be made during the term of the student's suspension.

## EXTRA CURRICULAR ACTIVITIES

To help meet the tremendous physical and social needs of students at this age, DMS provides a wide selection of extra curricular activities. Participation is the emphasis and all students are encouraged to become involved.

Academic Groups - We offer organized academic competitions in Math Counts, Acalypics, Science Olympiad, Geography Bee and Spelling Bee to challenge and enrich students academically.

Drama Club - Activities of the drama club center around play productions.

Honor Choir - This vocal organization is made up of a group of students who have been selected by auditioning.

Jazz Band - This organization is comprised of outstanding instrumental students.

Photography Club - The photography club is for students interested in the art of photography. The photographers in this club take digital pictures for our school paper and yearbook.

School Paper - The staff of the paper is selected from interested 8<sup>th</sup> grade students, with reporters from the 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> grades.

Science Club - This group's activities focus on science and may include environmental awareness, recycling, astronomy, field trips and competing in the Science Olympiad Competition and Robotics.

Sports - We will provide an opportunity for everyone to compete in some form of physical activity in addition to regularly scheduled physical education classes. Physical activities will include football (7-8), basketball (6-8), hockey (7-8), gymnastics (7-8), volleyball (6-8), wrestling (6-8), cross country (6-8), track (6-8), tennis(7-8), golf (7-8), and swimming (7-8).

Student Council - The student council is made up of students that wish to join. The executive council will be comprised of 7<sup>th</sup> and 8<sup>th</sup> grade students chosen from the membership. The student council has as its purpose the promotion of general welfare, stimulation of school spirit, loyalty, and the development and encouragement of high standards of personal student conduct.

TSA – Technology Student Association. This group of students is learning to live in a technical world.

Yearbook - The school yearbook is published in the spring.

### **STUDENT ACTIVITY WEBSITE**

Activity Schedules can be located at – [www.westerndakotaassociation.org](http://www.westerndakotaassociation.org)

### **STUDENT COUNCIL DANCE POLICY**

Dickinson Middle School Student Council plans and organizes several dances throughout the school year. The purpose of these activities is to promote appropriate social skills for 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> grade students, enhance school climate and to have fun! In order to ensure the safety of all students, the following guidelines have been set forth:

- School-sponsored dances are for DMS students only. DMS dances will be held from 7:00 p.m. to 9:00 p.m. in the DMS gym. When arriving at DMS for a dance, students must come inside and remain in the school building until the dance ends at 9:00 p.m. Students will not be allowed to enter the dance after 7:30 p.m. Students needing to leave the dance prior to 9:00 p.m. will be required to have a parent(s) or guardians come inside the school to talk to a chaperone.
- The DMS dance discipline policy is the same as the regular school day. Dress code will be the same as the regular school day and inappropriate dancing is strictly prohibited.
- Any student asked to leave the dance for disciplinary reasons will not be allowed to attend the next scheduled dance.
- The dance is over promptly at 9:00 p.m. A parent(s) or guardians should be here to pick the student up at that time. All students must be picked up and be off of school grounds by 9:15 p.m.
- Students absent from school the day a dance is scheduled should not attend the dance unless the absence is for a school-related function or a parent/guardian accompanies the student with an acceptable reason for the day's absence.
- Any student who has been on in-school or out-of-school suspension will not be allowed to attend DMS dances for the remainder of the quarter or at the administration's discretion. Students will be notified by the school if they have lost the privilege of attending DMS dances for the quarter.

### **Dickinson Public Schools Student Activities** **(www.westerndakotaassociation.org)**

#### **Forward**

The purpose of this handbook is to provide coaches/advisors, students, parent(s) or guardians, and the public with the necessary information pertaining to rules, regulations, policies, and guidelines relating to school activities in the Dickinson Public School System. Many important and common questions that arise from time to time are addressed. Dickinson Public Schools is very proud of the variety and number of activities available to our students and DPS thanks the continued public support of our student activity programs.

#### **A. Activity Director's Message**

Dickinson Public Schools supports all of its activity programs with great enthusiasm as a positive and valuable part of the total educational experience. Dickinson Public Schools is extremely proud of the multitude and variety of activity programs offered to all students. All student activity programs shall be organized and managed along the following guidelines:

- Participants shall be treated as regular students. No special consideration is given for grades, attendance, assignments, etc. Students involved in school activities should represent the best that the District has to offer in and out of the classroom.
- Full allegiance will be given to all rules and regulations of the North Dakota High School Activities Association as well as other policies set forth by Dickinson Public Schools.
- All activity programs will be conducted for the benefit of the participants, with maximum concern for their safety, health, and well-being.
- Coaches/advisors as regular faculty members, as well as those who are non-faculty, are expected to exhaust all legitimate channels for promoting the highest level of excellence in all programs. Keeping in mind that our students participate in a wide variety of activities, coaches/advisors are expected to promote and support all activity programs and will be evaluated on the basis of their loyalty and contribution to the total educational program.

- All participants involved in school activities must be mindful that participation in school activities is a privilege and therefore carries high levels of expectation. All participants must adhere to all rules and regulations of the NDHSAA, Dickinson Public Schools, and each individual program.

*From the Activities Director, Dickinson Public Schools, 979 13<sup>th</sup> Ave. W., Dickinson, ND 58601*

## **B. Eligibility of Activity Participants**

The North Dakota High Schools Activities Association (NDHSAA) serves as the governing body for many of the activities offered by Dickinson Public Schools. In accordance with the NDHSAA and many other state-sponsored student organizations, Dickinson Public Schools has adopted eligibility requirements for all its activity participants. Participants and parent(s) or guardians should take the time to become familiar with all eligibility requirements. The NDHSAA Constitution and By-Laws Manual contains thorough detailed information in regards to the activities they sponsor. These by-laws can be found at [www.ndhsaa.com](http://www.ndhsaa.com).

The following are selected policies of the NDHSAA and those policies adopted by Dickinson Public Schools pertaining to eligibility requirements of all Dickinson Public Schools student activity participants. Individual activity programs may have additional training rules/regulations that apply to participants. Program participants will be made aware of any specific program rules/regulations that exist. The Activities Director and building principal will approve specific individual program rules/regulations in addition to those specified below:

- 1) **PHYSICALS** – All athletes, cheerleaders, and dance team members are required to have an annual physical signed by a physician and the participant’s parent(s) or guardians certifying that the participant has passed an adequate physical examination.
  - a. The above named participants are **not allowed to practice or participate in any contest, game, performance, or other interscholastic event** until a current physical is on file with the Activities Office at Dickinson High School.
  - b. Physicals must be completed annually on or after April 15 to be valid for the following school year. Physicals completed before April 15 are not valid for participation the following school year.
- 2) **PARTICIPATION FEES**
  - a. **Athletics** - All athletes, cheerleaders, and dance team members are required to pay an athletic participation fee as determined by Dickinson Public Schools.
    1. Athletic fees are based upon the grade level of the student, not the level at which they participate. For example, an 8th grade student participating on a high school team would pay the junior high fee, not the high school fee.
    2. Fees for club funded sports (swimming and hockey) are determined by each club.
  - b. **Other Activities** – All non-athletic activity participants are required to pay a participation fee as determined by Dickinson Public Schools. This fee is in addition to any state and national dues for each activity group.
  - c. **All Activities**
    1. Participation fees are due and payable on the first day of the activity. Participants are **not allowed to practice or participate in any contest, game, performance, or other interscholastic event** until the required fee is paid at the Activities Office at Dickinson High School.
    2. Fees should be paid at the Activities Office at Dickinson High School or may be given directly to the coach/advisor of the activity who will forward the payment to the Activities Office.
    3. Students who are not able to pay when payment is due or feel they cannot afford to pay the fee should make arrangements with the Activities Director.
    4. Each fee payer will receive a receipt for monies collected if requested.
    5. Student managers, statisticians, and scorekeepers are not required to pay activity fees.
    6. Students who voluntarily drop any activity will forfeit the fee.
    7. Students suspended from activities for disciplinary reasons or scholastic ineligibility will not receive refunds.
    8. Full or partial refunds may be granted due to illness, injury, or being cut from a team/group. No refunds will be granted if more than half of the activity is completed.
    9. Paying a participation fee DOES NOT guarantee any amount of playing time or other participation.
- 3) **CODE OF CONDUCT/MEDICAL RELEASE FORM** - All activity participants along with parent(s) or guardians are required to read and sign a Code of Conduct/Medical Care Release Form.
  - a. This form must be completed every year.
  - b. Activity participants are **not allowed to practice or participate in any contest, game, performance, or other interscholastic event** until a current Code of Conduct/Medical Care Release Form is on file with the Activities Office at Dickinson High School.
  - c. In order to provide for the health and safety of the individual participant and other extracurricular participants participating in a field trip, out-of-town contest or convention, or away game, the District may conduct a random search of all personal property of extracurricular participants before the students depart for the field trip, contest, convention, or game.



To participate in any school-sponsored extracurricular field trip, out-of-town contest or convention, or away game, the student and the parent(s) or guardians of the student must sign a consent form by which the student agrees that as a condition of participation in the extracurricular activity, he/she will consent to reasonable search of personal property or clothing including student's backpack, book bag, suitcase, and/or purse.

d. Coaches/Advisors will carry a copy of this form with them at all times in the event of a medical emergency.

4) **SCHOLASTIC ELIGIBILITY** - In accordance with the North Dakota High School Activities Association, Dickinson Public Schools has adopted the following academic requirements for eligibility in school activities.

a. **Hagen Jr. High Dickinson Middle School** Students: To participate, students may not be failing in more than one class. Grades are checked at the midterm of each quarter and at the end of each quarter (eight times per year). If a student has a failing grade in more than one class, the student is declared academically ineligible for one week. The student's grades will then be checked weekly, and the student will remain academically ineligible until the required number of classes is being passed. Also, any **Hagen Jr. High Dickinson Middle School** student participating on a Dickinson High School team/activity must be passing all classes to be academically eligible for that particular activity.

b. Dickinson High School Students: To participate, students must be passing **at least three** classes. Grades are checked at the midterm of each quarter and at the end of each quarter (eight times per year). If a student is not passing at least three classes, the student is declared academically ineligible for one week. The student's grades will then be checked weekly, and the student will remain academically ineligible until the required number of classes is being passed. Additionally beginning with the ninth grade, any student not earning at least two credits at the end of a semester is academically ineligible for the first four weeks of the following semester. In this case, grades for the following semester will be checked after four weeks and to be eligible that student must be passing at least three classes. If not, the student will remain academically ineligible for one week and the student's grades and eligibility status will be checked weekly.

5) **SCHOOL ATTENDANCE** - At both the junior high and high school level, a student must be in attendance at school all day on the day of a competition, event, or performance unless prior approval is given by the Activities Director or building principal.

6) **CITIZENSHIP/SPORTSMANSHIP** - School activity participants are expected to exhibit good citizenship while at school and in the community. The conduct and behavior of participants is closely observed in many areas of school life and is a direct reflection of themselves, their parent(s) or guardians, the school, the community, and the coach/advisor. Participants will be courteous and show respect for people and property. Poor citizenship and poor sportsmanship will be determined by coaches/advisors and school administrators and may result in suspension from school activities.

7) **SPECIFIC TEAM/ACTIVITY RULES** - Individual programs may have additional training rules/regulations that apply to students. Program participants will be made aware of any specific program rules/regulations that exist. The Activities Director will approve specific program rules. Ability alone does not guarantee a position in any activity. Dedication, cooperation, practice, teamwork, fundamentals, and respect for team/activity rules are required.

8) **PRACTICE & GAME/EVENT ATTENDANCE** - Activity participants are expected to attend all practices and games/events while in season. In certain situations, participants will need to be absent for justifiable reasons and are considered **excused absences**. However, excused absences may result in suspension from school activities. Excused and unexcused absences will be determined by coaches/advisors and school administrators and may vary from activity to activity depending on specific circumstances.

9) **SUSPENSIONS AND EXPULSIONS** - Students who receive an out-of-school suspension or expulsion for any part of the school day shall not be allowed to participate in any competition, event, or performance for the entire day. Furthermore, a participant shall not be allowed to practice or attend school-sponsored events until this type of suspension/expulsion is completed. A participant who receives an in-school suspension may be ineligible for participation in school activities. Participation will be decided by the administration and coach/sponsor of the activity affected based upon the severity and circumstances leading to the in-school-suspension.

10) **INJURIES** - Dickinson Public Schools will ensure that competent coaches/advisors, safe facilities, and safe equipment are utilized. Nevertheless, injuries may still occur. If an injury occurs, notify the coach/advisor. **Medical costs for injuries are not the responsibility of Dickinson Public Schools.** Dickinson Public Schools does not carry insurance to cover costs involved in an injury. Injury costs are the responsibility of the student and/or their parent(s) or guardians.

