



Dickinson
MiddleSchool

Growing minds.
Building community.

Dickinson Middle School Student Handbook 2023-2024

Welcome to Dickinson Middle School (DMS) where our vision is *Success for All*. Our brand is *Growing Minds, Building Community*. This brand along with our nine beliefs listed below, drive all decisions that are made at DMS.

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Dear DMS Families,

Welcome to Dickinson Middle School (DMS) where our vision is *Success for All*. Our brand is *Growing Minds Building Community*. This brand along with our nine beliefs listed below, drive all decisions that are made at DMS.

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
- In Engaging Families in the Student's Learning Process

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 learners. Our schedule is supported with a wide range of interventions and extensions. If a student is struggling academically or socially, we have courses or programs to support them. Likewise, students who are excelling will find a course to challenge their abilities.

Our teachers have spent countless hours prioritizing standards and creating scales to identify specific needs and create a rigorous personalized learning experience for each student. The structure of our school is also designed with discovery spaces and operable walls, making it easy to provide alternative learning environments.

The adolescent years are a time of self-discovery and belongingness. We believe in offering a variety of elective options for students to give them an opportunity to explore a wide range of interests. At DMS, we recognize the importance of learners feeling safe and having a sense of belonging in order to academically succeed. DMS was specifically created to allow for small communities to be built within a larger school.

At DMS, teachers integrate opportunities for all types of learners to work on those skills identified as important to future employers. When DMS developed the PEAK rubric, it utilized the Profile of a Graduate developed by the state of North Dakota and the North Dakota Learning Continuum. We understand that these social and behavioral skills are just as important as the academic rigor.

We are excited to work with learners and families as they embark on their middle school journey.

Sincerely,

Cassie Francis

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SCHOOL ATTENDANCE

ARRIVAL AT SCHOOL

The school building will open at 7:35 a.m. Students who arrive at school and enter the building prior to 8 a.m. must report to their designated spot (see map below) and will be released to go to their Advisory Period by 8 a.m. Any student not in Advisory Period by 8:05 a.m. is considered tardy and must report to the office when they arrive at school. Schools' doors are locked beginning at 8:10 a.m. so any students arriving late will need to be buzzed in from the office. Students will not be supervised prior to 7:35 a.m. Students arriving by bus will be dropped off approximately between 7:45 a.m. and 7:55 a.m.

DEPARTURE FROM SCHOOL

Students will be released from classes no later than 3:15 p.m. The release will be staggered by grade level. Students are to exit campus immediately upon dismissal. Students designated to ride the bus will need to board their bus immediately for a timely departure from school grounds. Buses will depart no more than 10 minutes after dismissal.



EMERGENCY CLOSING PROCEDURE

During inclement weather, parents/guardians are requested not to telephone the school office or the Central Administration Offices. Too many calls tie up vital phone lines, making it difficult to keep everything running smoothly. The automated message system from SwiftK12 will be activated should weather conditions warrant the closing of schools or early dismissal. It will send a message as per the parent's/guardian's personal preference selected in PowerSchool (automated telephone call, email, and/or text message system). Telephone messages from SwiftK12 will show as caller ID 701-456-0002, text from 995-38, and an email will be generated.

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.

HEALTH GUIDELINES

The Dickinson Public School District will monitor the coronavirus cases in the County, receive guidance from the State and County Health Officials, and follow guidelines specified by the Centers for Disease Control (CDC) for safe schools during a pandemic and develop protocols consistent with the guidelines of the CDC and health officials.

ABSENCES

NOTIFYING THE SCHOOL

When a student is going to be absent, a parent or guardian 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 Press 1.**

TARDIES

A tardy is defined as not being at the correct workstation to begin class at 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:

- Lunch detention will be given for each unexcused tardy and if a student fails to complete lunch detentions, other consequences may be given at the principal's discretion.
- Habitual tardiness will be treated as insubordination and may result in referral to an outside agency.

ATTENDANCE POLICY

Regular school attendance is vital to the academic success of students. Dickinson Middle School uses multiple preventative and early intervention services to help encourage regular school attendance. 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. Dickinson Middle School also utilizes a universal screening process with multiple data points to identify students who are at risk. When attendance appears to be impacting the education of a student, the staff at Dickinson Middle School will collaborate with families to come up with solutions.

E = Excused Absence
U = Unexcused Absence
AS = Alternate Setting
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 or parent communication has been provided for the absence.

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

Principal approval will be granted for family-related absences. Family-related absences include weddings, vacation, funerals, family excused by a doctor, a medical appointment, emergencies, and legal/court requirements. Parent(s) or guardian(s) are responsible to communicate these activities with the school and submit an called/reported to the main office, or principal.

Absence Request form available at the front office. Upon submission, the principal may approve or deny the request. approval (at their discretion). School sponsored activities are not counted as absences.

- 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 guardian(s) in extreme circumstances such as major illness.

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 guardian(s) are required to call the school and notify them when they will be picking their child up. The office will have the student ready and when the parent arrives in the parent loading zone, they will call the school and the student will be sent out to the parent. 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 guardian(s) 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 guardian(s) 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. All missed work is required to be made up. Parent(s) or guardian(s) can request the assignments from the main office. Teachers are allowed 24 hours to turn the assignments into the office.

PHYSICAL EDUCATION PARTICIPATION EXCUSES

Physical education is required. If it is necessary for a student to be excused from physical education for one school day, even though he/she is in school, the student must have a note from their parent(s) or guardian(s). Excuses that extend longer than one school day must be according to doctor's orders. Please submit documentation to the front office prior to the student's PE class that day.

CHANGING PROGRAM

The Changing Program has been incorporated into the health program providing information about the physical and emotional changes children are or will be experiencing during puberty (Grades 5-6). This program includes parental meetings.

BREAKFAST AND HOT LUNCH PROGRAM

BREAKFAST SCHEDULE

All students may participate in the breakfast program by depositing money into My School Bucks. Breakfast will be served each day from 7:45a.m.-8:00 a.m.

LUNCH SCHEDULE

All students may participate in the hot lunch program by purchasing a meal ticket by depositing money into My School Bucks. The scheduled time for lunch will depend on the student's grade level. DMS will also be piloting a grab and go cold lunch option on some days for students.

MEAL ACCOUNTS

Students will be issued one meal account number that will remain the same from one year to another. Deposits to the student's lunch account can be made online through My School Bucks from our school's website, <http://www.dms.dickinson.k12.nd.us/>. Parent(s) or guardian(s) will receive an email notification regarding their students' account balance. The school will call parent(s) or guardian(s) when there is an excessive negative account balance.

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 3:15 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 guardian(s). The student will only be released to his/her guardian after the principal approves the request and the parent(s) or guardian(s) sign them out in the school office.

BRINGING COLD LUNCHESES Students may bring cold lunch which will be eaten in the lunchroom. Cold lunches should be a well-balanced, nutritional lunch. DMS is a nut conscious school. Any nut products packed in a cold lunch must be eaten at a designated nut table. Students are not permitted to have food delivered via DoorDash or other food delivery methods.

GENERAL POLICIES AND PROCEDURES

BACKPACKS

Each student will need to bring a school appropriate backpack that can contain all the items necessary for success during the school day. Lockers will be assigned and utilized mostly during colder seasons. **Students will remain in possession of their own backpack throughout the school day, unless it is stored in their locker. Shared backpacks are NOT allowed.**

The school is not responsible for articles lost in the building. Therefore, nothing of great value should be kept in your backpack or locker. Access to all backpacks and 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 guardian(s) only. The student must obtain permission before using the office phone. Students are not to contact their parent with their own cell phone during the day unless they have been given permission by a staff member.

CELLULAR PHONES AND OTHER ELECTRONIC DEVICES

Students are not allowed to use cellular phones, airpods/wireless earbuds, and other personal electronic devices at DMS during regular school hours. They need to be stored in the student's backpack or locker. Smart watches are only to be used to tell time. The first-time items are discovered or misused during school hours, they will be checked in at the front office and returned to the student at the end of the day.

If a student's phone or other electronic device is held more than one time in the office, parent(s) or guardian(s) will need to sign and pick up the cell phone or electronic device after school from the office before 3:30 p.m. Electronic devices can be authorized for students to use for educational purposes as defined by the classroom teacher's established rules and following prior approval by the building principal. Students are not to use devices in school 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. For example, a student may be required to check-in their device in the office before starting the school day or the administrator may ban the device from the building. It is strictly prohibited that students take pictures or make recordings without permission.

FIRST AID/ACCIDENTS

In the event an accident occurs within the schools, or a student or other individual becomes suddenly ill, the responsibility of the school is to

provide emergency care, notify parent or guardian, and in serious instances, summon necessary medical care.

