

SPEARFISH  
HIGH SCHOOL

FACULTY/STAFF  
HANDBOOK

2018-2019



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## **Philosophy of Education**

### **Preamble**

Recognizing the future of America depends upon an informed and educated citizenry; and acknowledging that it is the responsibility of the public schools to provide the opportunity to acquire knowledge, to inspire learning, and to foster personal responsibility in the young people entrusted to them, the Spearfish Board of Education sets forth the following statement of philosophy.

### **Statement of Philosophy**

It is the intent of the Spearfish Board of Education that each student who attends Spearfish Public Schools be encouraged to develop his or her talents, academic abilities, social and personal potential, civic and cultural awareness, and appropriate vocational skills. Furthermore, it is the intent of the Spearfish Board of Education that students in the Spearfish Public Schools be afforded the opportunity to acquire and develop intellectual and physical skills and aesthetic appreciation, under conditions which stimulate ethical choices, responsible citizenship, effective leadership, and respect for the and freedoms of others. In striving to attain these goals, the Spearfish Board of Education acknowledges the obligation to seek, and within the financial ability of the school district, maintain: (a) academic and social participation of students regardless of race, sex, creed, or economic background; (b) a teaching and administrative staff which strives to develop professional attitudes and endeavors to improve its professional competency; (c) open lines of communication among students, parents, teachers, administrators, and counselors for effective understanding and guidance of students within the Spearfish School District.

SPEARFISH SCHOOL DISTRICT  
MISSION STATEMENT

*Empowering all students to succeed in a changing world.*

SPEARFISH HIGH SCHOOL  
MISSION STATEMENT

*Spearfish High School promotes a community of lifelong learners through cooperative effort.*

SPEARFISH HIGH SCHOOL  
BELIEF STATEMENTS

*We believe all individuals can be successful lifelong learners.*

*We believe educational excellence is achieved through effective, diverse instruction and high expectations.*

*We believe the cornerstones of learning are integrity, empathy, responsibility, honesty, respect, and accountability.*

*We believe in success through healthy choice, civic responsibility, strong work ethic, and cultural awareness.*

*We believe learning requires a commitment from students, teachers, administrators, parents, and community.*

*We believe all people should be global citizens in a changing world.*

*We believe an educational environment should be physically and emotionally safe and supportive.*

## SPEARFISH HIGH SCHOOL SONG

Spearfish we honor you  
And to the end we'll fight for you.  
And keep your colors flying high, high, high  
We'll do our best for you at every turn  
We'll show you what it is to have a loyal,  
Rough, and ready school. Fight team, fight!

Spearfish for you we stand maroon and white.  
We've got the pep  
Now listen to our great big Rah! Rah! Rah!  
Roll out the score. Spearfish cheer for your team.  
We'll show you what it is to have a loyal,  
Rough, and ready school.

## **MASCOT--SPARTAN COLORS--MAROON AND WHITE**

### **SPEARFISH HIGH SCHOOL DAILY SCHEDULE 2018-2019**

1	8:15-9:48
2	9:54-11:24
	<b>LUNCH 11:24-12:09</b>
3	12:09-1:39
4	1:45-3:15*

**\*(Spartan Time is 4<sup>th</sup> Block Maroon Days)  
9<sup>th</sup>-11<sup>th</sup> Grade Students will stay with Advisors from 1:45-2:05 daily**

### **Spartan Time**

1. All Freshmen students will start the year in Spartan Time
2. All Sophomore, Junior and Senior students grades will be evaluated at all the mid- term, quarter and semester grade periods to determine Spartan time attendance.
3. At any grading period a Sophomore or Junior student that is passing all classes with a C- or better grade can be excused from Spartan Time at 2:05. Any Senior student that has a D+ or less in any class will be required to attend Spartan Time until the next grading period that shows he/she is passing all classes with a C- or better grade.
4. If a student receives an Incomplete (I) for any reporting period, he/she will be required to attend Spartan time until he/she is passing all classes with a C- or better grade.
5. A students' status can change at any of the grading periods; mid term, quarter, semester.
6. Freshmen are exempt from this program. They must attend Spartan Time all year long.



## **SPARTAN TIME ADVISOR PROGRAM**

All students will be assigned to a Spartan time teacher upon entering high school. The student will stay with that teacher throughout their 4 years in high school. Studies show that schools involved in a Teacher Advisory Program see increased student performance. A successful program ensures that each student has frequent and meaningful opportunities to plan and assess his or her academic and social progress with a faculty member. Beginning with incoming students, a transition program will be put into place that will get all students off to a good start. As the student progresses through his or her high school years, the teacher advisor will get to know the student well so that the teacher advisor can continually assess whether the academic and school activities programs are meeting the needs of the student. Opportunities and time to discuss items of importance in a small group setting will be given to the students. This will be done with various activities targeted to each specific grade level group. It is the goal of this program to become more than just another homeroom opportunity to take care of mundane responsibilities.

The program's main purposes can/will include:

- Create a one to one relationship that many students no longer have
- To advise students about academic decisions and monitor academic achievement
- To foster communication between the home and the school
- To encourage supportive peer relationships
- To prepare students for life transitions including career development and postsecondary opportunities

How the Spartan Time Advisor Program will work:

- Each teacher will serve as an advisor to 15-25 students, depending on the size of each class. Eight teachers are assigned to each grade level. All core areas will be represented within each group of eight teachers. SPED teachers will work with their caseload students. Alternative school students will be placed with their main instructor.
- Advisor time will take place during designated DEAR and Spartan times.
- Support will be given to Teacher Advisors on the program
- Student Council members will be consulted- helping to create and oversee the program as it develops
- Ideas will be discussed at each monthly faculty meeting.

**The following dates will be set aside for full 90 minute activities (if needed):**

- September 24
- October 30
- November 26
- December 20
- January 28
- February 21 (NCRC test for seniors)
- March 27 (Career Fair)
- April 26
- May 20 (8<sup>th</sup> to 9<sup>th</sup> Grade Transition Day – Seniors not required to attend)

**ALL 9 – 12 STUDENTS MUST STAY FOR MAROON 4 SPARTAN TIME ON  
ALL OF THE ABOVE DATES**

## STUDENT COUNCIL 2018-2019

### **Student Body Officers**

President: Taylor Hersch  
V. President: Cody Garness  
Secretary: Kenna Comer  
Treasurer: Lily Dennison

### **Senior Class Officers**

President: Jay Saylor  
V. President: Isabelle Silva  
Secretary: Angela Hovdenes  
Treasurer: Sophia Caldwell  
Class Reps: Thomas Friedrich & Kennedy Kaitfors

### **Junior Class Officers**

President: Ryan Peldo  
V. President: Ella Murray  
Secretary: Cade Lyon  
Treasurer: Cole Herrmann  
Class Reps: Lyndey Dean & Ellie Gregor

### **Sophomore Class Officers**

President: Zade Dohman  
V. President: Xuan Do  
Secretary: Will Saylor  
Treasurer: Jaxon Pederson  
Class Reps: Lily Douglas & Lizzie Gray

### **Freshman Class Officers**

President: TBA  
V. President: TBA  
Secretary: TBA (All positions will be elected in September 2018)  
Treasurer: TBA  
Class Reps: TBA

## **General Information**

### **Activity Tickets**

An activity card is a student's identification as member of the student body. It entitles the holder to admission to all home athletic events, band concerts, choir concerts, and school musicals/plays at no further charge. Set activity rates for 2018-2019 are:

Student single (Grades K -12) - \$3

Adult single - \$5

Student activity ticket - \$25

Senior citizen activity ticket - \$5

Adult activity pass - \$75

Two adult activity tickets - \$125

Family Pass (2 adults with 2 or more students) - \$175

### **Books**

Each teacher will check out books to the students. On the student check blank, in the front of the textbook, the number and condition of the book they received should be recorded. Each teacher should also keep a record of the number and condition of each book checked out.