11) **SOCIAL MEDIA** - Dickinson High School ~~student-athletes~~ students are representatives of Dickinson High and community. The athletic department requires student-athletes to exercise good judgment in their use of social media websites, and to conduct these activities in a responsible and respectful manner.

- It is impermissible for ~~student-athletes~~ students involved in activities to post information, photos, inappropriate behavior or items that could be interpreted as demeaning or inflammatory.
- It is not permissible to comment on injuries, officiating, or team matters that could reasonably be expected to be confidential to team members.
- ~~Student-athletes~~ Students involved in activities are required to follow all respective social media website rules.

#### **Best Practices and Reminders**

- Think twice before posting. If you wouldn't want your coach, parents, guardians, or future employer to see your post, don't post it.
- Be respectful and positive.
- Remember, many different audiences view your posts including fans, alumni, kids, local authorities, parents, faculty, etc.

- The internet is permanent. Even if you delete something, it is still out there somewhere. Do not post with an emotional state of mind. Coaches and administrators monitor social media and websites. Potential employers use social media and websites to screen candidates. Use the privacy/security settings made available on these sites.

**12) LEADERSHIP ORGANIZATIONS** - Students that are elected to leadership organizations such as Student Council, National Honor Society, etc. are publicly recognized for outstanding scholastic achievement and the highest levels of student behavior, moral character, leadership, commitment, and respect for self and others both in school and in the community. Students that fail to meet these expectations as determined by advisors and school administrators are subject to disciplinary action, including removal from the organization.

**13) OUT SEASON CLUBS/ORGANIZATIONS** - Dickinson Public Schools encourages students to be involved in all available activities, including those not directly available through Dickinson High School. Clubs/Organizations offering activities not directly available through Dickinson High School may be considered for activity leave upon request to the Activities Director from the coach/head of the club or organization.

*Note: Dickinson High School will not approve activity leave for activities in which Dickinson High School currently makes available for our students to participate in.*

#### **14) SPECIAL NOTES:**

The Code of Conduct is in effect for the entire school year for all students whether or not they are currently in an activity. The Code of Conduct extends beyond the school year for those participants who are in an activity that either begins before school starts in the fall or ends after school ends in the spring. Each year, all activity participants are required to sign the Code of Conduct prior to participation. However, all students and parent(s) or guardians are reminded that once the school year begins, all students are subject to the Code of Conduct whether they have signed a Code of Conduct or not for the current school year as these policies are a part of the student handbook. Cooperating students from other schools participating in activities sponsored by Dickinson Public Schools are required to follow all the same policies and procedures as set by this Code of Conduct and DPS student handbooks.

#### **C. Dickinson Public Schools Alcohol, Tobacco, and Controlled Substance Use Policy and Code of Conduct.**

The purpose of this policy is to define the position and disciplinary procedures of Dickinson Public Schools and the North Dakota High School Activities Association regarding the use or possession of tobacco, alcohol, narcotics, drug paraphernalia, or other controlled substances by participants in activity groups sponsored by Dickinson Public Schools. All student activities sponsored by Dickinson Public Schools are affected by this policy. They shall include, but not be limited to all athletic teams and athletic-related teams, performance groups, interscholastic groups, school-sponsored organizations, state-sponsored activity groups, and other school clubs/activities offered by Dickinson Public Schools.

Use or possession of tobacco, alcohol, narcotics, drug paraphernalia, or other controlled substances defined by North Dakota law is prohibited. Any activity group participant who uses or possesses any of these substances will be suspended from all competitions or public appearances from the notification date. Participants in activities which are an extension of the classroom and are grade related such as concert band and concert choir will be allowed to participate in public performances but will not be allowed to participate in any interscholastic competition event.

Penalties will be prescribed as shown below:

1. First offense of the school year – six weeks
2. Second and subsequent offenses in the same school year – additional 18 weeks for each offense

Notes: In addition to the suspensions listed above, Dickinson Public Schools also requires that participants must complete a substance abuse evaluation from a licensed addiction facility at the participant's expense beginning with the second offense and any subsequent offenses. This policy is in effect starting in the 6<sup>th</sup> grade and cumulative through 12<sup>th</sup> grade. This evaluation must be completed before ever participating in activities sponsored by Dickinson Public Schools again.

- a. Keep in mind that students get a "fresh start" every year the school year begins when dealing with suspensions only, not evaluations. The first offense in a single school year is six weeks and subsequent offenses in the same school year are 18 weeks. These suspensions start over every year. However, suspensions are cumulative from year-to-year when dealing with evaluation requirements. For example: A student is suspended for six weeks during his/her 8<sup>th</sup> grade year for tobacco. This same student is then again suspended during his/her junior year for alcohol. Because it is a different school year, the suspension would be six weeks. However, because this is the second offense by this same student since 7<sup>th</sup> grade, an evaluation would be required and would have to be completed before ever participating in activities sponsored by Dickinson Public Schools again.
- b. Dickinson Public Schools does provide an appeal process to ensure due process when students are suspended from school activities for alcohol, tobacco, and drug violations. Details of the appeal process and the entire Dickinson Public Schools Policy on Controlled Substance Use and Code of Conduct are available in Dickinson Public Schools student handbooks.

A student will be determined to have used one of the aforementioned substances when a witness has observed him/her ingesting the substance or under the influence of the substance and signs a statement to the effect. After the statement has been signed, school officials will make a determination of guilt or innocence.

A student will be determined to be in possession when he/she is found to have the substance on his/her person, such as in a pocket or in hand, or within an area which the participant controls, i.e. his/her vehicle, home, or person. Full or partial ownership shall also be evidence of possession. In order to show that a student is in possession of a prohibited substance, it is generally necessary to show that the student was aware of the presence and character of the particular substance and was intentionally and consciously in possession of it.

School administrators shall immediately investigate any alleged violation of the alcohol, tobacco, and controlled substance policy that is made known to the administration. If the administration finds probable cause to believe that this policy has been violated, the parent(s) or guardians will be immediately notified of the violation and penalty.

### **B. Due Process Appeal Policy**

~~To assure due process, no Dickinson Public Schools activity participant will be suspended from any activity without first being advised of the nature of the violation, the evidence against him/her, and the right to request an appeal hearing within three school days of the administration's decision. The period of suspension shall begin from the date and time notification is given to the student and/or parent/guardian by the school administration. If a student and/or parent/guardian wishes to appeal the decision, an appeal hearing must be requested within three school days of being notified of the suspension by the administration. That request should be made to the building principal and/or Activities Director. Once the request is made, the appeal hearing will take place as soon as possible, preferably within three days of the student and/or parent request to have such hearing.~~

~~The appeal hearing will be heard by the Dickinson Public Schools Superintendent. This appeal will be considered the final appeal as the superintendent will act as the representative of the Dickinson Public Schools Board of Education. During the appeal hearing, the building principal or his designee shall act as the moderator of the hearing. The following parties may be involved: the participant being charged, parents/guardians of the participant, coach or director of the activity, witnesses to the violation, the investigating administration, and legal counsel for the participant if he/she desires. The participant being charged will be allowed to testify, to have witnesses, and to question all witnesses. Once the appeal hearing is over, the Superintendent will render a decision. The Superintendent may delay his or her final decision if he or she feels it necessary to investigate the incident further.~~

~~Notes:~~

- ~~1. During the time between notification and the hearing, the suspension may be deferred for good cause shown. However, if the school administration believes that clear and substantial evidence shows that the student is in violation of this policy, the student will be suspended immediately. The reason is that NDHSAA regulations state that if the suspension is not immediately imposed and the student is found to be guilty at a later date, any interscholastic contests or activities participated in by that student have to be forfeited.~~
- ~~2. If a violation of this policy occurs in school, on school premises, or at a school related activity, the student will be disciplined under the terms of this policy as well as the terms of the major disciplinary policy of each school district building.~~

### **D. Activity/Athletic Scheduling Conflicts**

Dickinson High School and ~~Hagen Jr. High~~ Dickinson Middle School offer a multitude of activities for students. Because of the number of activities and limited days to hold events, scheduling conflicts are inevitable. Students/parents/guardians are to notify coaches/advisors immediately when they become aware that a conflict exists. The Activities Director is responsible for scheduling and will make every attempt to avoid scheduling conflicts. When conflicts exist, curricular events such as musical performances and singular qualifying events will have precedence over all sub-varsity events and may have preference over varsity events. When a conflict arises between two qualifying events, the Activities Director will meet with the advisor/coach to decide which event the student should attend. Parental input will be considered. If the conflict remains unresolved, the building principal will conduct a meeting with the parties involved and render a final decision.

### **E. Church Night**

As a courtesy to church organizations, no student activities (including practice) will be scheduled on Wednesday nights after 6:00 p.m. Exceptions can only be made by the Activities Director.

### **F. Sundays/Holidays**

The NDHSAA allows contests to be scheduled on Sundays. However, it is the policy of Dickinson Public Schools that athletic contests will not be scheduled on Sundays unless there is no other option. Such athletic contests must be approved by the Activities Director.

Practices are allowed on Sundays for varsity level athletes and other activity groups provided that these practices do not conflict with church activities. Sunday practices for sub-varsity athletes are not permitted at any time. Practices are to never be held before 12:00 noon on Sundays. Additionally, coaches/advisors should provide leniency for those students who may have family obligations that conflict with Sunday practices. Furthermore, practices on holidays are to be approved by the Activities Director and/or building principal.

## **TITLE IX POLICY**

**You are hereby notified** that the Dickinson Public School District #1 does not discriminate on a basis of race, color, religion, sex, gender identity, sexual orientation, national origin, ancestry, disability, age, marital status, and other status protected by law in its educational programs/activities and employment practices. It is required by Title IX and Part 86 of the Department of Health, Education and Welfare regulations not to discriminate in such a manner. This notice includes Title VI Civil Rights Act of 1964 and the Americans With Disabilities Act of 1990.

**You are further notified** that the Dickinson Public School District #1 does not discriminate in services or employment practices on a basis of handicap, in accordance with North Dakota Century Code 15-59-04, 48-02, 19, or PL94-142, Section 504 of the Vocational Rehabilitation Act of 1973, and as amended.

**You are further notified** that inquires concerning the application of Title IX, Title VI, ADA, and Part 86 or other issues of equal opportunity may be referred to the **Human Resources Director of Personnel**, who has been designated as the person responsible for coordinating the efforts of Dickinson Public School District #1, to comply with and carry out these responsibilities, including any investigation of complaints alleging noncompliance of practices, and violation of law, or school board policy.

### **HOMEBOUND/HOSPITAL INSTRUCTION**

The Dickinson Public School District will provide one hour per day homebound or hospital instruction if a student is out of school for a week or longer. It is required that a parent(s) or guardians, or other adult arranged for by the parent or guardian, be present in the home while-homebound instruction is being provided. Homebound or hospital instruction will be considered in the following situations:

1. A student has an operation or condition, which requires homebound instruction for longer than a week;
2. A student's condition relapses requiring periodic excused absences from school. Arrangements will be made to match home instruction to the need of the student; and
3. If a student is hospitalized in another North Dakota city or out of state, arrangements will be made with the school district where the hospital is located to provide hospital instruction. This instruction will be paid for by the Dickinson Public School District.

In order to receive homebound or hospital instruction, a statement from a physician must accompany the request. The statement from the physician must indicate the medical condition that warrants homebound /hospital instruction and the length of time that the student will need to be homebound /hospitalized due to the medical condition. If the medical condition is long-term, an updated statement from the physician must be submitted to the Director of Student Services each school quarter in order for the homebound /hospital instruction to continue. This updated statement must indicate the continuation of the medical condition and continued need for homebound /hospital instruction.

Parent(s) or guardians should contact the building principal or counselor to give needed information regarding the student's condition. The principal will contact the Director of Student Services who will make arrangements for the homebound or hospital instructional program. The final approval of this service will be made by the director. Contact the Director of Student Services at the Central Office if you have questions, 701-456-0002.

### **Board Policy FGA--STUDENT EDUCATION RECORDS AND PRIVACY**

~~The District shall comply with all required components of the Family Educational Rights and Privacy Act (FERPA) and the Individuals with Disabilities Education Act (IDEA) when maintaining, retaining, granting access to, disseminating, and disposing of student educational records. In addition, the District shall comply with all notification requirements required by these laws.~~ The District believes that while collection and use of student information is necessary to provide education and student support services, the District must implement safeguards to ensure information is appropriately protected and used to serve the best interests of students. The purpose of this policy is to establish such safeguards.