The Superintendent will develop uniform procedures for giving first aid, arranging for necessary medical care, notifying parents, and officially reporting accidents.

The Board encourages its faculty and staff to become trained in first aid. First aid will not include treating infections or administering medicine except when special authorization for a particular student has been granted. Minor cuts and bruises may be treated.

In the event a child becomes acutely ill or is seriously injured during school hours, the school will inform the parents/guardian, who will make the decision whether to pick up the child at the school or meet the child at the hospital. If the school is unable to reach the parents or if they choose to meet the child at the hospital, the child may be transported by school personnel or by ambulance at the discretion of the principal or his/her designee. If the school is unable to reach the parents, an attempt will be made to contact the child's personal physician as designated on the student's record.

The district's policy and regulations on concussion management shall supersede any district emergency response policies/regulations when the concussion management policy/regulations are applicable.

SCHOOLGY CALENDAR/PLANNER

Teachers and students will utilize Schoology classroom and Schoology calendar to post assignments.

REMIND

Remind is the official communication platform for Dickinson Middle School. Its easy-to-use features allow communication to happen between home and school through the sending of text messages via SMS, in-app notifications, or email and phone calls. Parents can expect to receive messages from the school, teachers, and other school staff on Remind. Parents can choose if they would like to receive Remind messages via SMS, in app notifications, and/or by email. Students can expect to receive messages from the school, teachers, and other school staff on Remind.

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 or the DPS Pantry after they have been in the office for 1 month.

VISITORS

In an attempt to maximize safety, access to instructional spaces beyond the front office will be limited to students, essential employees, and to visitors essential to the instructional function or maintenance of the building. Any visitor requesting to be in the front office must be approved by an administrator.

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 3:00 p.m. Students will check out books in an online platform. Books will be delivered to the student's advisory period.

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.

SCHOOL COUNSELING

The school 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 appropriate decisions and effective adjustments as they work toward success.

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

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 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 guardian(s) to call or visit and discuss the needs and concerns of their sons or daughters. Appointments may be made during the school day.

SCHOOL SOCIAL WORK SERVICES

BEHAVIORAL HEALTH SPECIALIST

Our school provides access to behavioral health specialists, including school counselors, school social workers, and school psychologists who play an important role in supporting the academic, social, and emotional well-being of our students.

School Counselor: Our school counselor is a licensed mental health professional who provide brief solution-focused counseling and support to students in a variety of areas, including academic, career, and personal/social development. The school counselor works with students, families, and teachers to identify and address issues that may be impacting the student's academic or social success. The school counselor may provide individual or group counseling, academic, college, and career planning and other support services as needed.

School Social Worker: Our school social worker is a licensed mental health professional who specializes in providing support to students and families who may be experiencing social, emotional, or behavioral challenges. The school social worker works with students, families, and teachers to identify and address issues that may be impacting the student's academic or social success. The school social worker may provide individual, group, or family support, case management, crisis intervention, and other support services as needed.

School Psychologist: Our school psychologist is a licensed mental health professional who specializes in the assessment, educational diagnosis, and intervention of students with emotional and behavioral disorders as well as special education needs. The school psychologist works with students, families, and teachers to identify and address issues that may be impacting the student's academic or social success. The school psychologist may provide individual or group counseling, behavior management, crisis intervention, and other support services as needed.

Our school provides access to behavior health specialists, including school counselors, school social workers, and school psychologists who play an important role in supporting the academic, social, and emotional well-being of our students.

We believe that collaboration between home and school is critical to the success of our students. Our behavior health specialists work closely with families and teachers to identify and address concerns and to support students in reaching their academic and social-emotional goals.

By enrolling your child in our school, you consent to your child receiving services from our behavior health specialists. Our behavior health specialists may work with students individually or in groups to address academic, career, personal, and social-emotional needs. Services may include counseling, behavior management, crisis intervention, prevention, and other support services as needed.

We encourage families to communicate with our behavior health specialists and other school staff about any concerns or needs related to their child's well-being. Likewise, our behavior health specialists and other school staff will communicate regularly with families to provide updates on student progress and to discuss strategies for supporting student success.

If you do not wish to allow your child to receive services from our behavior health specialists, please contact the school administration in writing.

ACADEMICS – COURSE OFFERINGS

6TH GRADE REQUIRED SUBJECTS

Language Arts, Math, Social Studies, Science, Reading, Physical Education

Encore Classes: Skills for Daily Living, STEM, Computer Applications, Art, Books & Media, Music Exploration, Band , Interventions

7TH GRADE REQUIRED SUBJECTS

Language Arts, Math, Science, Geography, Physical Education, Reading Literacy

Encore Classes: Skills for Daily Living, Computer/Tech, Art, Choir, Band, Guitar, Drumming, Innovations in Technology, ImpACT, Scientific Inquiry & Design, Interventions

8TH GRADE REQUIRED SUBJECTS

Language Arts, Math, Science, History, Physical Education

Encore Classes: Skills for Daily Living, Computer/Tech, Art, Choir, Band, Guitar, Drumming, Innovations in Technology, ImpACT, Scientific Inquiry & Design, Interventions

pea FAQ

How do I sign up for classes?

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

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

Future 8th Graders: In the spring, our counselor will visit the 7th grade classrooms and go over how to register for classes. Students will bring the registration forms home to get parent(s) or guardian(s) 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 over 800 students, 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 may 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. 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.

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.

PEAK PERIOD

Each student will be enrolled in a Peak period that meets 30 minutes of the school day. This time is devoted to community building, 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 during this time as well as attend meetings

concerning school activities.

GRADING

The grading system for 8th grade 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

The grading system for 6th and 7th grade is as follows:

- 4-
- 3.5-
- 3-
- 2.5
- 2
- 1.5
- 1
- .5

Behavioral grades

At DMS we believe in the importance of distinguishing between an academic grade and a behavioral grade. We believe that the academic grade should not be a reflection of a student’s behavior. DMS has adopted a PEAK behavior grade. See the chart below. An updated grade on PEAK will be given at least twice a month. 6th and 7th grade will use PEAK behavior scores for eligibility.

4 - Exceptionally 3-Consistently 2 - Occasionally 1 - Frequently

	The student...	The student...	The student...	The student...
Prepared	<ul style="list-style-type: none"> • plans for future absences and requests learning materials. • advocates for self-academic needs. 	<ul style="list-style-type: none"> • arrives to class on time with the necessary items. • is prepared for learning once class begins. • completes tasks and assignments on time and with quality. 	<ul style="list-style-type: none"> • arrives to class with the necessary items to be successful. • needs reminders to be prepared for learning. • needs reminders to have previously assigned class tasks and assignments. 	<ul style="list-style-type: none"> • arrives to class without the necessary items to be successful. • needs to be reminded of the items needed for class or uses class time to search for items. • arrives to class without work completed.
Engaged	<ul style="list-style-type: none"> • leads student-led activities. • asks and answers higher-level questions (diagnose, apply, analyze, critique, formulate). 	<ul style="list-style-type: none"> • takes advantage of retakes. • meets classroom expectations. • uses time wisely, efficiently, and productively. • follows teacher/staff prompts and directions. • participates in activities fully. 	<ul style="list-style-type: none"> • needs reminders to stay on task. • needs directions repeated. • misuses class time. 	<ul style="list-style-type: none"> • needs reminders to stay on task. • needs directions repeated. • misuses class time.
Attitude	<ul style="list-style-type: none"> • encourages the best in others. • seizes opportunities in all situations independently • asks for feedback. 	<ul style="list-style-type: none"> • honors the learning environment/equipment. • uses appropriate body language and tone of voice. • demonstrates school-appropriate language. • demonstrates safe and appropriate behaviors in the classroom. • displays use of a Learner's Mindset. • learns from constructive feedback. 	<ul style="list-style-type: none"> • needs reminders to honor the learning environment/equipment. • needs reminders to use school-appropriate language. • needs reminders to use safe and appropriate behaviors. • disputes constructive feedback. 	<ul style="list-style-type: none"> • disrespects the learning environment/equipment. • displays inappropriate body language/tone of voice. • uses inappropriate language. • is unsafe and inappropriate in the classroom. • refuses to use a Learner's Mindset. • refuses to accept constructive

				feedback/learning opportunities.
Kindness	<ul style="list-style-type: none"> • assists others in their learning. • initiates kind activities. • initiates kind conversations . 	<ul style="list-style-type: none"> • recognizes when he/she is unkind and takes ownership. • uses kind words and actions with all peers and all staff. • demonstrates respect and empathy in class and in group work. • respects and accepts diversity (age, race, learning, gender, and sex) of all. 	<ul style="list-style-type: none"> • needs reminders to take ownership of unkind words and actions. 	<ul style="list-style-type: none"> • refuses to acknowledge unkind words and actions. • affects the learning environment in a negative way. • causes others to feel unsafe physically/emotionally. • responds to staff and/or students with disrespectful words, body language, and/or tone.