### **Building Use**

The administration has no objections to teachers working in the building in the evenings, on weekends, or during holiday periods. It is, however, imperative that we all adopt policies of vigilance as to the matter of lights, locked doors, unnecessary visitors, etc. Teachers supervising evening activities should check carefully to see that ALL doors are locked, windows closed, and that all lights are off. Teachers are reminded that school equipment is not to be used for personal reasons.

### **Conferences**

Parent-teacher conferences are held during the 1<sup>st</sup> and 3<sup>rd</sup> quarters. Parents are urged to attend and discuss their child's progress. Conferences will be held at the following times and places:

Wednesday, October 3, 2018                      3:30 pm – 7:30 pm Classrooms

Wednesday, March 6, 2019                      3:30 pm – 7:30 pm Classrooms

### **Daily Announcements**

Daily announcements will be read at 8:15 each day. Included are announcements important to teachers and students, coming events, and faculty information. If you have any item you wish to have in the daily bulletin, have it in the office by 3:00 the day before. Announcements will only be contained in the daily bulletin for three consecutive days unless otherwise approved by the building administration.

## **East Doors**

Students may use the East Doors on a limited basis only.

## **Employee alcohol and drug policy**

Employees of the Spearfish School District 40-2 are hereby notified that the unlawful manufacture, distribution, dispensing, possession or use of alcohol or a controlled substance or being under the influence of alcohol and/or other drugs is prohibited in or on premises of the district or as any part of its activities (in accordance with the regulations of the Drug and Alcohol Free Workplace Act of 1988 and Section 5145 of the Drug and Free Schools and Communities Act). Employees who use prescription drugs authorized by a licensed physician do not violate this policy if the employees conform to the prescription and appropriate school policies. The term "possession" includes being under the influence of alcohol and other drugs, regardless of where actual use occurred. Any employee who violates this policy will be subject to disciplinary sanctions that may include termination and referral for prosecution and possible evaluation and treatment (**Board Policy 4202**).

Any employee found guilty of violation of these provisions must notify the superintendent within five days of the conviction. Upon notification of an alcohol or drug related conviction, the superintendent will, within thirty-days, take appropriate personnel action against such employee, up to and including termination. The superintendent may, as an alternative, require the employee to enter an approved alcohol or drug abuse assistance or rehabilitation program, with provision for the employee to return to his/her position upon verification of successful completion of the approved program.

## **Field Trips**

Notify the office of the time and destination in advance. Clear specifically with the personnel of the place to be visited, of the time, of arrival, the nature of your class visit, and anything else that may be of particular importance. Confine the trip to your class period, if possible. If is necessary to utilize time from other classes, arrangements must be made well in advance. Parents' permission for each student must be obtained.

## **Fundraising**

School sponsored organizations may raise funds for their own organization only with prior administrative approval. The first step in all fundraising activities must be to fill out an approval form (regardless if the activity has taken place in the past or is new). School sponsored organizations may raise funds for an outside organization or cause with prior administrative approval. Individual students not connected with a particular school sponsored organization wishing to raise funds at, through, or under the auspices of the school for themselves or an outside organization or cause must seek and gain administrative approval prior to the event. Fundraising at school or school events by any organization, group, agency, or individual not part of, connected with or related to the Spearfish Public Schools is prohibited unless other

arrangements are made. Students will not be let out of class to fundraise. Flyers distributed or displayed for the purposes of soliciting funds must indicate who is trying to raise funds and for what the money is going to be used. Requests and descriptions of fundraising activities should be submitted at the beginning of the school year to reduce repetition and conflicts in scheduling. It is understood that this will not be possible in all cases.

**Grading/Report Cards**

Each teacher should keep an up to date record of each student’s progress in each class. The record should indicate a minimum of two recorded grades per week. Report cards will be issued following each nine-week and semester grading period. A School Reach message will be sent at the conclusion of each midterm informing parents of such.

**Grading Scale**

The following grading scale will be used by all departments and all instructors:

96-100	A
92-95	A-
89-91	B+
86-88	B
83-85	B-
79-82	C+
76-78	C
73-75	C-
69-72	D+
65-68	D
60-64	D-

**Grade Rounding**

- Teachers have the choice to round grades either up or down within their individual classroom. Examples: Grade values of .5 or higher will be rounded to the next whole number; No grade rounding will take place, absolute number must be achieved, etc.
- Teachers will include a statement on grade rounding on or attached to the class syllabus

**WEIGHTED GRADES**

The following grading scale will be used by all departments and all instructors for selected weighted grading beginning with the class of 2018:

<b>Percentage</b>	<b>Grade</b>	<b>General</b>	<b>Advanced</b>
96-100	A	4.00	5.00
92-95	A-	3.67	4.67
89-91	B+	3.33	4.33

86-88	B	3.00	4.00
83-85	B-	2.67	3.67
79-82	C+	2.33	3.33
76-78	C	2.00	3.00
73-75	C-	1.67	2.67
69-72	D+	1.33	2.33
65-68	D	1.00	2.00
60-64	D-	0.67	1.67
59-0	F	0.00	0.00

**Advanced Classes included in core areas only:**

- Language Arts: AP English, AP Literature & Rising Scholar English
- Science: Physics & Biology II
- Mathematics: Calculus & Trigonometry
- Social Studies: AP History & Constitutional Government
- Any additional approved AP or Honors classes

**Spearfish High School Policy on Cheating**

Students who attend Spearfish High School are expected to do their own work at all times, unless specifically instructed by the classroom teacher. A student, who elects to cheat from another student, as well as the willing student providing the information, will have consequences. Cheating on any school work, including a major test, will cause the student(s) to receive a "zero" for the work.

Cheating is the act of deception or fraud; claiming a dishonest gain. Altering marks, letter grades or percentages, and stealing another student’s or authors work, without giving credit, are included. In all instances of cheating, no credit will be allowed. In all cases of cheating, the teacher will notify the student, the Assistant Principal or Principal and the parents.

The following guidelines will be used:

- First offense: Zero recorded for work. 2 Hours Saturday School
- Second offense same class: Student will be removed from the class, assigned to the cabin and receive a withdraw fail (WF) on his/her transcript
- Second offense different class: Zero recorded for work. 6 Hours Saturday School
- Third offense: 2 Day Out of School Suspension. Student will be removed from the class, assigned to the cabin and receive a withdraw fail (WF) on his/her transcript
- Fourth offense: 10 Day Out of School Suspension. Student will be removed from the class, assigned to the cabin and receive a withdraw fail (WF) on his/her transcript

**GRADUATION REQUIREMENTS**

Students will complete all prescribed requirements before being eligible for graduation from Spearfish High School.

Requirements include:

- I. Four years of attendance above the 8th grade level unless early graduation is requested.

- Students in grade 9 must carry 8 classes
- Students in grade 10 must carry 8 classes
- Students in grade 11 must carry 8 classes; Exceptions may occur if a student is enrolled in a college or tech school, upon approval of the building administrator.
- Students in grade 12 must carry 7 classes, exceptions may occur if a student is enrolled in a college or tech school, upon approval of the building administrator.
- Spartan time is required for all students unless excused by building administration.

II. High school correspondence credit from an accredited institution will be accepted and will be allowed, upon the approval of the building administrator.

III. Students may take college or vocational courses for credit towards high school graduation, upon approval of the building administrator.

IV. Early graduation may be considered if a student has met the district's academic requirements. A conference between the student, parent, counselor and principal will be held in the spring of the junior year. Students must complete seven (7) semesters to attain early graduation. Students enrolled at the Black Hills Education Connection may graduate upon completion of their program, regardless of how many semesters they have completed.

V. Students will complete all graduation requirements before they can participate in the graduation exercise and/or receive a diploma.