#### **Access**

~~The District shall grant access to student educational records to individuals authorized by law. When applicable, appropriate consent will be obtained and/or agreements established to release records and the District will honor opt out requests. The District shall comply with all recordkeeping requirements related to record access and disclosure as delineated in law.~~

#### **Definitions**

1. Directory information: ~~The Board defines directory information as:~~ is defined as personally identifiable information contained in a student education record that is generally considered **not** harmful or an invasion of privacy if disclosed and includes:
  - a. Address;
  - b. Date and place of birth;
  - c. Degrees, honors, and awards received;
  - d. Electronic personal identifier;
  - e. Dates of attendance;
  - f. Grade level;
  - g. Institutional email address;
  - h. Major field of study;
  - i. Most recent educational agency or institution attended;

- j. Participation in officially recognized activities and sports;
- k. Photograph;
- l. A student's name;
- m. Telephone listing;
- n. Weight and height of members of athletic teams.

- *Education record* is defined as any record that directly relates to a student and is maintained by the District or by a party acting for the District. This definition excludes law enforcement records and records in the sole possession of the maker used only as a memory aid.
- *Eligible student* means a student who has reached the age of 18.
- *FERPA* stands for the Family Educational Rights and Privacy Act.
- *Legitimate educational interest* is defined as access that is needed in order for a school official to fulfill his/her professional responsibility.

~~School officials with a legitimate educational interest in a student's educational record shall be granted access to the portions of the record that they have a need to know.~~

- *Parent* means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.
- *Permanent record* is defined as a record containing a student's name, address, phone number, record of grades, years enrolled, courses attended, and grades completed.

~~All components of a student's educational record shall at least be retained for the duration required by state law after which the permanent record will at least be retained. No record will be destroyed for which there is an outstanding request from a parent/student to review.~~

~~Special education records may be retained for a duration longer than required by law at the discretion of the special education director except that, in accordance with law, personally identifiable information in a special education record must be destroyed at the request of the parent(s). Parents of special education students shall be notified and their consent shall be obtained before the non-permanent components of a special education student's educational record are destroyed.~~

- *Personally Identifiable Information (PII)* includes information maintained in the student's education record that could be used alone or in combination to trace a student's identity directly or indirectly and would allow a reasonable person, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.
- *Record* means any information recorded in any way including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.
- *School official* is defined as an individual who has a legitimate educational interest in accessing student educational records and is affiliated with the District in one of the following capacities:
  - a. An individual employed by the District in an administrative, instructional, or support staff position;
  - b. School board members;
  - c. Contractors, consultants, volunteers, service providers, or other party with whom the school or District has outsourced institutional services or functions for which the school or District would otherwise use employees; records provided to these third parties must remain directly under the District's control for purposes of maintenance and use and the third party must agree to comply with 34 C.F.R. 99.33(a). Examples include, but are not limited to, school resource officers, interns, student teachers, the District's attorney, PowerSchool, SLDS, learning management software, hot lunch tracking software, an individual employed by the District in an administrative, instructional or support staff position, school board members, data storage and protection agencies, Viewpoint, and District alert systems.

~~The Board approves release of directory information as follows:~~

- ~~a. Publication on the district's website~~
- ~~b. To board approved vendors for purposes of sale of school related items such as, but not limited to, yearbooks, school pictures, graduation items, district apparel, and book orders~~
- ~~c. To military and college recruiters in accordance with applicable laws (NDCC 15.1-07-25.1 and 20 U.S.C. 7908)~~
- ~~d. To official district newspaper for purposes of recognizing student accomplishments and coverage of extracurricular events~~
- ~~e. To school affiliated groups for purposes of communicating and fundraising~~
- ~~f. To school sponsored student publications including, but not limited to, newspapers and yearbooks~~

~~g. When the Board receives and approves a directory information release request, directory information shall only be released and used for purposes specified in the release request and the Superintendent shall add approved requestors to the district's master list of individuals and entities having access to student information. The Board shall develop criteria in regulations for approving and denying these requests.~~

~~Any district employee who wishes to disseminate student directory information to a third party shall contact his/her privacy officer. The privacy officer shall determine if the Board has previously approved such release and, if not, deny the request or submit it to the Superintendent for board approval. Upon board approval, the Superintendent shall instruct the privacy officer to ensure compliance with any opt-out requests made by parents.~~

### **Designation and Responsibilities of Privacy Officers**

The Superintendent or designee shall serve as Chief Privacy Officer. In this role, the Superintendent is responsible for submitting to the Board for approval student information sharing requests from third-party individuals/entities other than parties to which the District reports student information under law. The Superintendent shall also maintain a master list of all individuals and entities having access to student information, including school district personnel listed by title. To ensure this list remains current and is manageable to maintain, it shall not contain names of individuals who have access to data.

The Superintendent may designate privacy officers at the District and building level. These privacy officers are responsible for:

1. Maintaining a list of school personnel by title who have access to student information; this list shall be provided to the Superintendent each time it is updated;
2. Submitting to the Superintendent for board approval new requests to share student information with third-party individuals and entities other than parties to which the District reports student information under law;
3. Ensuring that access to student information is granted only to the extent there is a legitimate educational interest and in accordance with this policy and any applicable agreements;
4. Enforcing this and other applicable District confidentiality and data protection policies;
5. Providing a list of students who have opted-out of directory information to classroom teachers and other District staff who have a need to know.

~~This list of school officials shall be included in the district's annual FERPA notification.~~

~~School officials will receive appropriate training and information on privacy to ensure records are not misused. The District shall put reasonable methods in place to ensure that school officials only obtain access to educational records or portions of educational records in which they have a legitimate educational interest.~~

### **Review and Amendments**

#### **Information Release Safeguards**

##### **1. Access by Parents and Eligible Students**

To ensure compliance with parental and eligible student access requirements under FERPA:

- a. The District shall comply with a request by a parent or eligible student to access education records within a reasonable period of time, not to exceed 45 days after receipt of a request.
- b. The Board shall develop procedures for a parent/guardian/student to review and amend educational records. These procedures shall include procedures to verify the identity of a requesting parent/eligible student. The regulations shall be delineated in board approved regulations ~~and disseminated annually in accordance with law~~ shall be available upon request.

##### **2. Classroom Use of Instructional Tools Requiring Release of Student Information**

Teachers are encouraged to use instructional technological tools that allow for use of an alias or that do not require submission of directory information (other than or in addition to name) or PII. Whenever a teacher wishes to use an instructional tool that requires release of directory information, other than or in addition to name, or PII such as, but not limited to, software or an app, the teacher shall submit a request to the building-level privacy officer. The privacy officer shall check the District's master list of individuals and entities approved to receive student information. If the entity is not on this list or the teacher's request is beyond the scope of information sharing permission previously granted, the privacy officer shall either deny the teacher's request or submit an information-sharing request to the Superintendent for board approval. If the teacher is authorized to use the instructional tool, the building-level privacy officer shall ensure the teacher complies with any parental consent requirements and directory information opt-out requests before using the tool.

##### **3. Data Breaches**

District employees are responsible for informing a privacy officer of any known or suspected breach of PII. When a privacy officer becomes aware of a breach of student PII, s/he shall contact the Chief Privacy Officer. The Chief Privacy Officer shall determine if enactment of data breach response procedures contained in policy IDC and NDCC Ch. 51-30 is appropriate.

##### **4. Information Storage and Destruction**

Student education records shall be reviewed annually and any records unnecessary for progression to the next grade level, not needed for college entrance purposes, not needed for extracurricular participation, not needed for disciplinary purposes, and records that are not part of the permanent record will be shredded or destroyed. Exceptions apply for any content that may reasonably be related to litigation or anticipated litigation (retain for six years after a student turns eighteen), bullying reports (retain in accordance with policy ACEA), concussion documentation (retain in accordance with policy FCAF), executive session tapes (retain for at least six months), PowerSchool records, and special education records (retain in accordance with the Individuals with Disabilities Education Act).

#### **Record Dissemination**

~~1. Other schools: When a student enrolls, intends to enroll, or has enrolled in another school, the District shall forward a copy of the student's educational record, including disciplinary records involving suspension and/or expulsion to the new school district without prior consent so long as disclosure is for enrollment or transfer purposes. The District shall retain the original student record.~~

#### **5. Directory Information**

~~2. The District may disclose directory information release this information without a parent/guardian/ authorized-eligible student's consent if it has given parents/eligible students a reasonable amount of time to opt-out of directory information release unless the parent/guardian/authorized student has requested to opt out. Opt-out notices should be provided at the beginning of the school year and when a student otherwise enrolls in the District. These notices shall contain a reasonable deadline of at least 10 days for parents/eligible students to opt out. Opt out notices will be disseminated in accordance with law. The Board shall approve a list of entities to which directory information may be disseminated. The District shall provide applicable directory information to entities granted authorized to access directory information under FERPA and North Dakota law unless a parent/authorized student has opted out.~~

The Board approves release of directory information as follows:

- a. Publication on the District's website
- b. To board-approved vendors for purposes of sale of school-related items such as, but not limited to, yearbooks, school pictures, graduation items, District apparel, and book orders
- c. To military and college recruiters in accordance with applicable laws (NDCC 15.1-07-25.1 and 20 U.S.C. 7908)
- d. To official District newspaper for purposes of recognizing student accomplishments and coverage of extracurricular events
- e. To school-affiliated groups for purposes of communicating and fundraising
- f. To school-sponsored student publications including, but not limited to, newspapers and yearbooks
- g. When the Board receives and approves a directory information release request; directory information shall only be released and used for purposes specified in the release request and the Superintendent shall add approved requestors to the District's master list of individuals and entities having access to student information. The Board shall develop criteria in regulations for approving and denying these requests.

Any District employee who wishes to disseminate student directory information to a third party shall contact his/her privacy officer. The privacy officer shall determine if the Board has previously approved such release and, if not, deny the request or submit it to the Superintendent for board approval.

~~3. The District may release the contents of a student's educational record for reasons permitted by law, such as, but not limited to, health and safety reasons after taking into account the totality of circumstances and determining an articulable and significant threat to the health and safety of the student or others exists.~~

~~4. The District may, or, when required by law, shall release students' personally identifiable information from student educational records to authorized representatives, as defined by FERPA, in accordance with PII disclosure agreement requirements and other safeguard procedures mandated by FERPA regulations.~~

~~5. De-identified information may be released upon request if the request meets conditions permitting release of such information under law.~~

#### **6. Personally Identifiable Information (PII)**

Any third party requesting or receiving access to student PII must receive board approval unless the third party is required to receive PII under state or federal law. Any school employee who wishes to share PII with a third party shall contact his/her privacy officer. The privacy officer shall determine if the Board has previously approved such release and, if not, deny the request or submit it to the Superintendent for board approval. Upon board approval of any PII release request, the applicable privacy officer shall inform the requestor of any parental consent requirements and ensure the requestor complies with such requirements.

Parental/eligible student consent is not required to release PII under the following circumstances:

- a. The District receives information under 42 U.S.C. 14071 and applicable federal guidelines about a student who is a registered sex offender under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071), and the District has a need to disclose the student's status as a sex offender for safety purposes
- b. In connection with a health or safety emergency under the conditions described in 34 C.F.R. 99.36

- c. If records have been de-identified by the District; third party individuals and entities that receive de-identified information shall be included on the District's master list of individuals and entities having access to student information
- d. To a school official who has a legitimate educational interest in the education records if the following conditions are satisfied:
  - i. Access shall be limited to only information the school official has a legitimate need to know
  - ii. School officials shall use the information only for the purposes for which the disclosure was made and shall not redisclose the information to any other party without proper consent or legal authority
  - iii. Titles of individuals and entities considered school officials shall be included on the District's master list of individuals and entities having access to student information
- e. To a court without a court order or subpoena when the District initiates legal action against a parent/student or a parent/student initiates legal action against the District
- f. To accrediting bodies for purposes of accreditation
- g. To an organization conducting a study for the District to develop, validate, or administer a predictive test; administer student aid programs; or improve instruction so long as the organization has entered into a written agreement with the Board in accordance with law; if the organization is conducting a survey of students, the District shall ensure parents are notified in compliance with policy GCC and shall obtain parental consent, if applicable
- h. To another school in which the student seeks, intends to, or is already enrolled
- i. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the U.S. Secretary of Education, and state and local educational authorities for audit or evaluation of federal or state supported education programs or for the enforcement of or compliance with federal legal requirements that relate to those programs
- j. To comply with a judicial order or lawfully issued subpoena; the District must make reasonable attempt to contact the parent/eligible student before disclosure unless the court order instructs otherwise
- k. To the parents of an eligible student who is also a "dependent student" as defined in IRS Section 152

The District will take measures necessary to ensure that individuals and entities to which PII is released shall only have access to information necessary to fulfill their responsibilities under law and to the District. Measures may include, but not be limited to, controlling access to computer data through password restrictions, controlled access to paper records, and ensuring that any information access agreements required by law are properly executed by the Board.