DEFICIENCY NOTICES/ MID-TERM REPORTS/ SCHOLASTIC ELIGIBILITY

Mid-term reports are available to view in PowerSchool 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 or advisory teacher. Students and parent(s) or guardian(s) may check grades by using their PowerSchool Parent and Student login at <https://dickinson.ps.state.nd.us/public/home.html> or by using their Schoology log in.

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. In 7th and 8th Grade, to participate, DMS students may not be failing more than one class. Grades are checked a minimum of two times a month to determine eligibility to participate. If a student has more than one failing grade for the week, 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. In addition, any DMS student participating on a Dickinson High School team/activity must be passing ALL classes to be academically eligible for that particular activity. In 6th Grade, to participate DMS students must maintain a 2.5 or higher in each cumulative PEAK grade. PEAK grades will be checked a minimum of two times a month. Students scoring below 2.5 will be evaluated for eligibility and for qualification for intervention. Students who are deemed to be ineligible will have PEAK grades checked weekly until they are eligible.

REPORT CARDS

Grades are always available to view in PowerSchool and Schoology. Report cards will not be printed and mailed. Parent(s) or guardian(s) may request a paper copy.

INAPPROPRIATE ACADEMIC BEHAVIOR/ACADEMIC MISCONDUCT

The following examples are considered inappropriate academic behavior/academic misconduct and are 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

Parent-teacher conferences will be held on the following dates:

- October 17th 3:30-6:30
- October 18th 3:30-6:30
- February 15th 3:30-6:30
- February 16th 3:30-6:30

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 8th grade curriculum the next school year. A student may be promoted to 9th 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

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 educational 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 (pornographic) 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 2-inches wide. Tops must completely cover the stomach/midriff area and all undergarments, including bra straps.
- Excessively baggy shorts, etc. worn at or below normal level are prohibited. Pants need to be pulled up to hip/waist level.
- Clothing deemed to show excessive skin with shorts, tears, rips. Etc. are not allowed at DMS. When standing with hands by ones side, knuckle length is a good gauge for if items are “too short”
- Chains, including chains attached to clothing and other accessories, studded jewelry, safety pins, or other items that pose a potential hazard.
- Pajama pants or onesies with an open or button fly are prohibited.
- Appropriate footwear must be worn at all times while on school campus.
- 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, physical education classes, etc.
- Sunglasses permanently tinted dark glasses, or similar items unless medically necessary.
- Hats and beanies can be worn into the building up until advisory period. Prior to entering advisory period, hats and beanies must be stored in a locker. Upon entering the building, hoods from sweatshirts/coats are to be removed. Exceptions may be granted by the administration upon request for religious reasons, medical reasons, or special events.

PROCEDURE: Teachers will be asked to view the room for dress code violations and refer students in question to the office to be checked. Students will be asked to correct dress code violations and may be provided with alternate clothing if necessary. Repeated offenses may result in additional disciplinary action 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 or the gym. Pop, sport drinks, energy drinks, and coffee are not allowed. Exceptions to this rule will be school-sponsored events. DMS encourages students to bring a leak/spill proof water bottle with them to school.

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 guardian(s), 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 guardian(s) and students can expect to be informed of infractions by phone call, email, or the use of the remind application. Parent communication is logged by DMS as well a discipline log entries. 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 guardian(s).

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. Forms of misconduct may include, but are 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 incisive to violence, where it is disruptive of the educational process; alarming act, condition or behavior.

2. Disciplinary consequences may include, but are not limited to the following:

- grounded *
- restitution;
- restorative practices;
- 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 schoolwork.

Board Policy FFD--CARRYING WEAPONS

Definitions

This policy defines the following:

- *Dangerous weapon* as defined by NDCC 62.1-01-01(1)
- *Firearm* as defined in accordance with 18 U.S.C. 921 and NDCC 62.1-01-01(3)
- *School property* is defined in NDCC 15.1-19-10 (6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by the District, and the site of any school-sponsored event or activity.

Prohibitions

Students are prohibited from knowingly possessing or transmitting on school property a firearm, dangerous weapon, or any object that is used, attempted to be used, or threatened to be used to intimidate or cause bodily harm.

Disciplinary Consequences

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

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

1. The totality of the circumstances, including the severity of the incident and the degree of endangerment of other students and staff.
2. The age and grade level of the student.
3. The prior disciplinary history of the student being expelled.
4. Relevant factors that contributed to the student's decision to possess a firearm in violation of this policy.
5. The recency and severity of prior acts resulting in suspension or expulsion.
6. Whether or not the optional provision of educational services in an alternative setting is a viable alternative to modifying the duration of the expulsion.
7. Input, if any, provided by licensed professionals (psychologists, psychiatrists, counselors) as to whether or not the expelled student would place himself/herself or others at risk by returning to the school prior to the expiration of the expulsion period.

Parents will be notified and all dangerous weapons will be confiscated and may be turned over to the student's parents or to law enforcement officials at the discretion of the administration. Firearms will be confiscated and turned over to law enforcement.

Special Education Students

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

Nonapplicable Provisions

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

A student who finds a firearm or dangerous weapon on the way to school, on or in school property, or discovers that they accidentally have a firearm or dangerous weapon in their possession shall not be considered to possess it if they turn it over to an administrator, teacher or head coach or immediately notifies an administrator, teacher, or head coach of its location.

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 guardian(s) 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 guardian(s) will be notified by phone or letter.

Board Policy FFK--SUSPENSION AND EXPULSION

Definitions

This policy defines the following:

- *School property* means all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by the school district, and the site of any school-sponsored event or activity.
- *Suspension* includes out-of-school exclusion from classes, school property, and activities.
- *Dangerous weapon* as defined by NDCC 62.1-01-01.

- *Firearm* as defined by NDCC 62.1-01-01.

Suspension/Expulsion Authority

The Board hereby delegates to the Superintendent and each principal the authority to deal with disciplinary problems in their school,

including suspension and recommendation for expulsion of a student. Suspension shall not be imposed beyond the maximum duration permitted by law.

The Board designates the Superintendent to serve as the hearing officer for expulsion hearings unless not qualified or is not available 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 School Board, the student may seek a review of the hearing officer's expulsion decision by the Board based on the record of the hearing.

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

Conduct Subject to Suspension/Expulsion

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

1. Causing or attempting to cause damage to school property or stealing or attempting to steal school property;
2. Causing or attempting to cause damage to private property or stealing or attempting to steal private property;
3. Causing or attempting to cause physical injury to another individual except in self-defense;
4. Possessing or transmitting on school property a firearm, dangerous weapon, or any object that is used, attempted to be used, or threatened to be used to intimidate or cause bodily harm.
5. Possessing, using, transmitting, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind;
6. Disobedience or defiance of proper authority;
7. Behavior that is detrimental to the welfare, safety, or morals of other students;
8. Truancy;
9. Offensive and vulgar language when it is obscene, defamatory, or inciteful to violence and disruptive of the educational process;
10. Threats of violence, bomb threats, or threats of injury to individuals or property;
11. Student behavior that is detrimental or disruptive to the educational process, as determined by the principal.

Information regarding the conduct subject to suspension or expulsion must be posted in a prominent place in each school and must be published in student handbooks.

Suspension or Expulsion of Students with Disabilities

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

The District is not required to refer a regular education student who has been suspended or expelled for violation of school rules and/or district policy for special education assessment and evaluation to determine if such a student might have a disability. A suspended regular education student is not entitled to the reinstatement of school privileges pending any assessment and evaluation that is to be made during the term of the student's suspension.

EXTRACURRICULAR ACTIVITIES

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

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

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

Marimba - Musical after school group- selected by audition

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 8th grade students, with reporters from the 6th, 7th, and 8th 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 7th and 8th 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

STUDENT COUNCIL DANCE POLICY

DMS Student Council plans and organizes several dances throughout the school year. The purpose of these activities is to promote appropriate

social skills for 6th, 7th, and 8th 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 cafeteria. 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 guardian(s) 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 guardian(s) 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(s) or guardian(s) 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 the next DMS dance 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. Students who fail to meet the attendance policy rules may also be not allowed to attend the dance.