### **Complete Graduation requirements are listed at:**

<http://www.spearfish.k12.sd.us/District/Policies/5000/5700.html>

#### **Hall Passes**

Students are required to have a hall pass to be in the halls during scheduled class time. Teachers are requested to limit student movement outside the classroom whenever possible. If it is deemed necessary for the student to leave the classroom, the student must sign out of the classroom and be issued a pass by the classroom teacher. All students must also have their student ID with them when leaving the classroom.

#### **Harassment**

Harassment by any employee or student of any other employee or student on the basis of race, color, sex, religion, national origin, or any other reason is strictly prohibited. Any employee or student violating this policy will be subject to disciplinary action as provided in Board Policy 5130/4101.

#### **Incompletes**

All grades reported as incomplete must be removed within two weeks following the end of a grading period unless special permission for an extension is granted by the building administration.

An incomplete will be recorded as an “F” if it is not removed within two weeks. It is the student’s responsibility to complete the work and hand it in.

## **Language**

The use of profanity by staff members at school or during school activities is not acceptable.

## **Library**

When scheduling your class to work in the library, please sign up using the calendar on the circulation desk. If you have students wishing to use the library during unscheduled library time, please send them with a pass. Direct students working on group work to the three available study rooms.

Before assigning research projects, check with the librarian as she will present to your class about how to use the library and the research databases available.

Students may check out up to three items from the library as well as three ebooks from OverDrive. Staff may check out an unlimited number of items. If you have requests for library materials let the librarian know, and she can work on placing an order.

Freshmen Spartan time use will be as follows:

- A student may have a pass to use the library during Spartan time for no longer than 6 minutes.
- A pass needs to list a specific purpose (i.e. to pick up a copy or check out a book) and must be signed by the librarian upon arrival and departure.

## **Meals**

Adult meals are available for purchase. Cost of adult meals is set annually at the July school board meeting.

## **Nondiscrimination Statement**

The Spearfish School District does not discriminate in its employment policies and practices, or in its educational programs on the basis of race, color, creed, religion, age, sex, handicap, national origin or ancestry. Inquiries concerning the application of Title VI, Title IX, or Section 504 may be referred to the Superintendent of Schools at 525 E. Illinois, telephone 605-717-1201, or to the Regional Director, Department of Education, Office for Civil Rights, 1244 Spear Blvd., Suite 310, Denver, Colorado 80202-3582.

## **Professional Leave**

Established guideline for distribution of in-service money for professional leave:

### **TRAVEL EXPENSES**

The State Board of Finance has set the state rates for travel.

For in-state travel, the maximum allowance for meals and lodging is as follows:



MEALS - Per diem will be distributed as follows:

Breakfast	6.00
Lunch	11.00
Dinner	<u>15.00</u>
	\$32.00

Lodging \$70.00

For out-of-state travel, the maximum allowance for meals and lodging is as follows:

Breakfast	10.00
Lunch	14.00
Dinner	<u>21.00</u>
	\$45.00

Lodging actual cost or (maximum) \$175.00

**TRANSPORTATION** – 42 cents a mile (state rate) when traveling by private automobile and mileage paid to parents is also 42 cents per mile. Only the driver is eligible for the stipend.

**REGISTRATION FEE** - a \$30 registration fee will be paid when applicable.

**Student Travel**

Breakfast	3.00
Lunch	4.00
Dinner	<u>5.00</u>
	12.00

**Parent Portal**

The Spearfish School District Parent Portal program allows parents instant, online, timely, secure and low cost access to school information about children who attend the Spearfish School District. Specifically, there is access to attendance, tardy, discipline and transcript data. Access to grading data for each class is also available. An application can be obtained from any school building office, downloaded as a PDF file from the district website, by contacting the District Technology Office at 605-717-1208, or via email at [bdraine@spearfish.k12.sd.us](mailto:bdraine@spearfish.k12.sd.us)

**Progress Reports**

Progress Reports may be sent anytime between marking periods to parents of students who need some type of special attention. These reports may be requested by the parent/guardian through the teacher, the Guidance department or the building administration.

**Purchase Orders and Receiving Merchandise**

1. Purchase order procedure and items approval:
  - A. Fill out a Purchase Order Voucher.
  - B. Get Principals Signature
  - C. The office will then code the purchase order and send it up to business office.

- D. After the business manager approves the P.O., it will be faxed, mailed or phoned in the order to the company.

You need the building principal's account code, fax number, phone number, address, and A.P.O number before ordering.

2. If you have merchandise to be returned:

- A. Notify the business office.
- B. The business office will call the company and get a return authorization number.
- C. Send merchandise to business office as soon as possible. (UPS will only try 3 times to pick up the merchandise.)

3. If you are receiving a replacement:

- A. Notify the business office that you are receiving a replacement.
- B. Send merchandise to Business Office as soon as possible.

4. If receiving personal or student orders or free material:

- A. Notify the business office.
- B. Personal orders & mail should not be a regular occurrence.

\*\*This does not apply to Trust and Agency. Contact Mr. Morford for any questions.

### **Semester Test Schedule – 2018-2019**

The 2018-2019 semester test schedule will be:

Wednesday, January 9, 2019 and Wednesday, May 22, 2019:

- 1st block: M1 test
- 2nd Block: M2 test
- 3rd Block: M3 test (Students would be released at 1:45)
- 4th Block (Teacher planning time)

Thursday, January 10, 2019 and Thursday, May 23, 2019:

- 1st Block: M4 test - this would be a small number of students as most are in Spartan time. Spartan Time would be optional for students. Teachers will be available in the classroom
- 2nd Block: W1 test
- 3rd Block: W2 test (Students would be released at 1:45)
- 4th Block: Make-up test (for absences, etc, and teacher planning time)

Friday, January 11, 2019 and Friday, May 24, 2019:

- 1st Block: W3 test
- 2nd Block: W4 test (Students would be released at 11:30)
- 3rd Block (This block would be for make-up tests)
- 4th Block (Teacher planning time)

If a student has an open period they do not come to school. If a student has three tests on the first day, he or she may choose to take one of them on a make-up day. The student would need to schedule a time during one of the makeup times with the instructor. Students who are absent on one of the first two days can make-up their tests on the following days. Students will not be

burdened with taking three or four finals in one day and will have time to study for final exams, as they will not be attending class except for testing time.

## **Sexual Harassment Policy**

It is the district's policy that sexual harassment is illegal, unacceptable, and shall not be tolerated. No employee or student of the school district may sexually harass another. Any employee or student will be subject to disciplinary action, including possible termination, for violation of this policy.

### **Definition**

Any unwelcome sexual advances, solicitations or sexual activity by promise of rewards, coercion of sexual activity threat of punishment, verbal sexist remarks, or physical sexual assaults constitute sexual harassment. This conduct has the effect of unreasonably interfering with an individual's academic or work performance or of creating an intimidating, hostile, or offensive employment or educational environment regardless of intent.

### **Responsibility**

School District officers, employees and students are responsible for maintaining a working and learning environment free from sexual harassment. Workshops and activities will be provided by the school district to explain the policy and laws. Careful scrutiny will be undertaken of all allegations of sexual harassment. False allegations that are malicious or ill-founded may constitute libel or slander. Copies of the policy will be available at all administrative offices.

### **Complaints**

Any employee who believes he or she has been subject of sexual harassment by a district employee or officer should report this incident immediately to his or her immediate supervisor. If the immediate supervisor is involved in the activity, the violation should be reported to the supervisor's immediate supervisor. Students should report such incidents to the guidance counselor and/or the responsible administrator. All reported incidents will be thoroughly investigated and subject to disciplinary action. Confidentiality consistent with due process will be maintained. If an employee or student files a written complaint because of dissatisfaction with the handling of the complaint, he or she may utilize any applicable grievance procedure.