## 7. **When Parental Consent is Required**

The District must obtain parental/eligible student consent to release student information under the following circumstances:

- a. The Board has approved release of PII to an individual or entity not meeting the definition of school official under law and/or not meeting an exception to the parental consent requirement under FERPA
- b. The Board has approved release of directory information, other than or in addition to name, or PII to an online service provider for commercial purposes and the impacted students are under 13
- c. When administering a survey funded in whole or in part by the U.S. Department of Education and concerning any of the following areas:
  - i. Political affiliations or beliefs of the student or the student's parent
  - ii. Mental or psychological problems of the student or the student's family
  - iii. Sex behavior or attitudes
  - iv. Illegal, anti-social, self-incriminating, or demeaning behavior
  - v. Critical appraisals of other individuals with whom respondents have close family relationships
  - vi. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers
  - vii. Religious practices, affiliations, or beliefs of the student or student's parent
  - viii. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program)

If the District is unable to obtain this consent, it shall not release the impacted student's information.

## **504 Plans and Individual Educational Programs (IEPs)**

Sharing of student information necessary for developing, amending, or implementing an IEP or 504 Plan and sharing student information needed to determine eligibility for special education or disability services are not subject to board approval requirements in NDCC Ch. 15.1-07-25.3 because the District provides these services in fulfillment of requirements under state and federal law.

## **Policy Violations**

Failure by a District employee or volunteer to comply with this policy, other District confidentiality requirements, or any improper disclosure of student information by a school employee or volunteer shall result in disciplinary action up to and including dismissal in accordance with applicable law. Failure by a third party to comply with this policy, any information-sharing agreements between the District and third party, or any improper disclosure of student information by the third party may



result in termination of the third-party's access to student information and termination of the District's agreement with the third party if permitted under the terms of such agreement.

### **Training**

School officials employed or volunteering for the District shall receive information and/or training on confidentiality requirements pertaining to student education records and consequences for breaching confidentiality. The District shall also provide training to applicable school personnel on the procedures for requesting to release student information contained in this policy.

If you do not want Dickinson School District to disclose directory information from your child's education records without your prior written consent, you must notify the school/District in writing **within two weeks of the first day child is enrolled.**

### **Record Retention and Destruction**

Permanent record is defined as a record containing a student's name, address, phone number, record of grades, years enrolled, courses attended, and grades completed.

All components of a student's educational record shall at least be retained for the duration required by state law after which the permanent record will at least be retained. No record will be destroyed for which there is an outstanding request from a parent/student to review.

Special education records may be retained for a duration longer than required by law at the discretion of the Director of Student Services except that, in accordance with law, personally identifiable information in a special education record must be destroyed at the request of the parent(s) or guardians. The parent(s) or guardians of a special education student shall be notified and their consent shall be obtained before the non-permanent components of a special education student's educational record are destroyed.

### **Board Regulation FGA--STUDENT EDUCATION RECORDS ACCESS AND AMENDMENT PROCEDURE**

#### **Reviewing an Educational Record**

The District will comply with a parent/guardian/eligible student's right to inspect educational records. This right will be granted using the following procedure:

1. A request to view an educational record shall be granted by the deadline in law (45 days).
2. A request may be made in writing to the building principal.
3. The principal shall notify the parent/guardian/eligible student of the time and place when a record may be inspected.
4. The principal or designee shall be present when the parent/guardian/eligible student reviews the record.
5. If circumstances prevent a parent/guardian/eligible student from reviewing the educational record at the school office, the District shall prepare and mail a copy of the record or make alternative arrangements for the parent/guardian/eligible student to review the record. Any expense incurred from copying and/or mailing a record may be charged to the parent/guardian/eligible student at state rates, except as prohibited by law.

#### **Amending an Educational Record**

A parent/guardian/eligible student has the right to request an amendment to any portion of the educational record s/he believes to be inaccurate, misleading, or in violation of the student's right to privacy. A parent/guardian/eligible student shall use the following procedure to dispute or request an amendment to an educational record. This procedure shall not be used to dispute a grade, disciplinary decision, or opinions/reflections of a school official contained in an educational record.

1. Any request to amend an educational record shall be made in writing and submitted to the building principal.
2. The principal shall review the request within a reasonable time and approve or deny it. The principal's decision shall be submitted to the parent/guardian/eligible student. If the principal denies the amendment request, s/he shall inform the parent/guardian/eligible student of his/her right to request an appeals hearing.
3. Requests for an appeals hearing shall be submitted to the Superintendent. The hearing shall be held within a reasonable time after the appeal request has been made.
4. The building principal shall require the requestor to submit/show a form of state or federally-issued identification to verify the identity of the requestor if the requestor is unknown to the principal.
5. The Superintendent shall serve as the hearing officer. A representative of the parent/guardian/eligible student's choosing may accompany the parent/guardian/eligible student at the parent/guardian/eligible student's expense. The parent/guardian/eligible student shall have a full and fair opportunity to present evidence related to the amendment request.
6. The Superintendent's decision is final and binding and shall be submitted to the parent/guardian/eligible student at a reasonable time after the hearing.
7. If the Superintendent denies the amendment request, s/he will notify the parent/guardian/eligible student within a reasonable time of his/her right to submit a written response commenting on the contested material and/or explaining

the disagreement with the hearing officer's decision. This written response shall be retained and, when applicable, disseminated in accordance with law.

#### **Exhibit FGA-E – NOTICE OF DIRECTORY INFORMATION**

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that Dickinson School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, Dickinson School District may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures.

The primary purpose of directory information is to allow the Dickinson School District to include this type of information from your child's education records in certain school publications. Examples include:

1. A playbill, showing your student's role in a drama production;
2. The annual yearbook;
3. Honor roll or other recognition lists;
4. Graduation programs; and
5. Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require school districts receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories--names, addresses and telephone listings--unless parents have advised the School District that they do not want their student's information disclosed without their prior written consent.

If you do not want Dickinson School District to disclose directory information from your child's education records without your prior written consent, you must notify the school and/or District office in writing **within two weeks of the first day child is enrolled**.

#### **FGA-E2 - MODEL NOTIFICATION OF RIGHTS UNDER FERPA FOR ELEMENTARY AND SECONDARY SCHOOLS**

The Family Educational Rights and Privacy Act (FERPA) afford parents or guardians and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day the school receives a request for access. Parent(s) or guardians or eligible students should submit to the school principal, or appropriate school official, a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected in accordance with board regulation FGA-BR.
2. The right to request the amendment of the student's education records that the parent(s) or guardians or eligible student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Parents or guardians or eligible students who wish to ask the school to amend a record should write the school principal, or appropriate school official, clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent(s) or guardians or eligible student, the school will notify the parent(s) or guardians or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent(s) or guardians or eligible student when notified of the right to a hearing.
3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent. (See complete list on pp. 3-4 of this document). **One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests.** A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel), or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; or a parent/guardian or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent or guardian, student, or other volunteer assisting another school official in performing his/her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility.

Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:  
Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

#### **Disclosure of PII without Consent**

FERPA permits the disclosure of PII from students' education records, without consent of the parent/guardian or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the school to record the disclosure. Parent(s) or guardians and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents/guardians or the eligible student:

1. To other school officials, as defined in #3 above, within the educational agency or institution whom the school has determined to have legitimate educational interests. This may include contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))
2. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
3. To authorize representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)
4. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
5. To state and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a state statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5))
6. To organizations conducting studies for, or on behalf of, the school, in order to: develop, validate, or administer predictive tests; administer student aid programs; or improve instruction. (§99.31(a)(6))
7. To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
8. To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
9. To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
10. To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
11. Information the school has designated as "directory information" under §99.37. (§99.31(a)(11))

#### **ADMINISTERING PRESCRIPTIVE MEDICINES**

- A. In no case should a staff member provide, recommend, prescribe, or require medication.
- B. No prescription or nonprescription medication will be administered by school personnel unless authorized by parent(s) or guardians or prescribed by a licensed prescriber and an authorization form is signed by a parent or legal guardian (Form C FCAB-E).
- C. Prescription medication must be in a container with a label prepared by a pharmacist. Nonprescription medication must

be in the original container labeled with the student's name and dosage. Prescription and nonprescription medication must be hand delivered to the school personnel by the parent(s) or guardians.

- D. Medications are to be properly labeled with student's name, name of medication, dosage amount, frequency of administering, name and telephone number of pharmacy, prescription number and doctor's name.
- E. School personnel will keep a separate record of administering medication, noting date, time and initials of person administering the medication.
- F. The parent or guardian is to make the school personnel aware of any side effects and who to notify in the case of emergency.
- G. Any change in type or amount of medication must be approved by parent(s) or guardians and a new approval form must be signed and completed.

#### **ASBESTOS NOTICE**

The Asbestos Hazard Emergency Response Act (AHERA) requires that all public school buildings be inspected or reinspected for the presence of asbestos every three years after a management plan is in effect. The same statute also requires initial and annual notifications of the availability of a management plan which outlines the steps to be taken to eliminate any hazards. The Dickinson Public School District has a very limited amount of asbestos containing materials in the school buildings and it is being managed in strict compliance with all pertinent federal regulations. A copy of the inspection report which details the locations of these materials and the proper management procedures is available for public inspection during normal working hours in the Administration Office.

#### **PARENTS RIGHT TO KNOW**

Through federal education law, parents or guardians have the right to request information on the professional qualifications of the teachers and paraprofessionals educating their children. If you are interested in receiving this information, please contact the Central Administration Office at 701-456-0002. Upon this request, you will receive a detailed explanation of the licensing and educational qualifications of each of your children's teachers. You will also receive the names and qualifications of the paraprofessionals working with your children.

#### **IMMUNIZATIONS**

The 1979 North Dakota Health Immunization Law requires that no child will be admitted to kindergarten, elementary school, middle school, or high school unless he/she has a Certificate of Immunization on file at the school or submits one prior to admission. The law, which became effective July 1, 1979, requires that the certificate be signed by a physician or local public health department representative and be presented to the school officials by the parent or guardian of the child. The Certificate of Immunization states that the child has been vaccinated against diphtheria, pertussis, tetanus, measles, rubella, mumps, polio, hepatitis B, and varicella (chicken pox), and meningococcal if applicable.

Effective for the 2016-2017 school year, two doses of chicken pox vaccine is required of children attending grades K-8. For the 2016-17 school year, one dose of chicken pox vaccine is required for children attending grades 9-12. A reliable history of chicken pox disease is an exemption to the vaccine requirement. As in previous years, a student must receive meningococcal, tetanus, diphtheria, and pertussis (Tdap) vaccine before being admitted into any middle school.

The law does allow exemptions for medical, philosophical, moral, or religious beliefs. However, when there is a danger of an epidemic from any of the communicable diseases for which immunization is required, those children who are not adequately immunized, including children exempt, will be excluded from school until the danger of the epidemic is over.

#### **Board Policy AAA--PHILOSOPHY OF THE DICKINSON PUBLIC SCHOOLS**

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

##### **We Believe:**

1. The purpose of education is to equip students with the knowledge and skills necessary to become active, informed, and productive members of society. Our public schools have a responsibility to foster the growth of intelligent and informed citizens.
2. All individuals are entitled to equal rights, freedoms, and opportunities regardless of economic, cultural, or intellectual differences. The District is committed to creating and preserving a learning and working environment that promotes tolerance and is free from discrimination and harassment.
3. Only through the study of basic subject matter, history, culture and fine arts will students be prepared for both the practical tasks and complexities of the world. The District will provide all students with opportunities to participate in varied curricular offerings.

4. Education should aid in the development of good character, self-respect and self-worth, and offer opportunities to form satisfying and responsible relationships with other people. The District will offer programs that allow students to practice the skills of family and community living and that promote an appreciation for health and safety.
5. Education must look to the future. The District will offer programs to help equip students with skills that may be demanded by our future society, that help students select appropriate occupations, and that provide opportunities to develop worthwhile leisure time activities. The District will also offer programs that teach money, property, and resource management techniques and conservation practices in order to assist students with planning for the future.
6. Educational experiences should be timed in accordance with students' readiness for them. All District programs will take into account factors such as age, maturity, and readiness.
7. Appropriate discipline helps ensure that the educational program operates efficiently and helps mold students into upstanding citizens. The Board shall develop policies in accordance with law to ensure administrators are equipped to appropriately respond to disciplinary issues.
8. Parents and the community should serve as partners with schools. It takes the combined effort of all members of the community to develop and maintain an educational program that meets the objectives delineated above. District schools will embrace the support and reflect the expectations of the community.

#### **Board Policy AAB—DISTRICT GOALS AND OBJECTIVES**

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

In addition to meeting these approval and accreditation requirements/standards, the Board has established goals and objectives, which are contained in the District's strategic plan.