Dickinson Public Schools Student Activities

(www.westerndakotaassociation.org)

Forward

The purpose of this section of the handbook is to provide coaches/advisors, students, parent(s) or guardian(s), 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 Dickinson Public Schools 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 13th 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 guardian(s) 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 may be found at 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 guardian(s) 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.

a. 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 middle school fee, not the high school fee.

2. Fees for club funded sports, such as 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 guardian(s) 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 guardian(s) 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. 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 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 9th 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 middle school 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 guardian(s), the coach/advisor, the school, and the community. Participants will be courteous and show respect for people and property. Poor citizenship and poor sportsmanship will be determined by coaches/advisors and school administration 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 AND 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 guardian(s).
- 11) **SOCIAL MEDIA** - Dickinson High School 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 not permissible for 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.
 - 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 difference 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 administration 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 guardian(s) 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. 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 Dickinson Public Schools 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 6th grade and cumulative through 12th 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 8th 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 7th 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 administration 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 guardian(s) will be immediately notified of the violation and penalty.

D. Activity/Athletic Scheduling Conflicts

Dickinson High School and DMS 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 inquiries 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 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 guardian(s), 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 guardian(s) 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 Administration Office if you have questions, 701-456-0002.

Board Policy FGA--STUDENT EDUCATION RECORDS AND PRIVACY

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.

Definitions

- *Directory information* is defined as personally identifiable information contained in a student education record that is generally considered **not** harmful or an invasion of privacy if disclosed and includes:
 - a. Name (first and last)
 - b. Address
 - c. Date and place of birth
 - d. Dates of attendance
 - e. Degrees, honors, and awards received
 - f. Grade level
 - g. School email address
 - h. Major field of study
 - i. Participation in officially recognized activities and sports
 - j. Student identification number if it cannot be used alone to access an educational record and is not the student's social security number
 - k. Photograph
 - l. Telephone listing
 - m. Weight and height of members of athletic teams
- *Education records* are records that are directly related to a student and are maintained by the District or by a party acting on behalf of the District. These records include but are not limited to grades, transcripts, class lists, student course schedules, health records, and student discipline files. This definition excludes law enforcement records and records in the sole possession of the maker used only as a memory aid.
- *Eligible student* means a student who has reached the age of 18.
- *FERPA* stands for the Family Educational Rights and Privacy Act.
- *Legitimate educational interest* is defined as access that is needed in order for a school official to fulfill their professional responsibility.
- *Parent* means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.
- *Permanent record* is defined as a record containing a student's name, address, phone number, record of grades, years enrolled, courses attended, and grades completed.
- *Personally Identifiable Information (PII)* includes information maintained in the student's education record that could be used alone or in combination to trace a student's identity directly or indirectly and would allow a reasonable person, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.
- *Record* means any information recorded in any way including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.
- *School official* is defined as an individual who has a legitimate educational interest in accessing student educational records and is affiliated with the District in one of the following capacities:
 - a. An individual employed by the District in an administrative, instructional, or support staff position;
 - b. School board members; or
 - c. Contractors, consultants, volunteers, service providers, or other party with whom the District has outsourced institutional services or functions for which the District would otherwise use employees; records provided to these third parties must remain directly under the District's control for purposes of maintenance and use and the third party must agree to comply with 34 C.F.R. 99.33(a). Examples include, but are not limited to, school resource officers, interns, student teachers, the District's attorney, PowerSchool, SLDS, learning management software, hot lunch tracking software, and District alert systems.

Designation and Responsibilities of Privacy Officers

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

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

1. Maintaining a list of school personnel by title who have access to student information; this list shall be provided to the Superintendent each time it is updated.
2. Submitting to the Superintendent for Board approval new requests to share student information with third-party individuals and entities other than parties to which the District reports student information under law.
3. Ensuring that access to student information is granted only to the extent there is a legitimate educational interest and in accordance with this policy and any applicable agreements.

4. Enforcing this and other applicable District confidentiality and data protection policies.
5. Providing a list of students who have opted-out of directory information to classroom teachers and other District staff who have a need to know.

Information Release Safeguards

1. Access by Parents and Eligible Students

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

- a. The District shall comply with a request by a parent or eligible student to access education records within a reasonable period of time, not to exceed 45 days after receipt of a request.
- b. The Board shall develop procedures for a parent/guardian or eligible 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 regulations and 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, they shall contact the Chief Privacy Officer. The Chief Privacy Officer shall determine if enactment of data breach response procedures contained in policy IDC and NDCC Ch. 51-30 is appropriate.

4. Information Storage and Destruction

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

5. Directory Information

The District may disclose directory information without parental or eligible student's consent if it has given parents or eligible student's a reasonable amount of time to opt-out of directory information release. Opt-out notices should be provided at the beginning of the school year and when a student otherwise enrolls in the District. These notices shall contain a reasonable deadline of at least 10 days for parents or eligible students to opt out.

The Board approves release of directory information as follows:

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

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

6. Personally Identifiable Information (PII)

Any third party requesting or receiving access to student PII must receive Board approval unless the third party is required to receive PII under state or federal law. Any school employee who wishes to share PII with a third party shall contact their building-level privacy officer. The privacy officer shall determine if the Board has previously approved such release and, if not, deny the request or submit it to the Superintendent for Board approval. Upon Board approval of any PII release request, the applicable privacy officer shall inform the requestor of any parental consent requirements 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; and
 - iii. Titles of individuals and entities considered school officials shall be included on the District's master list of individuals and entities having access to student information.
- e. To a court without a court order or subpoena when the District initiates legal action against a parent/student or a parent/student initiates legal action against the District.
- f. To accrediting bodies for purposes of accreditation.
- g. To an organization conducting a study for the District to develop, validate, or administer a predictive test; administer student aid programs; or improve instruction so long as the organization has entered into a written agreement with the Board in accordance with law; if the organization is conducting a survey of students, the District shall ensure parents are notified in compliance with policy GCC and shall obtain parental consent, if applicable (see #7).
- h. To another school in which the student seeks, intends to, or is already enrolled.
- i. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the U.S. Secretary of Education, and state and local educational authorities for audit or evaluation of federal or state supported education programs or for the enforcement of or compliance with federal legal requirements that relate to those programs.
- j. To comply with a judicial order or lawfully issued subpoena; the District must make reasonable attempt to contact the parent or eligible student before disclosure unless the court order instructs otherwise.
- 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 or eligible student consent to release student information under the following circumstances:

- a. The Board has approved release of PII to an individual or entity not meeting the definition of school official under law and/or not meeting an exception to the parental consent requirement under FERPA.
- b. The Board has approved release of directory information, other than or in addition to name, or PII to an online service provider for commercial purposes and the impacted students are under the age of 13.
- c. When administering a survey funded in whole or in part by the U.S. Department of Education and concerning any of the following 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; or
 - viii. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

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

504 Plans and Individual Educational Programs (IEPs)

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

Policy Violations

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

Training

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

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 guardian(s). The parent(s) or guardian(s) 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 FGA1--STUDENT EDUCATION RECORDS ACCESS AND AMENDMENT PROCEDURE

Reviewing an Educational Record

The District shall comply with a parent or eligible student's right to inspect and review the student's education records. This right will be granted using the following procedure:

1. A parent or eligible student shall make a request orally or in writing to the building principal to inspect and review the student's educational records.
2. The building principal must provide a parent or eligible student the opportunity to inspect and review the student's education records within a reasonable period of time, but not more than 45 calendar days following receipt of a request.
3. The building principal shall notify the parent or eligible student of the time and place when the student's education records may be inspected.
4. The building principal shall require the requestor to submit/show a form of state or federally issued identification to verify the identity of the requestor if the requestor is unknown to the principal.
5. The principal or designee shall be present when the parent or eligible student reviews the records.
6. If circumstances prevent a parent or eligible student from reviewing their child's or their education records at the school office, the District shall prepare and mail a copy of the records or make alternative arrangements for the parent or eligible student to inspect and review the records. Any expense incurred from copying and/or mailing records may be charged to the parent or eligible student at state rates, except as prohibited by law.

The building principal shall respond to reasonable requests for explanations and interpretations of the records in a prompt and equitable manner.