### **Student Teachers**

The administration believes that student teachers should not be given the responsibility alone of taking charge of a class. Instead, the situation should resolve into a co-teaching team effort with both the supervising teacher and the cadet working together to give more individual help to students, improve instruction through supervision and a professional overview for the student mentor.

## **Substitute Teachers**

Teachers will use the Aesop program to secure substitute teachers. Teachers register their absences at any time, either by calling a toll-free number or by logging on to Aesop online. You will also contact Robi Apland, the main office secretary, if problems arise. Instructional information and guidelines for the substitute should be easily accessible, comprehensive and pertinent. A substitute folder that can cover material for up to two days should be given to Robi at the beginning of the school year in case of an emergency.

Teachers are responsible for developing lesson plans for their students daily and for short term absences (1 – 5 days). For absences longer than 5 days, the following procedures will be followed:

- A plan will be developed by the teacher and the substitute teacher as to who will be providing lesson plans and the details of the lesson plans. This plan will be submitted to the Principal/supervisor for approval.
- If the substitute teacher is a certified teacher, has the appropriate endorsement, and is willing to prepare daily lesson plans with general guidance from the teacher, approval may be given.
- If the substitute teacher does not meet any of the aforementioned qualifications, the teacher is to prepare daily lesson plans for the substitute
- With teacher absences that are not prearranged or are “emergency” in nature, the Principal/supervisor will work out the lesson planning procedures to best meet the needs of the substitute teacher and the students.

## **Teacher Day**

All teachers are expected to be in their rooms during class time and immediately after school until 3:30. From 8:00- 8:15 a.m. all teachers are to be in their rooms, or at their doors supervising students. Please inform the principal's office if you are going to be late in the morning or wish to leave before 3:30. Sign out in the office if you leave during the day.

## **Wednesday Evening/Non-school Activities**

There are no scheduled school activities after 6:15 p.m. on Wednesday night that involve students.

## **Workmen's Compensation**

Any employee who is injured while on the job or school property or supervising a school-sponsored activity is covered under Workmen's Compensation. Report any injury immediately to your supervisor. You must also complete a Workmen's Compensation Accident Report form that must be completed within twenty-four (24) hours of the accident and sent to the main business office within three (3) business days after the accident occurred.

# **Attendance**

## **Attendance Reporting**

Attendance is to be taken every block of the day. Attendance reports should be entered into your computer in a timely fashion. Record all absences in your grade book each day.

## **ATTENDANCE**

The Spearfish School District School Board and Staff believe that regular attendance is necessary to achieve consistent educational progress. In addition, South Dakota state law requires all children between the ages of 6 and 18 to be in attendance every day school is in session, with exceptions for illness and certain other incapacities. The law also provides local school boards with the authority to establish standards for attendance. It is the responsibility of the school administration to monitor student attendance and to communicate with students and their parents when attendance patterns do not meet district standards. It is the parents'/guardians' responsibility to ensure that their children are in school unless a valid reason for absence exists and to notify the school when their child will be absent.

Should it be deemed necessary for a student to be absent from school due to a family vacation, arrangements should be made by the student to complete, in advance, the school work that would be missed. A student 18 years or older or a married student, upon request to the building principal, may assume responsibility for the verification of absence from school. If a student 18 years or older still resides with his/her parents, the responsibility to call still rests with the parents. Please call the attendance office between 7:30 am to 3:30 pm within twenty-four hours of the absence. If the school is not contacted within the twenty-four hours, the absences will be counted as unexcused.

## **Specific Absence Rules**

High School students who are absent for more than five (5) days of a block class or ten (10) days of a non-block class during a school semester will not receive credit for the course work without special extenuating circumstances and the recommendation of exception from the principal.

The building Principal is granted the right to make exceptions to this minimum attendance standard in extra-ordinary cases. If a student reaches the absence limit and thus will potentially lose credit, he or she must continue in the course until the end of a semester unless approved by the building administration. Students who are permitted to withdraw with no credit will be assigned to the "CABIN" for the remainder of the semester.

Students may request an appeal to the loss of credit through a committee to be determined by the building principal.

The student is allowed (2) school calendar days for make-up work for each excused absence.

After the third day of absence from a block class or the fifth day from a non-block class during a semester, the school will attempt to notify the student and parent. The parent may request a conference at any time to improve the attendance pattern. If a student becomes ill during the school day, the student will need to report to the attendance office and sign the checkout sheet. The student's guardian will need to call before the student leaves or call or send a written verification to confirm the absence upon the student's return to school. Students who exceed the absence limits must take and pass the semester exam in each class that the absence limits were exceeded in order to receive credit for the class. If the semester test is not passed – no appeal for loss of credit will be heard unless the Principal sees special extenuating circumstances thus giving a recommendation of exception.

A student will be considered absent if they come to class more than fifteen minutes late. Tardies may be excused per administrative approval after parent contact and receiving an official doctor notification.

### **Truancy and/or Unexcused Absences**

Truancy and/or an unexcused absence are defined as being absent from an assigned area at an assigned time without permission. This includes but is not limited to: skipping, missing the bus, oversleeping, car will not start, flat tire, getting stuck, car trouble, returning late or leaving early, leaving the school without checking out, presenting an unacceptable verification, failing to have parent/guardian authorization, failure to have the absence cleared within twenty-four hours, failure to properly display and wear student ID, or any combination of the above. Students who are deemed truant or unexcused will be held accountable by the school administration and the parents/guardians will be notified. Students with open class periods may lose them for being truant, may lose open campus lunch privileges, may be assigned to Spartan time, and may be assigned to the "CABIN". Students may also serve before or after school detention and/or Saturday school.

### **Open/Closed Campus**

All Freshmen students will have closed campus. Freshmen will not be allowed to leave the building during regular school hours of 8:15 – 3:15 unless permission to leave is received from the Principal's office. This does include the scheduled lunch time from 11:24 – 12:09. Sophomore, Junior and Senior students will have open campus. Open Campus privileges may be revoked from any student at any time for violating school rules and/or poor academic performance.

### **Tardiness**

Students will be allowed two reported tardies per class per quarter before being given a choice of assignment to before after-school detention or Saturday School. A student will be considered tardy if they are up to fifteen minutes late. Tardies may be excused per administrative approval after parent contact and receiving an official doctor notification. After fifteen minutes it will be considered an absence. Beginning with the third tardy per class per quarter, a student may

choose to attend detention or Saturday school. Failure to report to detention and/or Saturday School will be dealt with as insubordination and appropriate further disciplinary action taken to include in and out of school suspension

### **Leaving Class Early**

Students who leave class and use the time away, for other than intended reasons will be considered truant and subject to corrective action. Parents may excuse students prior to class being over for acceptable reasons. (i.e. Dr. appointments) Excused early dismissals from class may count as an absence at the discretion of the Principal/Assistant Principal.

### **College Visits**

Juniors will be allowed two days and Seniors will be allowed four days for college visits. Proper forms must be picked up from the office, filled out and returned for the days to be activity excused. More days may be utilized with parent approval.

## **Student Policies**

### **Controlled Substance, Alcohol, and Other Drug Abuse Policy**

Students are forbidden to possess, use, sell, barter or misuse controlled substances, alcohol, and/or other drugs in school, on school properties, at school activities, or in personal and/or school vehicles. Parents/legal guardians and appropriate legal authorities must be notified of incidents involving possession or use of controlled substances, alcohol, and/or other drugs. The first violation of this policy will result in ten days in or out-of-school suspension, reduced to four days or less in or out-of-school suspension if the student participates in a certified alcohol/drug diversion program. All costs are the responsibility of the student and family. Parent/guardian participation in the class is encouraged. A student may be allowed academic credit if all work is turned in the day the student returns to school. The second violation of this policy will result in long-term suspension. A third violation of this policy will result in an out-of-school suspension until the next regular school board meeting at which time the building administrator will make a recommendation for expulsion. **(Board Policy 5105)**

Students who possess or use over-the-counter or prescription drugs in accordance with **Board Policy 5310** do not violate this policy.