#### **Board Policy AAC--NONDISCRIMINATION AND ANTI-HARASSMENT POLICY**

##### **General Prohibitions**

The Dickinson Public Schools is committed to maintaining a learning and working environment free from discrimination and harassment in all employment and educational programs, activities, and facilities. The District prohibits discrimination and harassment based on a student's, parent's, guardian's ~~and/or~~ or employee's race, color, religion, sex, gender identity, sexual orientation, national origin, ancestry, disability, age, marital status, or other status protected by law.

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

The District shall promptly investigate any ~~discrimination~~, harassment or ~~discrimination~~ retaliation complaint and act on findings as appropriate, which may include disciplinary measures such as, ~~but not limited to~~; termination of employment or expulsion in accordance with board policy, law, and, when applicable, the negotiated agreement. Students and employees are expected to fully cooperate in the investigation process. ~~The District will take steps to prevent recurrence of discrimination, harassment, or retaliation and remedy discriminatory effects on the complainant and others, if appropriate.~~

##### **Definitions**

- *Complainant* is the individual filing the complaint. ~~When~~ If the complainant is not the victim of the alleged ~~discrimination and/or harassment the victim must~~ ~~harassment/discrimination, the victim will~~ be afforded the same rights as the complainant under this policy and regulation AAC-BR.
- *Disability* is defined in accordance with NDCC 14-02.4-02 (5).
- *Discrimination* means failure to treat ~~a person~~ an individual equally due to a protected status.
- *Protected status* shall include the statuses identified above, along with any other status protected by applicable state and federal laws.
- *Employee* is defined in accordance with NDCC 14-02.4-02 (7).
- *Harassment* is a specific type of discrimination based on a protected status. It occurs under the following conditions:
  - a. For employees, when enduring the offensive conduct becomes a condition of continued employment, or the conduct is severe or pervasive enough to create a work environment that a reasonable ~~person~~ individual would consider intimidating, hostile, or abusive

- b. For students, when the conduct is sufficiently severe, persistent, or pervasive so as to limit a the student's ability to participate in or benefit from the education program or to create a hostile or abusive education environment
- *Section 504* (Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794) is a federal law designed to protect the rights of individuals with disabilities in programs and activities that receive federal financial assistance from the U.S. Department of Education.
- *Sexual harassment* is a form of harassment based on sex, sexual orientation, or gender identity. It is defined as unwelcome sexual advances, requests for sexual favors, and/or other verbal, written, or physical conduct or communication of a sexual nature when:
  - a. It is quid pro quo, meaning submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of the basis for employment decisions or educational decisions or benefits for students (e.g., receiving a grade)
  - b. It creates a hostile environment meaning unwelcome sexual conduct or communication that is sufficiently serious to deny or limit a student's ability to participate in or benefit from the school's program(s). For employees a hostile environment is created when submission to unwelcome sexual conduct is made either explicitly or implicitly a term or condition of an individual's employment.
- *Sexual harassment examples* may include, but are not limited to:
  - a. sexual or "dirty" jokes;
  - b. unwelcome sexual advances;
  - c. requests for sexual favors;
  - d. sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature, including unwelcome touching, such as patting, pinching, or constant brushing against another's body;
  - e. displaying or distributing of sexually explicit drawings, pictures, and written materials;
  - f. graffiti of a sexual nature;
  - g. sexual gestures;
  - h. touching oneself sexually or talking about one's sexual activity in front of others;
  - i. spreading rumors about or rating other's sexual activity or performance;
  - j. remarks about a person's an individual's sexual orientation; or and
  - k. sexual violence including, but not limited to, rape, sexual battery, sexual abuse, and sexual coercion.
- *Title II* of the Americans with Disabilities Act extends the prohibition on discrimination established by Section 504 to all services, programs, and activities of State and local government entities.
- *Title IX* is a federal law that protects people from discrimination, based on sex, in education programs or activities that receive federal financial assistance.

### **Complaint Filing Procedure**

The Board shall create an informal and formal ~~discrimination and harassment and discrimination~~ complaint filing procedure in board regulations AAC-BR. The procedure provides for an impartial investigation free of conflicts of interest. Nothing in this policy or in the ~~discrimination and harassment harassment/discrimination~~ grievance procedure shall prevents an individual from pursuing redress through state and/or federal law.

### **Confidentiality**

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

### **Responsible Employees**

~~The Superintendent shall identify school employees responsible for receiving and reporting discrimination and harassment incidents and complaints. These individuals shall be listed in student handbooks and shall receive appropriate training on their reporting duties.~~

### **Policy Training and Dissemination**

~~The Board authorizes the Superintendent to develop harassment and discrimination awareness training for students and employees. In addition, the Superintendent shall display this policy and complementary grievance procedure in a prominent place in each district building and publish it in student and employee handbooks.~~

### **Title IX and Nondiscrimination Coordinator**

~~The Board designates the assistant superintendent as the Title IX and Nondiscrimination Coordinator. The assistant superintendent may be contacted at: 444 4th Street West, Dickinson, ND (701) 456-0002. The Title IX and Nondiscrimination Coordinator and any other school official responsible for investigation of discrimination complaints shall receive appropriate training.~~

### **Complaint Recipients**

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

### **Policy Training and Dissemination**

The Board authorizes the Superintendent to develop discrimination and harassment awareness training for students and employees. In addition, the Superintendent shall ~~display this policy and complementary grievance procedures in a prominent place in each district building and~~ publish this policy in all student handbooks and employee policy and procedures manual.

### **Grievance Coordinator**

The Title IX Coordinator's responsibilities include overseeing the District's response to Title IX reports and complaints and identifying and addressing any patterns or systemic problems revealed by such reports and complaints. The Title IX Coordinator must have knowledge of the requirements of Title IX, of the District's policies and procedures on sex discrimination, and of all complaints raising Title IX issues throughout the District. To accomplish this, the Title IX Coordinator must be informed of any report or complaint raising Title IX issues, even if the report or complaint was initially filed with another individual or office or if the investigation will be conducted by another individual or office. The board designates the Human Resources Director as the Title IX Coordinator. He/She may be contacted at: 444 4<sup>th</sup> Street West, Dickinson, ND 58601 or 701-456-0002.

The 504/Title II Coordinator's responsibilities include overseeing the District's response to disability discrimination reports and complaints. The 504/Title II Coordinator must have knowledge of the requirements of Section 504 and Title II, of the District's policies and procedures on disability discrimination, and of all complaints raising Section 504/Title II issues throughout the District. To accomplish this, the 504/Title II Coordinator must be informed of any report or complaint raising 504/Title II issues, even if the report or complaint was initially filed with another individual or office or if the investigation will be conducted by another individual or office. The Board designates the Director of Student Services as the 504/Title II Coordinator. He/She may be contacted at: 444 4<sup>th</sup> Street West, Dickinson, ND 58601 or 701-456-0002.

All other complaints other than Title IX, 504, or Title II shall be referred to the Human Resources Director.

~~The Nondiscrimination Coordinator's core responsibilities include overseeing the District's response to discrimination and harassment reports and complaints that do not include sex or disability, but instead the other protected statuses. The Board designates the Human Resources Director as the Nondiscrimination Coordinator. He/She may be contacted at: 444 4<sup>th</sup> Street West, Dickinson, ND or 701-456-0002.~~

The Title IX, 504/Title II, ~~and Nondiscrimination Coordinators~~, and any other school official responsible for the investigation of discrimination complaints, shall receive training. This training will include (1) the definition of discrimination, harassment, and retaliation; (2) the handling of complaints under the Discrimination, Harassment, and Retaliation Grievance Procedure (AAC-BR); and (3) the applicability of confidentiality requirements.

## **School Board Regulation AAC – DISCRIMINATION, HARASSMENT, AND RETALIATION GRIEVANCE PROCEDURE**

The following procedure is designed to resolve discrimination, harassment, and retaliation complaints by and against District students, parents, employees, and third parties, as described in board policy, coded AAC, in a prompt and equitable manner. Board policy requires all students and employees to fully cooperate when asked to participate in a discrimination, harassment, or retaliation investigation. The procedure contained in this regulation supersedes the District's policies regarding complaints about personnel and bullying.

### **Retaliation Prohibited**

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

### **Complaint Filing Format and Deadlines**

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

### **With Whom Complaints May be Filed**

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

### **Initiating Complaint Resolution Procedure**

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

### **Prohibition on Meeting with the Accused**

At no time during the informal or formal resolution process shall the complainant be required to meet with the accused. If the appropriate grievance coordinator assigned to conduct or oversee the investigation is the accused, the Superintendent, or Board President (if the Superintendent is the accused) shall designate a different individual (which may be a third party) to carry out the accused's responsibilities associated with the investigation.

### **Third-Party Assistance**

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

### **Investigation Timeframes**

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

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

### **Interim Measures**

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

### **Informal Resolution Procedure**

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

During the informal resolution process, the investigator shall gather information necessary to understand and resolve the complaint. Based on this fact-gathering process, the investigator shall propose an informal resolution, which may include requiring the accused to undergo training on discrimination, harassment, and/or retaliation, requiring all students and employees to undergo such training, instituting protection mechanisms for the complainant, and/or holding a formal meeting with the accused to review the nondiscrimination and anti-harassment policy, coded AAC, and discuss the implications of violating it. Both the complainant and the accused must agree to the informal resolution before it can be instituted.

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

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

### **Formal Resolution Procedure**

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

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

The fact-gathering portion of the investigation must be carried out or overseen by the appropriate grievance coordinator and must consist of interviews with the complainant, the accused, and any others who may have witnessed or otherwise have knowledge of the circumstances giving rise to the alleged complaint and may involve gathering and review of information relevant to the



complaint. Both the complainant and accused will have equal opportunity to present evidence and name witnesses. Witnesses must be instructed not to discuss this matter with others except proper authorities.

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

#### **Investigation Report:**

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

1. Whether evidence suggests a pattern of conduct supportive of disproving the allegations of discrimination, harassment, and/or retaliation;
2. Whether behavior meets the definition of discrimination, harassment, and/or sexual harassment as defined in board policy AAC;
3. Ages of the parties involved;
4. Relationship between the parties involved;
5. Severity of the conduct;
6. How often the conduct occurred, if applicable, and;
7. How the District resolved similar complaints, if any, in the past.

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

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

#### **Disciplinary Action**

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

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

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

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

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

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

#### **Notice of Outcome**

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

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

#### **Investigation Materials**

Investigation materials must be retained by the appropriate grievance coordinator for at least six years.

### **Board Policy ABCB—SPORTSMANSHIP**

Dickinson Public Schools believes school-sponsored activity programs serve educational purposes in the lives of the District's students. One of these purposes is the development of good sportsmanship. The primary focus of the challenge of achieving good sportsmanship is on the student, but others are involved.

The School Board believes administrators must insist that good sportsmanship is the goal; athletic directors and other administrators must realize the value of sportsmanship and set the tone for the implementation of its good practice.

Coaches/activity sponsors must accept the responsibility of making each activity event a showcase for education. They are expected to be models of self control and dignity for participants and spectators.

Participants must be taught to handle themselves in a sportsmanlike way; they are also expected to project good sportsmanship in the activities in which they participate.

Student fans must be reminded that their conduct reflects on their school, and that poor sportsmanship will not be tolerated.

Adult spectators must realize that they also must exhibit good sportsmanship at athletic/activity events. Spectators serve as a model for their own children and for other young people in the community. Spectators also need to demonstrate self control and dignity while participating in various activities.

Administrators and activity sponsors shall practice good sportsmanship. Students will be taught good sportsmanship and be held accountable for their actions. Spectators will be reminded and encouraged to be appropriate role models for young people. The School Board will support staff and administrators who enforce sportsmanship rules at school-sponsored activity events, including evicting students or adults who violate the District policy.

Additional administrative rules will be developed providing enforcement of these expectations and also include positive incentives.

#### **Rules of Conduct**

The Superintendent shall develop rules of conduct for athletic events. These rules shall be published in student and employee handbooks and disseminated to District patrons using the method deemed most appropriate, effective, and cost efficient by the Superintendent.

The Superintendent, school district administrators, principals, District security personnel, and law enforcement may evict violators of these rules from the athletic event and the Superintendent may prohibit and/or restrict attendance at future events. In addition, District students and employees violating these rules may be subject to disciplinary consequences in accordance with District policy and law.

#### **Board Regulation ABCB-BR – SPORTSMANSHIP REGULATION**

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

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

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

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

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

#### **Board Policy ACE—VIOLENT AND THREATENING BEHAVIOR**

##### **Threatening Behavior**

A true threat is a statement made orally, in writing, or using another medium that would be perceived by a reasonable person to be a serious expression of intent to harm, commit assault, or damage school property.