Amending an Educational Record

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

1. Any request to amend education records shall be made in writing and submitted to the building principal.
2. The principal shall review the request within a reasonable time and approve or deny it. The principal's decision shall be submitted to the parent or eligible student. If the principal denies the amendment request, they shall inform the parent or eligible student of their right to request an appeals hearing.
3. Requests for an appeals hearing shall be submitted to the Superintendent or designee. The hearing shall be held within a reasonable time after the appeal request has been made.
4. The Superintendent or designee shall provide the parent or eligible student notice of the date, time, and place, reasonably in advance of the hearing.
5. The Superintendent or designee shall serve as the hearing officer.
6. The parent or eligible student may, at their own expense, be assisted or represented by one or more individuals of their choice, including an attorney;
7. The parent or eligible student shall have a full and fair opportunity to present evidence related to the amendment request.
8. The Superintendent or designee shall make its decision in writing within a reasonable period of time after the hearing. The decision must be based solely on the evidence presented at the hearing and must include a summary of the evidence and the reasons for the decision.
9. The Superintendent's decision is final and binding.
10. If the Superintendent or designee denies the amendment request, they will notify the parent or eligible student within a reasonable time of their right to submit a written response commenting on the contested material and/or explaining the disagreement with the hearing officer's decision. This written response shall be retained and, when applicable, disseminated in accordance with law.

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

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

1. The right to have the District notify you annually of your rights (this document).
2. The right to inspect and review the student's education records within 45 days after the day the District receives a request for access.

Parents or eligible students who wish to inspect their child's or their education records should submit to the building principal or designee a written request that identifies the records they wish to inspect. The building principal or designee shall make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected in accordance with board regulation FGA-BR1.

3. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the District to amend their child's or their education records ~~a record~~ should write the building principal, clearly identify the part of the record they want changed and specify why it should be changed. If the building principal or designee decides not to amend the record as requested by the parent or eligible student, they will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

4. The right to provide written consent before the District discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent. (See complete list within 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, contractor, or consultant outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; or a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing their tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibility.

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

5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Disclosure of PII without Consent

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

1. To other school officials, as defined in #4 above, that the District has determined to have legitimate educational interests. This may include contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1));
2. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2));
3. To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational 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 District, in order to: develop, validate, or administer predictive tests; administer student aid programs; or improve instruction. (§99.31(a)(6));
7. To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
8. To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8));
9. To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9));

10. To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10));
11. Information the District has designated as “directory information” under §99.37. (§99.31(a)(11));
12. To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student’s case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student in foster care placement. (20 U.S.C. § 1232g(b)(1)(L)); or
13. To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. (20 U.S.C. § 1232g(b)(1)(K)).

Student Education Records Access and Amendment Procedure (FGA-BR1)

Reviewing an Educational Record

The District shall comply with a parent or eligible student’s right to inspect and review the student’s education records. This right will be granted using the following procedure:

1. A parent or eligible student shall make a request orally or in writing to the building principal to inspect and review the student’s educational records.
2. The building principal must provide a parent or eligible student the opportunity to inspect and review the student’s education records within a reasonable period of time, but not more than 45 calendar days following receipt of a request.
3. The building principal shall notify the parent or eligible student of the time and place when the student’s education records may be inspected.
4. The building principal shall require the requestor to submit/show a form of state or federally issued identification to verify the identity of the requestor if the requestor is unknown to the principal.
5. The principal or designee shall be present when the parent or eligible student reviews the records.
6. If circumstances prevent a parent or eligible student from reviewing their child’s or their education records at the school office, the District shall prepare and mail a copy of the records or make alternative arrangements for the parent or eligible student to inspect and review the records. Any expense incurred from copying and/or mailing the records may be charged to the parent or eligible student at state rates, except as prohibited by law.

The building principal shall respond to reasonable requests for explanations and interpretations of the records in a prompt and equitable manner.

Amending an Educational Record

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

11. Any request to amend education record shall be made in writing and submitted to the building principal.
12. The principal shall review the request within a reasonable time and approve or deny it. The principal’s decision shall be submitted to the parent or eligible student. If the principal denies the amendment request, they shall inform the parent or eligible student of their right to request an appeals hearing.
13. Requests for an appeals hearing shall be submitted to the Superintendent or designee. The hearing shall be held within a reasonable time after the appeal request has been made.
14. The Superintendent or designee shall provide the parent or eligible student notice of the date, time, and place, reasonably in advance of the hearing.
15. The Superintendent or designee shall serve as the hearing officer.
16. The parent or eligible student may, at their own expense, be assisted or represented by one or more individuals of their choice, including an attorney;
17. The parent or eligible student shall have a full and fair opportunity to present evidence related to the amendment request.
18. The Superintendent or designee shall make its decision in writing within a reasonable period of time after the hearing. The decision must be based solely on the evidence presented at the hearing and must include a summary of the evidence and the reasons for the decision.
19. The Superintendent’s decision is final and binding.
20. If the Superintendent or designee denies the amendment request, they will notify the parent or eligible student within a reasonable time of their right to submit a written response commenting on the contested material and/or explaining the disagreement with the hearing officer’s decision. This written response shall be retained and, when applicable, disseminated in accordance with law.

ADMINISTERING PRESCRIPTIVE MEDICINES

1. No prescription or nonprescription medication will be administered by school personnel unless authorized by parent(s) or guardian(s) or prescribed by a licensed prescriber and an authorization form is signed by a parent(s) or guardian(s) (Form C FCAB-E).
2. 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.

3. 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. Prescription and nonprescription medications must be hand delivered to the school personnel by the parent(s) or guardian(s).

4. School personnel will keep a separate record of administering medication, noting date, time and initials of person administering the medication.

5. The parent(s) or guardian(s) is to make the school personnel aware of any side effects and whom to notify in case of emergency. 6. Any change in type or amount of medication must be approved by parent(s) or guardian(s) and a new approval form must be signed and completed.

By law, a student who has been diagnosed with asthma or anaphylaxis may possess and self-administer emergency medication for the treatment of such conditions provided the student's parent or guardian files with the school a document that is signed by the student's physician and which:

1. Indicates that the student has been instructed in the self-administration of emergency medication for the treatment of asthma or anaphylaxis;

2. Lists the name, dosage, and frequency of all medication prescribed to the student for use in the treatment of the student's asthma or anaphylaxis; and

3. Includes guidelines for the treatment of the student in the case of an asthmatic episode or anaphylaxis.

Neither a school district nor any employee of the district is liable for civil damages incurred by a student who administers emergency medication to themselves or an individual because a student was permitted to possess emergency medication.

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(s) or guardian(s) 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.

Two doses of chicken pox vaccine are required of children attending grades K-11. One dose of the chicken pox vaccine is required for children attending grade-12. A physician signature is required for a history of disease exemption. A student must receive meningococcal, tetanus, diphtheria, and pertussis (Tdap) vaccine before being admitted into grades 7-12. Starting in 2018-2019, children are required to have a second dose of MCV4 before attending grades 11-12.

The law does allow exemptions for medical, philosophical, moral, or religious beliefs. Medical and History of Disease Exemptions require a certificate signed by a physician. 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.

If a student is not up-to-date or has not submitted an immunization record by October 1st or 30 days after enrollment if enrolled after October 1st the school is required to exclude the student until the requirements are completed.

For complete details regarding the North Dakota School Immunization Requirements, please visit the North Dakota Department of Health's website.

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

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

Definitions

- *Complainant* is the individual filing the complaint. If the complainant is not the victim of the alleged discrimination and/or harassment the victim must be afforded the same rights as the complainant under this policy and regulations AAC-BR1 or AAC-BR2.
- *Disability* is defined in accordance with NDCC 14-02.4-02 (5).
- *Discrimination* means failure to treat an individual equally due to a protected status.
- *Protected status* 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 persistent, and/or pervasive enough to create a work environment that a reasonable individual would consider intimidating, hostile, or abusive
 - b. For students, when the conduct is sufficiently severe, persistent, and/or pervasive so as to limit the student's ability to participate in or benefit from the education program or to create a hostile or abusive education environment
- *Section 504* (Section 504 of the Rehabilitation Action 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.
- *North Dakota Human Rights Act (NDCC ch. 14-02.4)* provides protection from discrimination in the workplace on the basis of race, color, religion, sex, national origin, age, the presence of any mental or physical disability, status with regards to marriage or public

assistance, or participation in lawful activity off the employer's premises during nonworking hours which is not in direct conflict with the essential business related interests of the employer.