Staff members and administrators may confiscate any controlled substance, alcohol, and other drugs on the school grounds or building. Any damage to school property through the use of such products will be assessed to the student. Any student who resists or becomes abusive upon being given a request by a staff member to turn in these products will be treated as having a second violation of this regulation.

### **Fighting**

Fighting or causing others to fight is specifically prohibited on school property and at all school functions. For the purposes of this regulation, fighting is defined as taking part in a physical

struggle, with or without the use of fists or weapons. Fighting is not an acceptable alternative to dealing with disagreements among students. Students are encouraged to seek help from a counselor, teacher or administrator when problems arise. Fighting endangers the health and safety of students and interrupts the proper order of the school. The Spearfish School District has in effect a no-fight regulation. Violations of this regulation will result in a request for suspension.

## **Hazing**

Hazing is a term that refers to ritual activities that range from causing mild embarrassment to bodily injury. It can include harassment, threats, intimidation, and physical harm. It is often an act directed at fellow students for the purpose of initiation, affiliation, or belonging to a particular group. Soliciting, aiding, participating in or encouraging this type of conduct is prohibited **Board Policy 5135**.

## **Language Problems**

The definition of a language problem is a student's use of profanity, obscenity, or abusive language. This will not be tolerated whether the communication is written, spoken, or a gesture. Language problems are not acceptable in the hallways, classrooms, on school grounds, or at any school sponsored event and may result in a request for detention and/or suspension.

## **Lunch**

All students who remain on campus during the scheduled lunch time must eat lunch in the commons. This includes both school and brought in lunches. Students may not eat in the hallways or classrooms throughout the building. Students may eat in classrooms during scheduled and sponsored meetings only.

## **Cell Phones**

Cell phones can be a disruption to the classroom learning environment. Cell phones are not to be used in the classroom at any time unless the instructor specifically outlines such use and only so in an education related activity. Cell phone use is allowed in the school building prior to school beginning in the morning, during passing times, during the designated lunch time, after school is dismissed and in the commons during a student's non instructional time. Use in the locker rooms and restrooms is not allowed.

Abuse of the cell phone rules and regulations will be handled as follows: 1st offense = cell phone taken for the rest of the school day. 2nd offense = cell phone taken for a week unless the student's parent/guardian comes to pick it up. 3rd offense = Saturday school assigned. 4th offense and on = ISS. Any severe misuse of cell phones, to include but not limited to, taking inappropriate photographs, sending threatening messages, etc - will result in ISS or OSS.



## **Public Displays of Affection/Inappropriate Touching**

Students are reminded to show respect for fellow students by avoiding inappropriate displays of affection including hugging or kissing in the building or on the school grounds before, after or during school hours. Holding hands is permissible but other demonstrations of affection are not.

## **Medication Policy**

Parents/guardians may decide whether they want the school to administer over-the-counter and/or prescription drugs to the student or if they want to allow the student to practice self-administration.

Students may possess and self-administer over-the-counter and/or prescription drugs if they are in accordance with **Board Policy 5310**. In order to have the student self-medicate, parents/guardians need to obtain form 5310.2FM, the Physician's Consent/Order Form from the school office. After the forms have been properly filled out and returned to the office, a student is permitted to possess a single dosage of the medication and administer it to him or herself. If students possess or use medications without the appropriate forms and paperwork as required by Board Policy 5310, the school office will contact the student's parents/guardians and explain procedures and request the correct procedures be followed. The school does have the right to take disciplinary action if proper procedures are not followed.

If a parent/guardian chooses to have the school administer the medication, the parent/guardian must have form 5310.1FM, Request to Administer Medication and Release Agreement, filled out and on file in the office. After the paperwork is on record with the school, the student needs to bring his/her medication in to the office. The medication will be kept in a secure location. It will be the responsibility of each student to come to the office to take medication as needed and/or prescribed. At the end of each school year any remaining medications will be disposed of if not claimed.

## **Social Events/Dances**

All high school dances are for high school students and their guests. No middle school students are permitted. Students may invite one guest to attend the social event. Guests must have proper forms filled out prior to each dance and must be approved in advance by the principal's office. No one over the age of 20 may attend a high school dance. In order for guests to attend, they must be pre-registered and show identification. Students are required to bring a Spearfish High School identification card to gain admittance to these events. Students will not be allowed to bring back packs or open containers to school dances. Students who have been suspended/expelled from school may not attend these social events if the suspension or expulsion occurs at the same time of these social events

## **School Lockers**

Security of personal property is the individual responsibility of each student. A locker with a combination lock is provided for each student. The administration urges all students to keep their hall and PE lockers locked at all times. Generally speaking, large sums of money and articles of considerable value should not be brought to school. The school is not responsible for stolen and or lost articles. Be sure locker doors are closed and all books and papers are inside before leaving your locker. **THE SCHOOL DOES HAVE THE RIGHT TO SEARCH LOCKERS.**

## **School Property**

Should any school property be damaged, the student will be contacted to make adequate repair, pay for the damaged item or pay the cost by working for the school district. Appropriate disciplinary action will be used and a court complaint may be signed.

## **Student Appearance**

Students are reminded that attire or appearance that is disruptive to the normal operation of the school is not acceptable. Dress should be acceptable in style and taste and non-disruptive. Students are not permitted to wear hats, scarves, headbands, hoods or bandanas in school. Clothing that displays lewd, obscene or profane words or pictures or displays items related to tobacco, drugs, alcohol, gangs, or sexual innuendo are not allowed. Shoes must be worn at all times. Undergarments (bra straps, boxers, etc.) should not be visible. Clothing that reveals midsections, shoulders, legs and other body parts may also be offensive to fellow students and school employees. If a student's dress is offensive to someone else then it may be disruptive to the learning and/or working environment. **Board Policy 5130** states that hostile environment sexual harassment is conduct that is sufficiently severe, persistent, or pervasive to limit or reasonably interfere with an employee's work performance or a student's ability to participate in or benefit from an educational program or activity. If the way you dress offends someone else to the point where they inform you that it is offensive, find something different to wear.

Students who fail to remove hats, scarves, headbands, bandanas, hoods, etc. once they enter the school building between the hours of 7:30 am to 3:30 pm will serve an automatic detention that afternoon or the next scheduled detention afternoon. Any school staff member can enforce this regulation.

## **Student Parking and Driving**

Students are required to park in the west parking lot of the high school. Parking lots to the east and north of the school building are reserved for staff. The Middle School Parking Lot is also off limits for high school student parking. All towing expenses will be the responsibility of the vehicle owner, not the school. Spearfish High School assumes no liability for damage to student vehicles or for any loss while these vehicles are operated or parked on the campus. Please keep vehicles

locked at all times. Do not park on posted “No Parking”, “Fire Lanes”, or areas for people with disabilities. Any violation of the above regulations can result in the loss of parking privileges, disciplinary action, and/or the vehicle being towed at the expense of the owner. Any student parking in the areas marked as “Fire Zone or Handicapped Zone” - will be subject to fines and tickets issued by the Spearfish Police Department. Automobiles or other vehicles parked in parking lots owned by or under the control of the school district may be subject to search. Any violation of the above regulations can result in the loss of parking privileges, disciplinary action, issuance of a school parking fine, and/or the vehicle being towed at the expense of the owner. If a student fails to obey stop signs, designated parking signs or other traffic control rules on district property, the student can be disciplined, which may include loss of parking privileges.