##### **Reporting**

Any staff member who has knowledge of, witnessed or received a threat or threatening behavior shall report it immediately to the building principal or Superintendent. Students shall inform a teacher, guidance counselor, or principal when they are in possession of knowledge of such threats. Failure to report a known threat may result in disciplinary consequences up to and including suspension for students and termination of employment for staff in accordance with policy, law, and, when applicable, the negotiated agreement.

##### **Threat Assessment**

Upon receipt of a threat report, the building principal shall contact the Superintendent. The Superintendent shall determine if the report constitutes a true threat as defined above and whether, given the nature of the threat, it should be handled internally or turned over to law enforcement. The Superintendent shall make these determinations based on, but not limited to, the following criteria:

1. The detail, specificity, context, and content of the threat;
2. The amount of disruption the threat has caused or may cause to the educational environment;
3. Whether the Superintendent can identify the source of the threat; anonymous threats may be turned over to law enforcement;
4. When the source of the threat can be identified, the Superintendent shall consider, to the extent possible, the individual's:
  - a. State of mind;
  - b. Relationship with peers;
  - c. Age;
  - d. Domestic life;
  - e. Ability to carry out the threat (e.g., access to weapons);
  - f. Past behavior.
5. If any laws have been violated;
6. The identity and potential motives of the individual reporting the threat.

The threat assessment may involve interviews with District staff, students, and parents or guardians. The Superintendent may, in accordance with the Family Educational Rights and Privacy Act and other applicable records laws, release threat assessment findings to law enforcement when deemed necessary.

When law enforcement and/or the Superintendent, having considered the totality of the facts obtained through the threat assessment, verifies that a threat is true, the District shall take necessary and timely measures to safeguard students, staff, and District property.

#### **Disciplinary Consequences for Threatening Behavior**

1. **Regular Education Students:** A student who is found to have made a true threat will be subject to disciplinary measures, including, but not limited to suspension and/or expulsion. When deemed to be a necessary safety precaution, the District may require alternative placement or appoint supervision during the periods of suspension and/or expulsion for threatening behavior.
2. **Special Education Students:** Special education students found to have made a true threat will be disciplined in accordance with applicable policies and laws pertaining to the discipline of special education students.
3. **Staff:** Employees found to have made a true threat shall be subject to disciplinary consequences up to and including termination of employment in accordance with policy, law, and, when applicable, the negotiated agreement.

Students and employees may also be subject to the filing of criminal charges and/or referred to counseling services for treatment.

#### **Violent Behavior**

The District prohibits all acts of violence and aggression, including, but not limited to, possession of a weapon or dangerous instrument, physical assault, vandalism of District property, stalking, gang affiliation and/or activity, terroristic acts. Violators of this policy shall be subject to disciplinary consequences, determined by the seriousness of the act, including, but not limited to, expulsion for students, discharge for employees, and exclusion from school premises in accordance with applicable policy and law. In addition, the District may take legal action against the perpetrator.

Students and employees may also be to subject to the filing of criminal charges and/or referred to counseling services for treatment.

### **Board Policy ACEA – BULLYING PREVENTION POLICY**

#### **Definitions**

For the purposes of this policy:

- *Bullying* is defined as conduct prescribed in NDCC 15.1-19-17. The Superintendent should place this definition, in its entirety, in student and staff handbooks and should develop guidelines to assist students and staff with identifying this conduct.
- *Protected* statuses are defined in the District's Nondiscrimination and Anti-harassment policy (AAC).
- *School property* or the term *on-campus* refers to all property owned or leased by the District, school buses and other vehicles, or any school district-sponsored or school-sanctioned activity.
- *School-sanctioned activity* is defined as an activity that:
  - a. Is not part of the District's curricular or extracurricular program; and
  - b. Is established by a sponsor to serve in the absence of a District program; and
  - c. Receives District support in multiple ways (i.e., not school facility use alone); and

- d. Sponsors of the activity have agreed to comply with this policy; and
  - e. The District has officially recognized through board action as a school-sanctioned activity.
- *School-sponsored* activity is an activity that the District has approved through policy or other board action for inclusion in the District's extracurricular program and is controlled and funded primarily by the District.
  - *School staff* shall include all employees of the Dickinson Public School District, school volunteers, and sponsors of school-sanctioned activities.
  - *True threat* is a statement that, in light of the circumstances, a reasonable person would perceive as a serious expression of intent to inflict harm.

### **Prohibitions**

While at a public school, on school district premises, in a District-owned or leased school bus or school vehicle, or at any public school or school district sanctioned or sponsored activity or event, a student staff member or school volunteer may not:

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

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

### **Reporting Procedures for Alleged Policy Violations**

1. Reporting requirements for school staff: Any school staff member with knowledge or suspicion of a violation of this policy or who has received an oral or written report of a violation of this policy from a student, community member, or anonymously shall contact the building principal to inform him/her as soon as possible. If the alleged violation implicates the building principal, the school staff member shall report it to the Superintendent. If the alleged violation implicates the Superintendent, the school staff member shall file it with the Board President.

Should school administration determine that a school staff member knew of or suspected a violation of this policy and failed to report it in accordance with the procedure above, the staff member may be subject to disciplinary consequences or, for sponsors of school-sanctioned activities, other corrective measures.

2. Reporting options for students and community members: Students and community members (including parents) may report known or suspected violations of this policy using any of the following methods:
  - a. Completing a written complaint form: A complainant will have the option of including his/her name on this form or filing it anonymously. The District will place the form in a variety of locations throughout the school and should inform students and staff of these locations. The form may be returned to any school staff member or filed in a school building's main office.
  - b. Complete and submit an online complaint form. A complainant will have the option of including his/her name on the form or submitting it anonymously.
  - c. File an oral report with any school staff member.

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

### **Reporting to Law Enforcement and Others Forms of Redress**

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

### **Documentation and Retention**

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

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

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

1. Initiates a report of an alleged violation of this policy; or
2. Receives an oral report of an alleged violation of this policy.

All written reports of an alleged violation of this policy received by the District shall be forwarded to the appropriate school administrator for investigation and retention.

Report forms and all other documentation related to an investigation of an alleged violation of this policy shall be retained by the District for six years after a student turns 18 or graduates from high school, whichever is later. If a student does not graduate from the District, such reports and investigation material shall be retained for six years after the student turns 18.

### **Investigation Procedures**

School administrators (i.e., a principal, an assistant superintendent, or the Superintendent) are required to investigate violations of this policy (as prescribed under “Prohibitions”), when in receipt of actual notice of an alleged violation. Actual notice of an alleged violation occurs when alleged bullying, reprisal, retaliation, or false reporting is reported using the applicable method(s) prescribed in the reporting section of this policy.

Upon receipt of a report of an alleged policy violation, the designated administrator shall first determine if the alleged policy violation is based on a protected status —whether actual or perceived. Reports involving a protected status shall be investigated in accordance with the District’s harassment/discrimination policy, including the timelines contained therein.

In all other cases, administration shall determine the level of investigation necessary based on the nature of the alleged violation of this policy after considering factors such as, but not limited to: the identity of the reporter and his/her relationship to the victim/alleged perpetrator; the ages of the parties involved; the detail, content, and context of the report; whether this report is the first of its type filed against the alleged perpetrator. Based on the level of investigation the administrator deems necessary, investigations may include any or all of the following steps or any other investigatory steps that the administrator deems necessary:

1. Identification and collection of necessary and obtainable physical evidence (*NOTE: In some cases physical evidence may be unobtainable, e.g., a private social networking profile*);
2. Interviews with the complainant, the victim, and/or the alleged perpetrator. At no time during an investigation under this policy shall the victim/complainant be required to meet with the alleged perpetrator;
3. Interviews with any identified witnesses;
4. A review of any mitigating or extenuating circumstances;
5. Final analysis and issuance of findings in writing to the victim and bully and, if applicable, implementation of victim protection measures and disciplinary measures under this or other applicable policies.

Investigations shall be completed within 60 days unless the administrator documents good cause for extending this deadline. Such documentation should be sent to victim and alleged perpetrator during the investigation.

### **Disciplinary and Corrective Measures**

Students that the District has found to have violated this policy shall be subject to disciplinary consequences and/or corrective measures. When determining the appropriate response to violations of this policy, administration shall take into account the totality of circumstances surrounding the violation. Measures that may be imposed include, but are not limited to:

1. Require the student to attend detention;
2. Impose in- or out-of-school suspension or recommend expulsion. Due process procedures contained in the District’s suspension and expulsion policy shall be followed;
3. Recommend alternative placement. This recommendation shall be submitted to the Superintendent for approval or denial. The Superintendent may approve such recommendations only if the student has been given notice of the charges against him/her and an opportunity to respond;
4. Create a behavioral adjustment plan;
5. Refer the student to a school counselor;
6. Hold a conference with the student’s parent(s) or guardians and classroom teacher(s), and other applicable school staff;
7. Modify the perpetrator’s schedule and take other appropriate measures (e.g., moving locker) to minimize contact with the victim;
8. If applicable, contact the administrator of the website on which the bullying occurred to report it.

If the misconduct does not meet this policy’s definition of bullying, it may be addressed under other District disciplinary policies.

For bullying initiated off campus and received on campus (e.g. cyber bullying), the District only has authority to impose disciplinary measures if the bullying substantially disrupted the educational environment or posed a true threat. In all other cases of off campus bullying received on campus, the District may only take corrective measures as described in items five through eight above.

If the perpetrator is a school staff member, the District shall take appropriate disciplinary action including, but not limited to: a reprimand, modification of duties (only if allowed by applicable policy, the negotiated agreement, and/or the individual’s contract), suspension, or a recommendation for termination/discharge in accordance with any applicable law.

### **Victim Protection Strategies**

When the District confirms that a violation of this policy has occurred, it should notify the victim’s parents or guardians and shall implement victim protection strategies. These strategies shall be developed on a case-by-case basis after administration has reviewed the totality of the circumstances surrounding the bullying incident(s) or other violations of this policy. Strategies may include, but not be limited to, the following:

1. Additional training for all students and applicable staff on implementation of this policy and/or bullying prevention.
2. Notice to the victim’s teachers and other staff to monitor the victim and his/her interaction with peers and/or the assignment of a staff member to escort the student between classes.
3. Assignment of District staff to monitor, more frequently, areas in the school where bullying has occurred.

4. Referral to counseling services for the victim and perpetrator.
5. Modification of the perpetrator's schedule and other appropriate measures imposed on the perpetrator (not the victim) to minimize the perpetrator's contact with the victim.

### **Prevention Programs and Professional Development Activities**

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

## **Board Policy FF--STUDENT CONDUCT AND DISCIPLINE**

### **Conduct Standards**

Students will conduct themselves in a manner fitting their age level and maturity and students will not impede on the orderly conduct of District schools. Additionally, students will respect the rights of others on District property, including, but not limited to, District owned/leased/chartered vehicles, at school-sponsored events, and off-campus when student conduct has, or is reasonably predicted to have, a substantially disruptive effect on District operations and/or the educational environment.

### **Disciplinary Standards**

Consequences for misconduct will be fair and developmentally appropriate in light of the circumstances. The Superintendent shall develop age-appropriate disciplinary standards in consultation with principals and other applicable District personnel. In addition, the Superintendent shall develop administrative regulations to assist administrators/their designees with investigating potential conduct violations.

Disciplinary policies, procedures, and guidelines need not be identical in content District wide but must:

1. Be identical in content for all District elementary schools;
2. Be identical in content for all District middle schools;
3. Be identical in content for all District high schools.

### **Disciplinary Standards for Special Education Students**

District employees are required to comply with the Individuals with Disabilities Act when responding to violations of student conduct standards by special education students.

### **Prohibited Disciplinary Actions**

The Board recognizes that reasonable physical force may occasionally be necessary to guard the safety and well being of students or employees or to deliver a student to an administrator's office; however, the use of corporal punishment, defined as the willful infliction of physical pain on a student, is not allowed in the Dickinson Public Schools Public School District. Corporal punishment does not include action taken by an employee for self-defense, protection of persons or property, obtaining possession of a weapon or other dangerous object, to quell a verbal disturbance, for the preservation of order, or pain or discomfort caused by athletic competition or recreational activities voluntarily engaged in by a student.

Complaints alleging that a District employee inflicted corporal punishment will be dealt with in accordance with school board policy on personnel complaints.

### **Disciplinary Authority**

Regulations on disciplinary standards and investigation procedures shall delineate the degree of disciplinary authority that the District shall grant to teachers and principals.

Other school personnel shall be granted disciplinary authority by the principal on a case-by-case basis based on the nature and scope of the employee's duties. Personnel granted such authority shall be required to comply with this policy and any disciplinary authority limits established by regulations. Employees unauthorized to administer student discipline shall report student misconduct to the appropriate school authority.