- *Sexual harassment* is a form of harassment based on sex. It is defined under Title IX as unwelcome sexual advances, requests for sexual favors, and/or other verbal, written, or physical conduct or communication of a sexual nature, that:
 - a. Constitutes *quid pro quo* harassment, meaning submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of the basis for employment decisions or educational decisions or benefits for students (e.g., receiving a grade);
 - b. Is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
 - c. Constitutes sexual assault, dating violence, domestic violence, or stalking as those offenses are defined in the Clery Act, 20 U.S.C. § 1092(f) and the Violence Against Women Act, 34 U.S.C. § 12291(a).
- *Sexual harassment examples* include, but are not limited to, the following:
 - a. sexual or "dirty" jokes;
 - b. sexual advances;
 - c. pressure for sexual favors;
 - d. unwelcome touching, such as patting, pinching, or constant brushing against another's body;
 - e. displaying or distributing of sexually explicit drawings, pictures, and written materials;
 - f. graffiti of a sexual nature;
 - g. sexual gestures;
 - h. touching oneself sexually or talking about one's sexual activity in front of others;
 - i. spreading rumors about or rating other's sexual activity or performance;
 - j. remarks about an individual's sexual orientation; or
 - k. sexual violence including rape, sexual battery, sexual abuse, and sexual coercion.
- *Title II of the Americans with Disabilities Act* extends the prohibition on discrimination established by Section 504 to all services, programs, and activities of State and local government entities.
- *Title VI* is a federal law that provides protection from discrimination based on race, color, or national origin in employment and employment practices in programs or activities receiving federal financial assistance.
- *Title VII* is a federal law that provides protection from discrimination on the basis of race, color, religion, sex or national origin. Title VII applies to all public-school districts with 15 or more employees.
- *Title IX* is a federal law that provides protection from discrimination, based on sex, in education programs or activities that receive federal financial assistance.
- Other or different definitions may be set forth in Board regulations AAC-BR1 or AAC-BR2.

Complaint Filing Procedure

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

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

Confidentiality

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

Complaint Recipients

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

Grievance Coordinator

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

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

The Board designates the Human Resources Director as the Title IX coordinator. They may be contacted at: 444 4th Street West, Dickinson, ND 58601 or 701-456-0002. Districts must notify students, parents or legal guardians, employees, and unions of the name and specified contact information for the designated Title IX Coordinator(s). The notification must also state that inquiries about the application of Title IX and its

regulations may be directed to the District's Title IX Coordinator or the Assistant Secretary of Education, or both. Districts must prominently display the Title IX Coordinator's contact information on their website, if any, and in each handbook it makes available to students, parents or legal guardians, employees, and unions.

The 504/Title II coordinator's responsibilities include overseeing the District's response to disability discrimination reports and complaints. The 504/Title II Coordinator must have knowledge of the requirements of Section 504 and Title II of the District's policies and procedures on disability discrimination, and of all complaints raising Section 504/Title II issues throughout the District. To accomplish this, the 504/Title II Coordinator must be informed of any report or complaint raising 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 Coordinator, and the Director of Instruction as the Title II Coordinator. They may be contacted at: 444-4th Street West, Dickinson, ND 58601 or 701-456-0002.

The Nondiscrimination Coordinator's core responsibilities include overseeing the District's response to discrimination and harassment reports and complaints that do not include sex or disability under applicable federal laws, but instead the other protected statuses or sex or disability based discrimination under state law. The Board designates the Human Resource Manager as the Nondiscrimination Coordinator. They may be contacted at: 444 4th 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.

Policy Dissemination

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

Training

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

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

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

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

DISCRIMINATION, HARASSMENT, AND RETALIATION GRIEVANCE PROCEDURE (AAC-BR1)

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

Retaliation Prohibited

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

Complaint Filing Format and Deadlines

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

With Whom Complaints May be Filed

A complaint may be filed with any District employee. District employees are required to report any discrimination or harassment to the appropriate grievance coordinator (Title IX, 504, or 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). 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.

Records Retention

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

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 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 student or employee who has knowledge of a threat shall promptly report it to the building principal or Superintendent. Failure to report a known threat may result in disciplinary consequences up to and including suspension for students and termination of employment for staff in accordance with policy, law, and, when applicable, the negotiated agreement.

Threat Assessment

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

1. The detail, specificity, context, and content of the threat;
2. The amount of disruption the threat has caused or may cause to the educational environment;
3. Whether or not the Superintendent can identify the source of the threat; anonymous threats may be turned over to law enforcement;
4. When the source of the threat can be identified, the Superintendent shall consider, to the extent possible, the individual's:
 - a. State of mind;
 - b. Relationship with peers;
 - c. Age;
 - d. Domestic life;
 - e. Ability to carry out the threat (e.g., access to weapons);
 - f. Past behavior.
5. If any laws have been violated;
6. The identity and potential motives of the individual reporting the threat.

The threat assessment may involve interviews with District staff, students, and parents 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 subject to the filing of criminal charges and/or referred to counseling services for treatment.

Board Policy ACEA – BULLYING PREVENTION POLICY

The Dickinson Public School District is committed to providing all students with a safe and civil school environment in which all members are treated with dignity and respect. Bullying of or by a student or school staff member is against federal, state, and local policy and is not tolerated by the Board. Bullying behavior can seriously disrupt the ability of the district to maintain a safe and civil environment, and the ability of students to learn and succeed. Therefore, it is the policy of the state and the school district that students and school staff members shall not engage in bullying behavior while on school property.

Definitions

For the purposes of this policy:

- *Bullying* is defined in NDCC 15.1-19-17 as:

a. Conduct that occurs in a public school, on school district premises, in a district owned or leased school bus or school vehicle, or at any public school or school district sanctioned or sponsored activity or event and which:

- 1) Is so severe, pervasive, or objectively offensive that it substantially interferes with the student's educational opportunities; 2) Places the student in actual and reasonable fear of harm;
- 3) Places the student in actual and reasonable fear of damage to property of the student; or
- 4) Substantially disrupts the orderly operation of the public school; or

a. Conduct that is received by a student while the student is in a public school, on school district premises, in a district owned or leased school bus or school vehicle, or at any public school or school district sanctioned or sponsored activity or event and which:

- 1) Is so severe, pervasive, or objectively offensive that it substantially interferes with the student's educational opportunities; 2) Places the student in actual and reasonable fear of harm;
- 3) Places the student in actual and reasonable fear of damage to property of the student; or
- 4) Substantially disrupts the orderly operation of the public school.

Conduct includes the use of technology or other electronic media (e.g. cyberbullying).

- *Cyberbullying* is defined as the use of any electronic communication device to harass, intimidate, or bully a student or school staff member.

- *Electronic communication* is defined in NDCC 12.1-17-07(5) as a transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic, or photo-optical system.

- *Protected status* are classifications/characteristics protected from discrimination by NDCC 14-02.4-01 and federal law. The following statuses are protected: race, color, religion, sex, including sexual orientation, gender identity, and gender expression, national origin, age, disability (physical or mental), and status with regard to marriage or public assistance.

- *School property* is defined in NDCC 15.1-19-10(6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.

- *School-sanctioned activity* is defined as an activity that:

- a. Is not part of the District's curricular or extracurricular program; and
- b. Is established by a sponsor to serve in the absence of a District program; and
- c. Receives District support in multiple ways (i.e., not school facility use alone); and
- d. Sponsors of the activity have agreed to comply with this policy; and
- e. The District has officially recognized through Board action as a school-sanctioned activity.

- *School-sponsored activity* is an activity that the District has approved through policy or other Board action for inclusion in the District's extracurricular program and is controlled and funded primarily by the District.

- *School staff* include all employees of the 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 an intent to inflict harm.

Prohibitions

While on school property a student or school staff member 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 may have 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 them as soon as possible. If the alleged violation implicates the building principal, the school staff member shall report it to the Superintendent. If the alleged violation implicates the Superintendent, the school staff member shall 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 (ACEA-E4). The District will place the form in a variety of locations throughout the school and should inform students and staff of these locations. A complainant will have the option of including his/her name on this form or filing it anonymously. 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 their name on the form or submitting it anonymously.
 - c. File an oral report with any school staff member.

Bullying may be a repeated or, in rare cases, one-time exposure to deliberate, negative behavior by one or more individuals. Single incidents and conflicts between two or more individuals do not automatically constitute bullying behavior. Districts should investigate each situation to determine if the alleged behavior meets this policy's definition of bullying. If the misconduct does not meet this policy's definition of bullying, it may be addressed under other District policies.

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

Documentation and Retention

The District shall develop a form to report alleged violations of this policy (ACEA-E3). The form should be completed by school staff when they:

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 they:

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 involving a student shall be retained by the District for six years after a student turns 18 or graduates from high school, whichever is later. If the 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) or the Board President, if the Superintendent is implicated, are required to investigate violations of this policy (as described 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 Nondiscrimination and Anti-harassment policy (AAC), including the timelines contained therein.

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

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 perpetrator and, if applicable, implementation of victim protection measures and disciplinary measures under this or other applicable policies.