### **Tobacco**

Students are forbidden to possess, use, sell, barter or misuse tobacco in school, on school properties, at school activities, or in personal and/or school vehicles. Parents/legal guardians and appropriate legal authorities must be notified in incidents involving possession or use of tobacco. The first violation of this policy will result in four days or less in or out-of-school suspension, reduced to one-day in or out-of-school suspension if the student participates in a tobacco class. All costs are the responsibility of the student and family. Parent participation in the class is encouraged. A student may be allowed academic credit if all work is turned in the day the student returns to school. The second violation of this policy will result in four days or less in or out-of-school suspension with no academic credit available. Third and subsequent violations of this policy will result in long-term suspension (**Board Policy 5105**).

E-cigarettes, vaping devices, juuls, or any simulated smoking devices of any form, (even should they not contain nicotine or drug related products) are not permitted on school property or at school sponsored events and functions. At a minimum consequences for possessing these devices will be a tobacco violation.

Staff members and administrators may confiscate any cigarettes, smoking materials, or chewing tobacco brought on the school grounds or building. Any damage to school property through the use of tobacco products will be assessed to the student. Any student who resists or becomes abusive upon being given a request by a staff member to turn in tobacco products will be treated as having a second violation of this regulation.

### **Poster/Flyer Display**

Posters, signs and information concerning school-sponsored events may be posted in the building with the approval of the activity sponsor. All signs, posters, flyers, and materials not directly sponsored by the school or its organizations must be approved by the building administration.

School Board Policy 4910 requires the following statement to appear on any item to be distributed to students that is not sponsored by the school: The Spearfish School District neither endorses nor sponsors the organization or activity represented in this document. The distribution of this material is provided as a community service.

## **Visitors**

Students are not allowed to bring visitors to school unless approved by the Principal. Only those people with school related business should be on campus. Those non-students providing rides for Spearfish High School are not to be in the building and should wait in their cars in the student parking area west of the building. There should be no visitors during the lunch hours. Those with school related business to attend to should report to the high school office.

## **Weapons**

Board policy forbids the bringing of dangerous and/or illegal weapons on school property or to school-related activities. Weapons shall be taken from pupils and shall be reported to the pupil's parents. Confiscation of weapons will also be reported to the police. Appropriate disciplinary and legal action shall be pursued by the building principal. An "illegal weapon" is any firearm, or air gun (including pellet guns and BB guns), whether or not the firearm or air gun is designed, adapted, used, or intended primarily for imitative or noisemaking purposes (include facsimiles and homemade guns), or any dangerous weapon. A "dangerous weapon" or "deadly weapon" is defined as any firearm, stun gun, knife (including pocket knives) or device, instrument, material, or substance, whether animate or inanimate, which is calculated or designed to inflict death or serious bodily harm or in by the manner by which it is used is likely to inflict death or serious bodily harm. Any person who carries, has possession of, stores, keeps, leaves, places or puts into the possession of another person, any dangerous or illegal weapon, on or in school premises, vehicle or building used or leased for school functions, whether or not any person is endangered by such actions, shall be in violation of this policy. This would exempt law enforcement officers, employees or students who utilize an instrument, i.e. knife, scissors, staple, etc., for educational use or for maintenance purposes. This section does not apply to authorized weapons in use at school related events, starting guns used at athletic events, or ceremonial presence of unloaded weapons at color guard ceremonies.

Violation of this policy for intentionally bringing a firearm to school will, except as modified herein, result in the mandatory disciplinary sanction of expulsion from school for a period of not less than twelve months of any student who is determined to have violated this policy.

The expulsion requirement may be modified by the superintendent on a case-by-case basis. For the purpose of this section of this policy, the term "firearm" includes any weapon (including a starter gun, except when authorized above) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, any firearm muffler or firearm silencer, or any destructive device (explosive, incendiary or poison gas bomb, grenade, rocket, missile, mine or similar devise). This policy will be implemented in a manner consistent with the Individuals with Disabilities Education Act and Sec. 504. Expulsion means removal from the regular school district at the location where the violation occurred. All expulsion recommendations will be taken to the school board for action.

## **Board Policy 5115**

## **Student Consequences**

The principal or his/her designee has complete authority to deal with disciplinary problems in the school, and the district administration shall be called into a disciplinary action only when requested by the principal or upon written request of the student involved, or their parents. Consequences for poor choices include but are not limited to the following interventions: Detention; Saturday School; Suspension (Short-term—ten days or less, Long-term—11-90 days, In-School, Out-of-School) or Expulsion (a period of time up to but not exceeding one year); and the “CABIN.”

### **Detention**

Detention will be used to hold students accountable for being habitually tardy and other minor behavioral problems. A schedule will be developed prior each semester beginning, but may be altered as needed. No detentions will be held on days when no school is scheduled the following day due to vacations. Students are expected to use the time as a study hall. Teachers, administrators, or other school personnel assign students to detention. Detention time will accumulate and be served consecutively. Failure to attend detention will be dealt with as insubordination.

### **Saturday School**

Saturday school starts promptly at 8:00 a.m. in the “CABIN” (Mod 3) and ends at 2:00 PM. Failure to appear by exactly 8:00 a.m. results in your not being allowed into the group. Students should bring schoolwork and those who elect to may bring a lunch. If a student chooses not to attend Saturday school as assigned or leaves early, he or she will be out-of-school suspended for the time assigned to Saturday School the following school week. If a student chooses not to attend Saturday school as assigned or leaves early and no prior parent contact with the Principal or Vice Principal has taken place within the prior week to release such student, he or she will serve an out of school suspension the following school day.

### **Suspension**

The principal or his/her designee may suspend a student for up to ten (10) days or recommend a longer suspension or expulsion. Suspension is only used under the guidelines of due process described in **Board Policy 5210**. The following conduct exhibited while on school grounds, during a school-sponsored activity, or during a school-related activity is subject to suspension or expulsion: Causing or attempting to cause damage to school property or stealing or attempting to steal school property of value; Causing or attempting to cause damage to private property or stealing or attempting to steal private property; Fighting; Possessing or transmitting any firearms, knives, explosives, or other dangerous objects; Possessing, using, transmitting, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind; Use or possession of tobacco products; Behavior which is detrimental to the welfare, safety, or morals of other students; and insubordination--continued disobedience or persistent defiance of proper authority. Students are not allowed to attend school activities or practice during the suspension.

## **In-School Suspension**

Students who are assigned in-school suspension will work in the “CABIN.” The student’s parents/guardians will be contacted as soon as possible of this action. Teachers will be notified when a student is in-school suspended and asked to supply the student with schoolwork for the length of suspension. Students will have the opportunity to complete their class work and to earn credit providing they have their assignments done by the end of the suspension period. Students in ISS have closed lunch and are required to eat on campus. Inappropriate behavior in ISS might result in an extension of the ISS time or OSS. A student’s time in ISS will not count toward a student’s five absences pertaining to loss of credit. Only a parent may sign a student out of ISS. Students may not sign themselves out.

## **Out-of-School Suspension**

Students who are assigned out-of-school suspension will not be allowed to attend school during the duration of their suspension. The student’s parents/guardians will be contacted as soon as possible of this action. The students’ teachers will be notified when a student is out-of-school suspended and asked to supply the student with schoolwork if the student’s parents/guardians contact the teacher. Students may receive partial credit (scored to a maximum grade of 60%) for work they do during the suspension. A student’s time in OSS will count toward a student’s five absences pertaining to loss of credit unless otherwise stated in board policy. When a student is out-of-school suspended, a conference between a building administrator, the student, and a parent/guardian is required.

## **Long-Term Suspension and Expulsion**

Long-term Suspension and expulsion must be recommended to the School Board by the principal or the superintendent. These actions will be conducted under the guidelines of due process. Students who are long-term suspended or expelled will not be permitted on school property other than by appointment with administrators (**Board Policy 5210**).