Any District employee who acts outside the scope of his/her assigned level of disciplinary authority may be subject to disciplinary action, including but not limited to, discharge from/termination of employment in accordance with law and/or the negotiated agreement.

## **Board Policy FFA—STUDENT ALCOHOL AND OTHER DRUG USE/ABUSE**

### **Philosophy**

The Dickinson Public Schools shall strive to provide a learning environment that is safe, drug free, and conducive to learning. This policy is designed to help eradicate the influence of drugs and alcohol within the school environment, promote awareness and health, and protect students in the school environment by imposing consequences for drug and alcohol related violations.

### **Prohibited Activities**

It shall be against school policy for any student to:

1. Sell, deliver, or give, or attempt to sell, deliver, or give to any person any of the substances listed in this policy or sell, deliver, or give, or attempt to sell, deliver, or give to any person substances the student represents or believes to be a substance(s) listed in this policy.
2. Possess, procure, purchase, or receive, or to attempt to possess, procure, purchase or receive the substances listed in this policy or what is represented by or to the student to be any of the substances listed in this policy or what the student

believes is any of the substances in this policy. A student will be determined to be "in possession" when the substance is on the student's person or in the student's locker, car, handbag, or when s/he owns it completely or partially.

3. Be under the influence of (legal intoxication not required), use, consume or attempt to use or consume the substances listed in this policy or what is represented by or to the student to be any of the substances listed in this policy or what the student believes is any of the substances in this policy.
4. Knowingly or intentionally aiding or abetting in any of the above activities.

This policy applies to any student who is on school property, who is in attendance at school or at a school-sponsored activity or whose off-campus conduct is reasonably predicted to substantially disrupt the operations of the school district, District safety, or welfare of students or employees.

#### **Prohibited Substances**

1. Alcohol **powdered alcohol**, or any alcoholic beverage;
2. Any controlled substance or dangerous drug as defined by NDCC Sections 19-03.1-05 through 19-03.1-13 and 19-03.1-26 (paraphernalia) or as defined by Section 812, Schedules I-V, of Title 21, United States Code, Section 801, et seq., including but not limited to marijuana, any narcotic drug, any hallucinogen, any stimulant or depressant, and all other illicit drugs;
3. Any glue, aerosol paint, or any other chemical substance used for inhalation;
4. Any prescription or non-prescription drug, medicine, vitamin or other chemical including, but not limited to aspirin, other pain relievers, stimulants, diet pills, multiple or other type vitamins, pep pills, "no-doze" pills, cough medicines and syrups, cold medicines, laxatives, stomach or digestive remedies, depressants, sports or muscle-building supplements, and sleeping pills not administered and/or taken with appropriate consent and authorization from parents, guardians, school administration, and, if applicable, a health care provider.

The District has a separate policy dealing with tobacco use.

#### **Reporting Violations**

A student or staff member that has reason to believe that a student has violated this policy should notify a school official (i.e., a teacher or administrator if the reporter is a student; a school administrator if the reporter is a District staff member). Except in limited circumstances under law, a teacher is required to report known or suspected violations of this policy to the school principal.

#### **Violation**

When a principal/Superintendent has reasonable suspicion that a student has violated this policy, s/he may search the student in accordance with the District's policy on searches of students' personal property.

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

Disciplinary sanctions will be imposed on, and additional actions may be taken (as listed below) in response to, any violation of this policy. These sanctions may include suspension or expulsion, intervention (as described below), and notification of proper authorities for prosecution. Prohibited substances will be confiscated and illegal substances will be turned over to law enforcement authorities.

Any student who is observed to be under the influence of a prohibited substance will be taken immediately to the principal's office. The student's parent(s) or guardians will be notified and asked to pick up the student. If there appears to be imminent danger to other students, school personnel, and/or the student involved, the principal may have the student removed from the school by school, medical, or law enforcement personnel.

#### **Intervention**

It is acknowledged that the public school has neither the authority nor the responsibility to make medical or health determinations regarding chemical dependency; however, when observed behavior indicates that a problem exists which may affect the student's ability to learn or the educational climate of the school, the school has a right and a responsibility to refer the student for a formal chemical dependency diagnosis. The Superintendent shall develop a procedure for chemical dependency identification and referral for treatment.

Referral for treatment shall be a constructive not punitive action; however, use of the treatment program shall not override or prohibit the District from taking disciplinary action for violations of this policy.

The school will make a reasonable effort to cooperate with a therapy program if one is recommended for the student. The Board believes that if a student is involved in a chemical dependency program and is successfully addressing his/her harmful involvement with chemicals, s/he may continue in the regular school setting and continue to participate in any extracurricular program unless participation is in conflict with rules and regulations set forth by the Board and the North Dakota High School Activities Association and/or the student has been suspended or expelled as a result of a District policy violation.

The school may, through the use of available resources, provide follow-up counseling and supportive assistance to those students who return after successfully completing a therapeutic regimen, realizing that the student may need assistance in dealing with other environmental factors beyond the school's control which may remain unchanged.

### **Confidentiality**

The District shall maintain the confidentiality of students referred for counseling and chemical dependency treatment in accordance with the District's policy on counseling records.

### **Education**

The District will teach about drugs and alcohol in an age appropriate developmentally based education and prevention program ~~in every grade in accordance with law.~~ This program will include information about drug and alcohol counseling and rehabilitation programs available to the students

In addition, the District will conduct staff orientation and training on drug and alcohol prevention, including a periodic overview of this policy and its procedures for implementation. ~~The District will also provide parent and community education on the topic of drug and alcohol prevention.~~

### **Policy Implementation**

Student handbooks shall contain a statement of sanctions required concerning the possession, use, or distribution of drugs and/or alcohol.

The Dickinson Public Schools will review this policy and its implementation periodically to ensure that disciplinary sanctions are consistently applied and to determine the effectiveness of the program for the prevention of alcohol and other drug use/abuse.

### **Board Policy ABBA--NORTH DAKOTA'S COMPREHENSIVE MODEL SCHOOL POLICY FOR TOBACCO USE**

#### **Definitions**

For purposes of this policy, *tobacco* is defined to include any product that contains tobacco, is manufactured from tobacco, or contains nicotine, cigarettes, electronic smoking devices, or other smoking devices. This excludes any FDA-approved nicotine replacement therapy.

#### **Rationale for Regulating Possession and Use**

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

1. Reduce the high incidence of tobacco use in North Dakota.
2. Protect the health and safety of all students, employees, and the general public.
3. Set a non-tobacco-use example by adults.

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

#### **Use and Possession Prohibitions**

1. **Students:** Possession and/or use of tobacco products by students on District property, in District vehicles, and at school-sponsored events (whether on or off District property) is prohibited at all times.
2. **Staff/Visitors:** The use of tobacco products by all school employees and visitors on District property, in District vehicles, and at school-sponsored events (whether on or off District property) is prohibited.

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

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

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

#### **Communicating to Students, Staff, and Public**

This policy will be printed in employee and the student handbooks. The District shall comply with all smoking prohibition posting requirements in NDCC 23-12-10.4

#### **Responsibility for Violations**

All individuals on the District's premises share in the responsibility for adhering to and enforcing this policy. The Superintendent shall develop regulations for the enforcement and implementation of this policy.

#### **Tobacco Cessation Services**

Individuals requesting assistance with tobacco cessation services will be referred to NDQuits, the North Dakota Department of Health multi-media tobacco cessation program.

### **Board Policy FFB--ATTENDANCE AND ABSENCES**

North Dakota law contains compulsory attendance requirements. In order to comply with and enforce these requirements, the Board establishes the following attendance policy.



## Section I: Definitions

- A. For purposes of compulsory attendance reporting under NDCC 15.1-20-02.1 (1-2):
- *Excused absence* is an absence that the District will not use in determining if a compulsory attendance violation occurred. Any absence may be excused if it is supported by either a verbal or written excuse supplied by the student's parent or guardian, teacher, or school administrator.
  - *Unexcused absence* is any absence not supported by the verbal or written excuse required for an excused absence.
- B. For the purposes of taking disciplinary sanctions under Section III this policy as authorized by NDCC 15.1-20-02.1(3):
- *Approved absence* is an absence that the District believes is necessary and/or unavoidable and has received administrative approval. Necessary and/or unavoidable absences may be caused by illness, injury, family emergency, religious observance or instruction, suspension, participation in a school-related activity, court appearances when subpoenaed, or other reasons deemed necessary and/or unavoidable by the building principal or Superintendent. Students granted approved absences shall not be subject to the consequences contained in Section III of this policy. The Superintendent or designee shall develop criteria for requesting and granting an approved absence and shall establish make-up work requirements.
  - *Unapproved absence* is defined as an absence that does not meet the above criteria for approved absences. If a student is absent for an unapproved reason, the parent(s) or guardians shall still be responsible for calling the principal's office to explain the absence, and the student will be subject to the consequences contained in Section III of this policy.

## Section II: Documentation Requirements

School administration may require applicable documentation to verify an excused or approved absence, including, but not limited to:

1. Medical documentation from an appropriate licensed healthcare provider;
2. A copy of a court summons or subpoena;
3. An obituary for funeral leave;
4. Verification of planned or executed family travel (e.g., a boarding pass);
5. A request from an official at the student's place of worship;
6. A request for an absence due to a curricular or extracurricular event submitted by the student's teacher, coach, or extracurricular advisor.

## Section III: Accumulated Unapproved Absence

The Board believes that unapproved absences are a form of misconduct and authorizes the Superintendent to establish grade-appropriate the disciplinary consequences. Students will be afforded appropriate due process rights based on the severity of disciplinary penalty that the District is considering imposing. Students shall be required to complete make-up work in accordance with administrative regulations or will receive no credit for incomplete work.

## Compulsory Attendance Violations

North Dakota law defines what constitutes a compulsory attendance violation. Suspected violations of the compulsory attendance law shall be reported to school administration and investigated in accordance with law. When a compulsory attendance violation is substantiated, the District shall comply with law enforcement reporting requirements under law.

## Board Policy FFE--EXTRACURRICULAR PARTICIPATION REQUIREMENTS

### Philosophy

The Board believes that participation in extracurricular activities constitutes a privilege and not a right. Students who participate in extracurricular activities represent the student body, school district, and community on the state and national level. As such, behavior of these students is a reflection of the entire community.

The District will enforce the requirements placed on extracurricular participants by the North Dakota High School Activities Association (NDHSAA), which govern both on and off campus behavior. In addition, the Board has established additional extracurricular participation requirements via a Dickinson Public Schools Code of Conduct policy found in the Dickinson Middle School and Dickinson High School student handbooks.

### Activities Affected by this Policy

Activities affected by this policy shall include extracurricular activities as listed in the student handbook, including those not sponsored by NDHSAA.

### Academics

NDHSAA requires that local Districts establish a definition of what constitutes a failing grade. For the purposes of this policy, a failing grade is defined as receiving a letter grade of F in any curricular course as computed from the beginning of the semester for regular education students or, in the case of special education students, not meeting the goals of Individual Education Programs as assessed from the beginning of the semester.

### Suspension Procedure

When the principal or Superintendent, as a result of his/her investigation, concludes that a violation of this policy or NDHSAA bylaws has occurred, he/she shall notify the student of this suspension.

#### **Violation of Other Misconduct Policies**

Students who violate student conduct policies not covered by NDHSAA bylaws may be subject to suspension from extracurricular activities for a period of time determined by coaches/advisors and administration. Such consequences shall be imposed in addition to other disciplinary consequences imposed under the applicable policy.

When the administration deems suspension from extracurricular participation necessary, he/she shall follow the procedure for suspension from extracurricular participation required by NDHSAA bylaws and Dickinson Public Schools Code of Conduct policy.

#### **Board Policy FG--STUDENT RIGHTS AND RESPONSIBILITIES**

The Board affirms those legal rights of students that are guaranteed under the federal and state constitutions and statutes. The Board reminds students that rights also are accompanied by responsibilities.

These rights and responsibilities include:

1. Civil rights, including the rights to equal educational opportunity and freedom from illegal discrimination; the responsibility not to discriminate against others.
2. The right to attend free public schools; the responsibility to attend school as required by law and to observe school rules and regulations essential for permitting others to learn at school.
3. The right to due process of the law with respect to expulsion, searches and seizures, or administrative decisions that the student believes have injured his/her rights.
4. The right to free inquiry and expression; responsibility to observe reasonable rules regarding these rights. Students may exercise their right to freedom of expression through speech, assembly, petition, and other lawful means. The exercise of this right may not interfere with the rights of others. Freedom of expression may not be utilized to present material that is vulgar, slanderous, defames character, advocates violation of law or is in violation of District policy.