Investigations shall be completed within no more than 60 days unless the administrator documents good cause for extending this deadline. Such documentation should be sent to the victim and alleged perpetrator during the investigation.

Reporting to Law Enforcement and Others Forms of Redress

Law enforcement must be notified if an investigation by a school administrator or Board President results in reasonable suspicion that a bullying incident constituted a crime on or off school property. Nothing in this policy shall prevent a victim/their family from seeking redress under state and federal law.

Disciplinary and Corrective Measures

A student 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-school 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.
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 guardian(s) 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 policies.

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

Victim Protection Strategies

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

1. Additional training for all students and applicable staff on implementation of this policy and/or bullying prevention.
2. Notice to the victim's teachers and other staff to monitor the victim and his/her interaction with peers and/or the assignment of a staff member to escort the student between classes.
3. Assignment of District staff to monitor, more frequently, areas in the school where bullying has occurred.
4. Referral to counseling services for the victim and perpetrator.
5. Modification of the perpetrator's schedule and other appropriate measures imposed on the perpetrator (not the victim) to minimize the perpetrator's contact with the victim.

Dissemination and Education

The District shall review and revise this policy as it determines necessary. A copy of this District bullying policy and any amendments must be filed with the Department of Public Instruction.

The District shall place this policy, in its entirety, in student and staff handbooks and ensure that it is explained and discussed with its students each school year. The District shall also develop and implement bullying prevention programs for all students and staff professional development activities. School administration may develop guidelines to assist students and staff with identifying bullying conduct.

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

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

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.

Definitions

This policy defines the following:

- *Alcohol* – See Prohibited Substances.
- *Drug* – See Prohibited Substances.
- *Possession shall mean:*
 - a. Actual physical possession of the alcohol or drug while on school property;
 - b. Use or consumption of the alcohol or drug while on school property;
 - c. In the student's locker, car, handbag, backpack, or other belongings while on school property; or
 - d. Appearance by a student on school property after having consumed or ingested alcohol or a drug that is noticeable by breath odor, speech alterations, unsteadiness of gait or posture, or like symptoms of chemical intoxication.
- *Use* shall mean that a student is reasonably known to have ingested, injected, inhaled or otherwise taken into the body a prohibited substance, or is reasonably found to be under the influence of such a substance.
- *School property* is defined in NDCC 15.1-19-10 (6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.

Prohibited Substances

Prohibited substances include, but are not limited to:

1. Alcohol, powdered alcohol, or any alcoholic beverage as defined in NDCC 5-01-01;
2. Any controlled substance or dangerous drug as defined by NDCC Sections 19-03.1-05 through 19-03.1-13 and 19-03.1-26 (paraphernalia) or as defined by Section 812, Schedules I-V, of Title 21, United States Code, Section 801, et seq., including but not limited to marijuana, any narcotic drug, any hallucinogen, any stimulant or depressant, and all other illicit drugs;
3. Any glue, aerosol paint, or any other chemical substance used for inhalation;
4. Any prescription or non-prescription drug, medicine, vitamin or other chemical including, but not limited to aspirin, other pain relievers, stimulants, diet pills, multiple or other type vitamins, pep pills, "no-doze" pills, cough medicines and syrups, cold medicines, laxatives, stomach or digestive remedies, depressants, sports or muscle-building supplements, and sleeping pills not administered and/or taken with appropriate consent and authorization from parents, school administration, and, if applicable, a health care provider.

Prohibited Activities

It shall be against school policy for any student to:

1. Sell, deliver, or give, or attempt to sell, deliver, or give to any person any of the substances listed in this policy or sell, deliver, or give, or attempt to sell, deliver, or give to any person substances the student represents or believes to be a substance(s) listed in this policy.
2. Possess, procure, purchase, or receive, or to attempt to possess, procure, purchase, or receive the substances listed in this policy, or what is represented by or to the student to be any of the substances listed in this policy, or what the student believes is any of the substances listed in this policy.
3. Be under the influence of (legal intoxication not required), use, consume, or attempt to use or consume the substances listed in this policy or what is represented by or to the student to be any of the substances listed in this policy or what the student believes is any of the substances listed in this policy.
4. Knowingly or intentionally aiding or abetting in any of the above activities.

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

Reporting Violations

A student or staff member that has reason to believe that a student has violated this policy **shall** notify a school official (i.e., a teacher or administrator if the reporter is a student; a school administrator if the reporter is a district staff member). Except in limited circumstances under law,¹ 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, they may search the student in accordance with the district's policy on searches of students' person or personal property.

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

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

Intervention

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

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

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

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

Confidentiality

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

Education

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

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

Policy Implementation

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

The 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—DICKINSON PUBLIC SCHOOL DISTRICT’S POLICY FOR TOBACCO USE

Definitions

For purposes of this policy:

- *Electronic smoking device* means any product containing or delivering nicotine, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. Electronic smoking device includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, e-hookahs, mods, tank systems, Juul, Suorin, or under any other product name or descriptor. Electronic smoking device also includes any component part of a product, whether or not marketed or sold separately, including, but not limited to, e-liquids, e-juice, cartridges, or pods.
- *Imitation tobacco product* means any edible non-tobacco product designed to resemble a tobacco product, or any non-edible, non-tobacco product designed to resemble a tobacco product and intended to be used by children as a toy. Imitation tobacco product includes, but is not limited to, candy or chocolate cigarettes, bubble gum cigars, shredded bubble gum resembling chewing tobacco, pouches containing flavored substances packaged similar to snus, and shredded beef jerky in containers resembling snuff tins.
- *Lighter* means a mechanical or electrical device typically used for lighting tobacco products.
- *Possession of tobacco products* means:
 - a. Actual physical possession of the tobacco product while on school property;
 - b. Use or consumption of the tobacco product while on school property;
 - c. Tobacco product located in the student’s locker, car, handbag, backpack, or other belongings while on school property; or
 - d. Appearance by a student on school property after having consumed or ingested the tobacco product that is noticeable by breath odor.
- *Smoking* means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco, nicotine, or plant product intended for inhalation, including hookah and marijuana, whether natural or synthetic. “Smoking” also includes the use of an electronic smoking device. This excludes any FDA-approved nicotine replacement therapy.
- *School property* is defined in NDCC 15.1-19-10(6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.
- *Tobacco product* means any product containing, made, or derived from tobacco, or that contains nicotine, whether synthetic or natural, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to: a cigarette; electronic smoking device; cigar; little cigar; cheroot; stogie; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; cavendish; plug and twist tobacco; fine-cut and other chewing tobacco; shorts; snuff; snuff flour; snus; refuse scraps, clippings, cuttings, and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco product also includes any electronic smoking device.
- *Tobacco use* means smoking and the heating, inhaling, chewing, absorbing, dissolving or ingesting of any tobacco product.
- *Visitor* means any person subject to this policy that is not a District student or employee. This includes school volunteers, independent contractors, individuals performing services on behalf of the District, and individuals attending school-sponsored events or activities.

Rationale for Regulating Possession & Use

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

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

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

Prohibitions

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

District employees and visitors are prohibited from using, consuming, displaying, activating, promoting, or selling tobacco products, electronic smoking devices, imitation tobacco products, or lighters at any time on school property or at any school-sponsored event or activity.

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

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

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

Exceptions

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

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

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

Communicating to Students, Employees, and Public

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

Responsibility for Violations

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

Prevention Education

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

Tobacco Cessation Services

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

Suicide Prevention (Policy FCAE)

Definitions

This policy defines the following:

- *At risk* means a student who has made a suicide attempt, has the intent to die by suicide, or has displayed a significant change in behavior suggesting the onset or deterioration of a mental health condition. The student may have thought about suicide including potential means of death and may have a plan. In addition, the student may exhibit feelings of isolation, hopelessness, helplessness, and the inability to tolerate any more pain.
- *Mental health* means a state of mental and emotional being that can impact choices and actions that affect wellness. Mental health problems include mental, and substance use disorders.
- *Postvention* means a crisis intervention strategy designed to reduce the risk of suicide and suicide contagion, provide the support needed to help survivors cope with a suicide death, address the social stigma associated with suicide, and disseminate factual information after the suicide death of a member of the school community.
- *Risk assessment* means an evaluation of a student who may be at risk for suicide, conducted by the appropriate school staff (e.g., school psychologist, school counselor, or school social worker). This assessment is designed to elicit information regarding the student's intent to die by suicide, previous history of suicide attempts, presence of a suicide plan and its level of lethality and availability, presence of support systems, and level of hopelessness and helplessness, mental status, and other relevant risk factors.
- *Risk factors for suicide* means characteristics or conditions that increase the chance that a person may try to take his or her life. Suicide risk tends to be highest when someone has several risk factors at the same time. Risk factors may encompass biological, psychological, and or social factors in the individual, family, and environment.
- *Suicide Death* means death caused by self-directed injurious behavior with any intent to die as a result of the behavior. [*Note: The coroner's or medical examiner's office must first confirm that the death was a suicide before any school official may state this as the cause of death.*]
- *Suicide attempt* means a self-injurious behavior for which there is evidence that the person had at least some intent to kill themselves. A suicide attempt may result in death, injuries, or no injuries. A mixture of ambivalent feelings such as wish to die and desire to live is a common experience with most suicide attempts. Therefore, ambivalence is not a sign of a less serious or less dangerous suicide attempt.
- *Suicidal behavior* means suicide attempts, intentional injury to self-associated with at least some level of intent, developing a plan or strategy for suicide, gathering the means for a suicide plan, or any other overt action or thought indicating intent to end one's life.
- *Suicide contagion* means the process by which suicidal behavior, or a suicide influences an increase in the suicidal behaviors of others. Guilt, identification, and modeling are each thought to play a role in contagion. Although rare, suicide contagion can result in a cluster of suicides.
- *School property* is defined in NDCC 15.1-19-10(6)(b) is all land within the perimeter of the school site and all school buildings,

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

Purpose

The purpose of this policy is to protect the health and well-being of all District students while on school property by having procedures in place to prevent, assess the risk of, intervene in, and respond to suicide. The District:

1. Recognizes that physical, behavioral, and emotional health is an integral component of a student's educational outcomes;
2. Further recognizes that suicide is a leading cause of death among young people;
3. Has an ethical responsibility to take a proactive approach in preventing deaths by suicide; and
4. Acknowledges the school's role in providing an environment which is sensitive to individual and societal factors that place youth at greater risk for suicide, and one which helps to foster positive youth development.

Prevention

District Policy Implementation

A District Suicide Prevention Coordinator shall be designated by the Superintendent. The Dickinson Public School District Superintendent designates the Director of Student Services as its Suicide Prevention Coordinator. The District Suicide Prevention Coordinator shall be responsible for planning and coordinating implementation of this policy for the school district. Each school principal shall designate a school Suicide Prevention Coordinator to act as a point of contact in each school for issues relating to suicide prevention and policy implementation. This may be an existing staff person. All staff members must report students they believe to be at elevated risk for suicide to the school Suicide Prevention Coordinator.

Staff Professional Development

Every two years, Dickinson Public Schools shall provide a minimum of eight hours of professional development on youth behavioral health to elementary, middle, and high school teachers, and administrators. Dickinson Public Schools shall encourage ancillary and support staff to participate in the professional development. Based on the annual needs assessment of the school district, these hours must be designated from the following categories:

- a. Trauma;
- b. Social and emotional learning, including resiliency;
- c. Suicide prevention;
- d. Bullying;
- e. Understanding of the prevalence and impact of youth behavioral health wellness on family structure, education, juvenile services, law enforcement, and health care and treatment providers;
- f. Knowledge of behavioral health symptoms and risks;
- g. Awareness of referral sources and evidence-based strategies for appropriate interventions; or
- h. Other evidence-based strategies to reduce risk factors for students.
- i. Current or new evidence-based behavior prevention or mitigation techniques.

The school district shall report the professional development hours to the Department of Public Instruction using the NDDPI STARS Calendar System.

The professional development may include additional information regarding groups of students at elevated risk for suicide, including those living with mental and/ or substance use disorders, those who engage in self-harm or have attempted suicide, those in out-of-home settings, those experiencing homelessness, American Indian/Alaska Native students, LGBTQ (lesbian, gay, bisexual, transgender, and questioning) students, students bereaved by suicide, and those with medical conditions or certain types of disabilities.

Additional professional development in risk assessment and crisis intervention may be provided to school-employee mental health professionals and school nurses.

Youth Suicide Prevention Programming

Developmentally-appropriate, student-centered education materials shall be integrated into the curriculum of all K-12 health classes. The content of these age-appropriate materials may include:

1. the importance of safe and healthy choices and coping strategies;
2. how to recognize risk factors and warning signs of mental disorders and suicide in oneself and others;
3. help-seeking strategies for oneself or others, including how to engage school resources and refer friends for help. In addition, schools may provide supplemental small group suicide prevention programming for students.

Publication and Distribution

This policy must be distributed annually and included in all student and employee handbooks, and on the school website.

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 administration.
- *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 guardian(s) 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 North Dakota law and the North Dakota High School Activities Association (NDHSAA), which govern both on and off campus behavior. In addition, the Board has established additional extracurricular participation requirements via a Dickinson Public Schools Code of Conduct policy found in the DMS 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, Superintendent or designee, 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

Definitions

This policy defines the following:

- *Personal possessions* include, but are not limited to, a student's vehicle, purse, backpack, bookbag, package(s), and clothing.
- Reasonable suspicion* means that administration has grounds to believe that the search will result in evidence of a violation of District policy, rules, the law, and/or that the violation may be detrimental to the health, safety, or welfare of District students or employees. Reasonable suspicion may be based on a school administrator's personal observation, a report from a student, parent or employee, a student's suspicious behavior, a student's age and past history or record of conduct both in and out of the school context, or other reliable sources of information.

Philosophy

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 reasonable suspicion that locker(s) contains object(s) and/or substance(s) in violation of District policy, rules, the law, and/or the violation may be detrimental to the health, safety, or welfare of District students or employees.

Search Procedure

When a locker is subject to a search, the building principal or Superintendent should be accompanied by at least one other school employee.

Students' personal possession stored in lockers are not searched unless there exists reasonable suspicion that they contain an object(s) or substance(s) in violation of school District policy, the law, and/or that the violation may be detrimental to the health, safety, or welfare of enrolled students or employees. Searches of personal technology is governed in a separate District policy, FFI. Administrators shall make a reasonable attempt to have the student present during searches of their personal possessions contained in locker(s) unless an emergency situation warrants an immediate search or the presence of the student would be inappropriate under the circumstances.

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 and/or substances that are illegal or violate school policy, the building principal or Superintendent shall search the locker in accordance with the search procedure above.

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

Violation

Personal possessions in violation of school district policy, rules, the law, and/or that may be detrimental to the health, safety, or welfare of District students will be confiscated until further direction by the Superintendent or law enforcement. Illegal substances found during a search of a student's personal possessions will be turned over to law enforcement authorities.

Students in violation of this policy, or any federal/state law, may be subject to disciplinary action in accordance with the District's student conduct and discipline policy (FF) as determined by the Superintendent or designee, and when appropriate, be referred to law enforcement.

Board Policy FGCB--SEARCHES OF STUDENTS AND STUDENTS' PERSONAL POSSESSIONS

Definitions

This policy defines the following:

- *Personal possessions* include, but are not limited to, a student's vehicle, purse, backpack, bookbag, package(s), and clothing

- *Reasonable suspicion* means that administration has grounds to believe that the search will result in evidence of a violation of District policy, rules, the law, and/or that the violation may be detrimental to the health, safety, or welfare of District students. Reasonable suspicion may be based on a school administrator's personal observation, a report from a student, parent or employee, a student's suspicious behavior, a student's age and past history or record of conduct both in and out of the school context, or other reliable sources of information.

- *School property* is defined in NDCC 15.1-19-10(6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.

Philosophy

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

Search Procedure

When the building principal or 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 possessions belonging to the suspected student(s) may be subject to inspection. When determining the scope of a search, the building principal or 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.

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. Students may be asked to empty their pockets; however, strip searches shall not be conducted.

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

Searches of Vehicles

The building principal or designee, with a witness present, shall conduct searches of a student's vehicle[es] if the vehicle is parked on school property and if reasonable suspicion exists with a witness present. The building principal shall make a reasonable attempt to contact the student who owns the vehicle and ensure they are present during the inspection unless an emergency situation warrants an immediate search. If a vehicle is locked and its owner cannot be contacted or refuses to open it, the building principal shall contact law enforcement.

Involvement of Law Enforcement

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

Violation

Personal possessions in violation of District policy, rules, the law, and/or that may be detrimental to the health, safety, or welfare of District students will be confiscated until further directed by the Superintendent or designee or law enforcement. Illegal substances found during a search of a student's personal possessions will be turned over to law enforcement authorities.

Students in violation of this policy, or any federal/state law, shall be subject to disciplinary action in accordance with the District's student conduct and discipline policy (FF) as determined by the Superintendent or designee, and when appropriate, be referred to law enforcement.

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.