## **Suspension of Students with Disabilities**

The suspension or expulsion of students on IEP’s or 504 plans shall include the general due process procedures used for all students. Additional considerations and procedural safeguards as outlined in I.D.E.A. and Section 504 must be addressed when the suspension exceeds 10 days. Before a long-term suspension or expulsion can occur, a manifestation determination of the relationship between the action, behavior, or activity, and the student’s disability must be completed.

## **“CABIN”**

The “CABIN” is located in Mod 3. It is basically a supervised study hall. A student may be assigned to the “CABIN” for a number of reasons, including: in-school-suspension; removal

from a course by the administration for the duration of the semester; the duration of a block; loss of open campus status; parental request; and after school detention. If a student is in the “CABIN” for ISS or for disciplinary action, he or she may not leave the room except in an emergency. Students assigned to the “CABIN” for other reasons may check out to get help on schoolwork if a teacher gives him or her a pass to do so. Truant students will lose their open campus status for a period of time based on how many times they have been truant. For the first truancy two weeks, for the second four weeks, for the third six weeks, for the fourth-eight weeks, (etc.). These times will be served consecutively. Students who do not have an open period will still receive Saturday School for truancy. Parents/guardians who believe that their student could benefit from having his or her opens closed may request that this is done. The guidelines in the “CABIN are no food or drink, no sleeping, bring materials necessary to work on school related activity and no music.

## **Emergency Procedures**

### **Bomb Threat/Crisis Procedures**

Bomb threats and other crises are very disruptive to students, staff, parents, the community and the instructional program. In order to ensure safety and to minimize disruption and confusion, the following procedures will be used.

In the event of a threat to safety, immediate arrangements will be made to evacuate the high school. The Principal will officially notify the teachers, custodians and office staff within the building. All personnel will be required to take the students to the designated area immediately, where roll will be taken. Students are to remain with their teacher. The superintendent and Police Department will subsequently be notified.

Students and staff will walk to the Young Center on the campus of Black Hills State University. Students will not be allowed to use motor vehicles during this period of time.

At the Young Center, students will assemble with their teachers in a designated study area. Instruction will resume at the Young Center according to the regular schedule. Classes will rotate as usual and attendance will be taken.

No food or drink may be brought to students by parents or others. If students are at Young Center over the lunch period, lunch will be served. Student phone calls will be allowed only in emergency situations with permission from the building administration. Parents are discouraged from picking up their children. Requests to remove students for medical or dental appointments, work, etc., will be handled on an individual basis by the building administration.

Building administrators, in conjunction with the Activities Director and Superintendent will decide whether after school activities will take place. The decision will be communicated to students and to the public.

As soon as specific information is known, the students and teachers will be notified so that they

can return to the building or go home.

Any student caught making a bomb threat will be charged with a felony and face severe disciplinary action.

### **Response to an Intrusion**

After notifying the building administration, the following steps should be taken in the event an intruder/suspicious person is on the premises:

1. Make sure the hallways are clear of students and staff.
2. Be prepared to seek protection in a nearby room if the intruder/suspicious person approaches and is visibly armed with a weapon.
3. Monitor the location of the intruder/suspicious person, if it can be done safely, and report his location to the administration.
4. Bring into the classroom any student found in the hallway, and lock the door.
5. Allow no one to leave the room.
6. Close all windows and blinds.
7. Keep the students calm and quiet.
8. Do not allow students to leave the classroom unless authorization is obtained from the main office.
9. Do not open classroom doors unless clearance is obtained from the main office.

Run, hide, fight" is standard protocol for active shooter situations. It means: Run, evacuate if possible; hide, get silently out of view; or fight, as a last resort, take action to disrupt or incapacitate the shooter if your life is in imminent danger.

### **Fire Drill**

When the fire alarm rings in the school the students should file out of the classroom through the exterior exit pre-assigned for that room. The teacher will be the last one out of the classroom making sure all windows and doors are closed for the room. The teacher should also take their grade book, class list, and keys. This should be done very quickly so the teacher can follow their students outside to supervise them. Students and staff should move at least 100 feet from the building.

### **Tornado Drill Procedures**

In case of tornado drill, the announcement will occur by the intercom and by e-mail. Students and staff should immediately pass to their designated area and get away from the glass. Those students in physical education classes should go to the locker rooms. Students and staff should go to the hallway and line up next to the wall immediately to the right of the classroom. Students and staff should lie face down, draw knees up under themselves, and cover the back of the head with their hands. Go to an interior wall at the lowest level of the building if possible and get under something sturdy.



**Suicide comments: (Best Practice)**

1. Always take it seriously- never minimize.
2. Ask them if they are going to kill themselves or if you are not comfortable asking get a school counselor as soon as possible and don't leave the child alone.
3. Get professional assistance; this can be the building counselor, community counselor, principal, and/or our school officer. The level of threat will be determined and appropriate steps will be taken and parents will be contacted.

**Emergency Closing/Delay for inclement Weather**

Should it become necessary to call off school for reasons such as weather or a building emergency, announcements will be made on the local TV and/or radio stations, as well as delivering a School Reach message to all high school families.

On some occasions, weather conditions develop during the day that present a need to dismiss school early to allow buses additional time and better road conditions. Heavy snow, ice, or drifting snow may make early dismissals necessary. Please take necessary precautions during the winter season for early dismissal.

A School Reach phone message will be sent to all parents should it become necessary to call off school for any reason.

**Late Start Schedule**

In the event that school starts late due to inclement weather, the following schedule will be used:

<b>White Days</b>		<b>Maroon Days</b>	
Block 1	10:15-11:25	Block One	10:15 – 11:24
Lunch	11:25-12:05	Lunch	11:24 – 12:09
Block 2	12:05-1:05	Block Two	12:09- 1:39
Block 3	1:10-2:10	Block Three	1:45 – 3:15
Block 4	2:15-3:15	No Spartan Time	

**Activity Policies**

**Activities Attendance Policy**

Students who participate in extra-curricular activities at Spearfish High School are expected to be students first. Therefore, there is an expectation that students who wish to participate in activities need to be in school to do so. The building administration realizes that at times situations arise that dictate students missing class. Therefore, the following guidelines will be used:

- Students who miss class on the day of an activity due to an appointment must provide notification to the school in order to participate in the activity. Such notification must be received prior to the appointment.

- For students who are ill or are gone for personal reasons on the day of an activity, they must be in attendance for at least one full block prior to departing on a road event or in attendance for at least the last two blocks for a home event in order to participate or practice.
- Students going on school-sponsored trips will be granted an excused absence.

### **Chaperones of High School Dances**

Dances start at 8:00 p.m. and end at 11:00 pm unless otherwise announced. Doors are locked at 9:00 p.m. or one hour after the dance begins--no one will be allowed to enter after the doors are locked. Students must have a picture ID to get in. Once the student leaves the dance, they will not be allowed back in the building. The group contracting the dance sets cost. Chaperons are to set up chairs around the edge of floor, check bathrooms and parking lots periodically, put folding chairs away after the dance and check bathrooms for litter. If problems arise in the parking lot, chaperons are to call the police. If anyone is noticeably intoxicated, call the police to pick up the student. Appropriate forms must be filled out and completed in activities office. If any student is fighting or causing a disturbance, call the police. If anyone is caught causing damage to school property, take his/her name and notify the police. You are responsible for notifying the school administration on Monday morning. We are required to have sufficient chaperons, a police officer and the student advisor of the group contracting for the dance at each dance. Chaperons are to contact and pay for Spearfish Police for the dance. All dances must be arranged with the administration with a minimum of 3 weeks notice.

### **Club or Activity Constitution and By-Laws**

Each organized club or activity will have a constitution and by-laws governing its own organization with purposes and goals it hopes to achieve. This constitution will be subject to review each year. All participants must be aware of restrictions and obligations of its members. The goals and the organization itself must have approval of the Spearfish High School Student Council.