The Superintendent shall ensure that students are made aware of the legal authority of the Board and the delegated authority of the staff to make rules and regulations regarding the orderly operation of the school, which uphold the legal rights of students.

#### **Board Policy FGCA--SEARCHES OF LOCKERS**

The District retains ownership and control of all lockers. Access to all lockers is a legal right of school officials whose responsibility it is to protect the health, safety, and welfare of all students enrolled. Students shall have no reasonable expectation of privacy when using lockers. Student shall be given advanced notice of this policy through student handbooks or another form of notification.

Lockers may be subject to suspicionless searches, inspections for purposes such as routine maintenance, or searches where there is suspicion that locker(s) contain objects/substances that are illegal, violate school policy, or may be detrimental to the health, safety, or welfare of District students.

#### **Search Procedure**

When a locker is subject to a search, the principal/Superintendent should be accompanied by at least one other school staff member. Student's personal items stored in lockers such as, but not limited to, book bags, purses, and coats shall not be searched unless there exists reasonable suspicion that they contain an object(s) or substance(s) in violation of school rules/policy, the law, or which may be detrimental to the health, safety, or welfare of enrolled students.

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

#### **Use of Trained Dogs and Involvement of Law Enforcement**

Trained dogs may be used to smell the outside of lockers. If the dog detects the possibility of objects/substances that are illegal or violate school policy, the principal/Superintendent shall search the locker in accordance with the search procedure above.

In the event a police officer or other law enforcement officer is to conduct a search of a student's locker, probable cause is necessary unless the search is school-initiated and would pose a safety threat if conducted by school staff.

Illegal substances found in lockers may be turned over to proper authorities.

#### **Board Policy FGCB--SEARCHES OF STUDENTS AND STUDENTS' PERSONAL PROPERTY**

A search of a student's personal property or clothing shall only be undertaken when there is a reasonable suspicion that the student is concealing an object(s) or substance(s) in violation of school rules/policy, the law, or which may be detrimental to the health, safety, or welfare of enrolled students. The building principal or Superintendent must authorize all searches.

When the principal/Superintendent has reasonable suspicion that one or more students are carrying a prohibited object, article, or substance or are otherwise in possession of a prohibited object, article, or substance on school property or at a school-sponsored event, all personal property belonging to the suspected student(s) may be subject to inspection. When determining the scope of a search, the principal/Superintendent shall ensure that any measures adopted are reasonably related to the object of the search and not excessively intrusive in light of the age and sex of the student.

### **Search Procedure**

For the purposes of this policy, personal property includes, but is not limited to, a student's vehicle, backpack, book bag, and/or purse. Students may also be asked to empty their pockets; however, strip searches shall not be conducted.

Searches of persons should be conducted in private by a school employee of the same sex as the student with a school employee present as a witness.

### **Searches of Vehicles**

The principal or designee shall conduct searches of student vehicles if the vehicle is parked on school property and reasonable suspicion exists with a witness present. The principal shall make a reasonable attempt to contact the student who owns the vehicle and ensure he/she is present during the inspection unless an emergency situation is deemed to exist. If a vehicle is locked and its owner cannot be contacted or refuses to open it, the principal shall contact law enforcement.

### **Involvement of Law Enforcement**

The principal/Superintendent may request the assistance of law enforcement to conduct any portion of a school-initiated search of a student/student's personal property that would pose a safety threat if conducted by school staff. In all other cases, law enforcement must have probable cause in order to search a student/student's personal property.

Illegal substances found during searches of students/students' personal property may be turned over to proper authorities.

### **Reporting Requirements**

The administrator who authorized the search shall notify the Superintendent whenever a search has been conducted and shall complete a search and seizure report form to be retained in the suspected student's educational record.

### **Board Policy GCAA--GRADE PROMOTION, RETENTION, AND ACCELERATION**

The Dickinson Public School District is committed to fostering the continuous educational and personal growth of its students. Student progress shall be continually evaluated based on state and local achievement standards, course content standards, and education goals and objectives as established by administration and the teaching staff.

The Board recognizes that at every grade level there are differences among students in their intellectual and personal development and that individual students may be more proficient in some content areas than in others. Therefore, assignment of a student to a grade level shall be based on the best educational interest of the student, which shall be determined by using the criteria established below.

### **Criteria for Determining Promotion and Retention**

The decision to promote or retain a student shall be based on at least the following criteria:

1. Whether the student has completed course requirements at the presently assigned grade;
2. Whether the student demonstrates proficiency in enough course content areas to warrant promotion;
3. Whether the student has sufficiently met achievement standards and other educational goals/objectives established for the student's current grade level.
4. Whether the student demonstrates the degree of social, emotional, and physical maturation necessary for successful learning experiences in the next grade level.
5. The decision to promote or retain a special education student shall be made by the Individual Education Program (IEP) team in accordance with applicable law.

Under no circumstances shall a student be retained for the sole purpose of improving the student's ability to participate in the District's athletic program.

Procedures for promoting and retaining students shall be developed by the Superintendent and delineated in administrative regulations.

### **Acceleration**

The Superintendent shall develop grade acceleration criteria and approval/denial procedures, which shall be delineated in administrative regulations.

### **Board Policy ABCA--COPYRIGHTED MATERIAL AND INTELLECTUAL PROPERTY**

#### **Copyright Prohibitions**

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

#### **Compliance**

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

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

**Intellectual Property**

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

The Board authorizes the Superintendent to sell “work made for hire” products to other school systems, organizations, or commercial firms in accordance with the District’s sale of school property policy.

**Violations**

Administration shall investigate all complaints of alleged copyright violations.

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

# DMS Class Schedules

## 6th Regular Schedule

8:10 - 9:00	Period 1	
9:03 - 9:53	Period 2	
9:56 - 10:46	Period 3	
10:46 - 11:36	Period 4	6th Lunch
11:39 - 12:26	Period 5	
12:29 - 1:19	Period 6	
1:22 - 2:12	Period 7	
2:15 - 3:05	Period 8	
3:08 - 3:35	Homebase	

## 6th Schedule B

1:30 Dismissal Schedule-- 36 min. classes

8:10 - 8:46	Period 1	
8:49 - 9:25	Period 2	
9:28 - 10:04	Period 3	
10:07 - 10:43	Period 5	
10:46 - 11:36	Period 4	6th Lunch
11:39 - 12:15	Period 6	
12:18 - 12:54	Period 7	
12:57 - 1:30	Period 8	

## 7th Regular Schedule

8:10 - 9:00	Period 1	
9:03 - 9:53	Period 2	
9:56 - 10:46	Period 3	
10:49 - 11:39	Period 4	
11:42 - 12:32	Period 5	
12:32 - 1:22	Period 6	7th Lunch
1:25 - 2:12	Period 7	
2:15 - 3:05	Period 8	
3:08 - 3:35	Homebase	

## 7th Schedule B

1:30 Dismissal Schedule-- 36 min. classes

8:10 - 8:46	Period 1	
8:49 - 9:25	Period 2	
9:28 - 10:04	Period 3	
10:07 - 10:43	Period 4	
10:46 - 11:22	Period 5	
11:25 - 12:15	Period 7	
12:18 - 12:54	Period 6	7th Lunch
12:57 - 1:30	Period 8	

## 8th Regular Schedule

8:10 - 9:00	Period 1	
9:03 - 9:53	Period 2	
9:56 - 10:46	Period 3	
10:49 - 11:39	Period 4	
11:39 - 12:29	Period 5	8th Lunch
12:32 - 1:19	Period 6	
1:22 - 2:12	Period 7	
2:55 - 3:05	Period 8	
3:08 - 3:35	Homebase	

## 8th Schedule B

1:30 Dismissal Schedule-- 36 min. classes

8:10 - 8:46	Period 1	
8:49 - 9:25	Period 2	
9:28 - 10:04	Period 3	
10:07 - 10:43	Period 4	
10:46 - 11:22	Period 6	
11:25 - 12:15	Period 5	8th Lunch
12:18 - 12:54	Period 7	
12:57 - 1:30	Period 8	

# DMS Class Schedules

## 6th Schedule C Afternoon--Assembly

8:10 - 9:00	Period 1	
9:03 - 9:53	Period 2	
9:56 - 10:46	Period 3	
10:46 - 11:36	Period 4	6th Lunch
11:36 - 12:26	Period 5	
12:29 - 1:19	Period 6	
1:22 - 2:12	Period 7	
2:15 - 3:00	Assembly	
3:03 - 3:35	Period 8	

## 2017 - 2018 School Terms

Quarter 1	8/21/2017 –10/30/2017
Quarter 2	10/31/2017-- 1/14/2018
	<i>Semester 1 End</i>
Quarter 3	1/15/2018 – 3/19/18
Quarter 4	3/20/2018—5/24/2018
	<i>Semester 2 End</i>

## 7th Schedule C Afternoon--Assembly

8:10- 9:00	Period 1	
9:03 - 9:53	Period 2	
9:56 - 10:46	Period 3	
10:49 - 11:39	Period 4	
11:42 - 12:32	Period 5	
12:32 - 1:22	Period 6	7th Lunch
1:22 - 2:12	Period 7	
2:13 - 2:55	Assembly	
2: 58- 3:35	Period 8	

## 2017 - 2018 School Terms

Quintmester 1	8/24/2017 –10/13/2017
Quintmester 2	10/16/2016 -- 11/30/2017
Quintmester 3	12/01/2017 – 1/31/2018
Quintmester 4	2/01/2018—3/24/2018
Quintmester 5	3/25/2018—5/23/2018

## 7th Schedule C Afternoon--Assembly

8:10- 9:00	Period 1	
9:03 - 9:53	Period 2	
9:56 - 10:46	Period 3	
10:49 - 11:39	Period 4	
11:39 - 12:29	Period 5	8th Lunch
12:29 - 1:14	Assembly	
1:17 - 2:01	Period 6	
2:04 - 2:48	Period 7	
2: 51- 3:35	Period 8	

# 2017-2018 School Calendar

July 2017						
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

January 2018 = 21 days						
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

January 1 - New Year's Day Holiday  
 January 15 - Martin Luther King Day Observed

August 2017 = 6 Days						
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Quarterly Grading Periods	
August 24-October 27	1st Quarter (43 days)
October 30-January 12	2nd Quarter (43 days)
January 16-March 20	3rd Quarter (44 days)
March 21-May 23	4th Quarter (43 days)

February 2018 = 19 days						
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29			

February 19 - Presidents' Day Observed

September 2017 = 20 days						
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

September 4 - Labor Day Observed

Inservice (No School).....	Aug. 21-23
First Day of School.....	Aug. 24
Labor Day (No School).....	Sept. 4
Inservice (No School).....	Oct. 9
Instructional Conference (No School).....	Oct. 19 & 20
Veterans Day Observed (No School).....	Nov. 10
Thanksgiving (No School).....	Nov. 23
No School.....	Nov. 24
Storm Makeup Day or Christmas Break Begins.....	Dec. 22
School Resumes.....	Jan. 2
Inservice/Martin Luther King Day (No School).....	Jan. 15
Presidents' Day Observed (No School).....	Feb. 19
Parent/Teacher Conf Comp Day (No School).....	March 2
Storm Makeup Day.....	March 29
Good Friday (No School).....	March 30
Parent/Teacher Conf Comp Day (No School).....	April 2
Last Day of School.....	May 23
Storm Makeup Day.....	May 24
Graduation.....	May 27

March 2018 = 19 days						
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

March 1, 2, & 3 - WDA Basketball Tournaments  
 March 30 - Good Friday Observed

October 2017 = 19 days						
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

October 19 & 20th - Instructional Convention

**Early Release Dates for Students (1:30 p.m. release)**  
 \*These Wednesdays: September 27, December 6, January 31, and March 14

April 2018 = 20 days						
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

November 2017 = 19 days						
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

November 10 - Veterans Day Holiday Observed  
 November 23 - Thanksgiving Day






Student/Teacher Contact Days.....	175 days
Inservice Days.....	4 days
Parent/Teacher Conference Compensatory days (March 2 & April 2).....	2 days
Holidays - Veterans Day (Nov. 10), Thanksgiving (Nov. 23) & Good Friday (March 30).....	3 days
Instructional Convention (Oct. 19 & 20th)	
Teacher Work Day (August or May or Combo).....	1 day
<b>Total Days.....</b>	<b>185 days</b>

May 2018 = 17 days						
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

May 28 - Memorial Day Observed

December 2017 = 15 days						
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

See Individual Student Handbook for Parent/Teacher Conference Schedules

-  Student Contact Days
-  Parent/Teacher Conf. Comp Days
-  Prof. Dev. Days
-  Storm Days
-  Teacher Work Day
-  Holidays

June 2018						
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Approved by Dickinson Public School Board on 01/25/2017