### **Clubs**

Students are encouraged to participate in any of the following activities. Membership in student organizations shall be open to all students. Some organizations may establish qualifications for membership. Questions about these organizations should be directed to the sponsor or building administration.

### **Coaches and Sponsors**

Arrange through the activities director's office for suitable transportation, food and housing. Meals for participants will be purchased only at meal time, i.e., morning breakfast, noon lunch, and evening meal.

Familiarize participants of their privileges, obligations, duties, and dress. Stress proper dress and equipment when engaging in physical activity whether indoors or out. The coach or supervisor should set an example by dressing in the proper attire.

Encourage desirable citizenship at all times and good sportsmanship, win or lose.

Turn off all lights and lock all doors after the last participant has left the building. A coach or supervisor who leaves the activity area before the participant jeopardizes his position and is liable for negligence and derelict of duty.

Teachers, coaches, and supervisors are not authorized to suspend a student from school. Major deviations from the accepted regulations are to be reported to the principal.

All supervisors and chaperons are expected to handle minor problems fairly and quickly.

### **Damage or Loss of School Property**

Any participant who intentionally or accidentally destroys, damages, or loses any school property, or defaces by cutting or with writing or pictures any furniture, equipment, building or other school property shall immediately compensate for said damage or loss, and upon refusal may be suspended from school until compensation has been made or complied with whatever decision has been made by the school authorities and/or the school board.

### **Dress of Activity Participants**

Spearfish High School has always been proud of the appearance and behavior of students involved in the school activities. When students are representing SHS in any activity, each student should demonstrate good taste in dress, and should be clean and well groomed.

### **Eligibility**

To be eligible to participate in extra-curricular activities at Spearfish High School a student must be passing all classes (D- or better). Grades will be evaluated at each grade reporting period, midterm, quarter and semester. A student who does not have the required grades at the reporting period (semester, quarter, midterm) will be ineligible for the next grading period. The 2nd semester grade will determine eligibility for the beginning of the next school year. Teachers typically post grades two full days (1 maroon & 1 white day) after the end of the reporting period. Teachers are not required to post grades prior to that day and time. The ineligible period typically begins the Monday following the required grade posting day. Students ineligible from a prior posting period can become eligible once all grades are posted for the current reporting period. These standards cover all extra-curricular activities. Band and choir concerts, not associated with the SDHSAA, constitute a classroom activity, thus students will be allowed to participate in those events.

## **Purchase of Supplies and Equipment**

Each coach or supervisor will submit an inventory of his/her department and projected needs of the activities director after the termination of the activity or by April 1. Coaches and supervisors will not purchase equipment or supplies until they have had a purchase order approved by the activity director.

Coaches and supervisors submitting projected needs will include member size, color, and specific specifications of merchandise to be included on bids or price quotes. Coaches and supervisors will mark ALL equipment so that it can be issued to student participants. Use a number marking system that will identify each piece of equipment.

Coaches and supervisors are responsible for the checking out, checking in, and care of all equipment used in their activity. Close scrutiny and accountability of balls, sweatshirts, game shirts, medical supplies, and all equipment is an absolute necessity by all coaches and supervisors. Close consistent observance will minimize losses and abuses in each department.

## **Supervision of Events**

It is strongly recommended that all faculty members be governed by the following suggestions when supervising student activities. Demand the same courteous conduct in extra-curricular activities as you would in the classroom. Insist on promptness, set a meeting time, then carry out your business rapidly and efficiently as possible. If the meeting or practice is in the evening or a weekend, the teacher should arrive approximately 15 minutes before the students are expected. Do not allow non-participating students to enter the school building. Students are not to be in the building without supervision. It should be understood that when a meeting or practice is scheduled, the staff members should be the first to arrive and the last to leave. Only extraordinary circumstances should warrant a change in this policy. All lights will be out, windows closed, and all doors will be locked. Never assume someone else is still in the building and will attend to the above details.

## **Transportation for Authorized Activity Group**

The following procedure should be followed when taking students on an activity trip during the school day or after school dismissal. Check with the activity director regarding authorization and type of transportation. Discuss the trip agenda with your students so that they may inform their parents. Turn in a list of students to the attendance secretary. Inform the high school principal as to your substitute teacher needs at least three days prior to the trip.

Students participating in an activity must accompany the team and coach or supervisor to its scheduled destination in a mode of transportation provided by the school. Students may return to Spearfish in a private car only with their own parent. Make room checks after curfew time has been established.

## **Travel Behavior**

For years the record of SHS students has been excellent. Some schools have not been so fortunate as they have gained a reputation for misbehavior, breaking furniture in motels, petty thievery in restaurants, local stores, and motels. We have had many complimentary comments and letters from proprietors in and out of the State of South Dakota praising our students for their behavior and showing their appreciation for our business and fine supervision of our students. Remind all students to remember their manners, respect the rights and property of others, and always be a good sport in winning or losing.

## **Training Rule Violations (Board Policy 6315)**

### **ALCOHOL / TOBACCO / DRUG POLICY**

At the beginning of each sport season, an informational meeting for participants, parents/guardians, coaches, advisors and the activities director will be held to go over activities information and the eligibility rules of the Spearfish School District. Attendance will be encouraged before a student is allowed to practice with the team or group activity.

The use and/or possession of mood-altering chemicals such as tobacco, alcohol, drugs or drug paraphernalia by participants of high school extra-curricular activities is prohibited. This prohibition will be in force all year, including the summer months, weekends and holidays. Out-of-school suspension supersedes all training rules. Violations are cumulative throughout the student's high school career.

This policy pertains to all SDHSAA activities sponsored by Spearfish School District. These activities will be recognized as such in regards to suspensions outlined in this policy. No other non-SDHSAA activity within the Spearfish School District can count towards a student's suspension. The SDHSAA Spearfish School District sanctioned activities are as follows: Boys Basketball, Girls Basketball, Cheerleading, Competitive Dance, Boys Cross Country, Girls Cross Country, Football, Boys Golf, Girls Golf, Boys Soccer, Girls Soccer, Boys Tennis, Girls Tennis, Boys Track, Girls Track, Volleyball, Wrestling, All-State Band, All-State Choir, All-State Jazz Band, All-State Orchestra, One-Act Play, Speech & Debate, Visual Arts.

### Consequences for Violations of this Policy

First Violation: First Violation: The participant will be suspended for 20 percent of the scheduled extra-curricular games/activities of the activity in session. If the full number of games/activities is not met, the suspension will be extended to the next activity the student participates in, even if that activity is the next school year. To count toward the minimum number of events, the student must participate in the entire activity season, beginning with the first day of practice and may not drop out or quit the activity to avoid suspension. The failure of a student completing the entire activity season shall result in the student being required to again serve the same suspension in the next activity they participate in. In addition, a suspension is only in effect during the South Dakota High School Activities Association's activity year, which begins on the first day of its first sanctioned event and concludes on the last day of its last sanctioned event.

The percentage will be divided by the number of regular season games/activities scheduled for the activity. All percentage points will be rounded up. (i.e. 1.1 games will equal 2 games) The suspension will occur when competition begins, not when practice begins. The attendance at practice will be at the discretion of the coach or advisor. Parent/guardians and the students will be notified and a record will be kept of pertinent facts, actions and contracts. Conferences with the participant, his/her parent/guardian, coach or advisor and the activities director will be required before any future participation by the individual.

For the first offense, the student will enroll, show a record of participation and complete an alcohol/drug diversion program by an approved, certified chemical dependency counselor or licensed health professional trained in chemical dependency. All costs of the diversion program are the responsibility of the student and family.

Second Violation: The participant will be suspended for 40 percent of the scheduled extra-curricular games/activities of the activity in session. If the full number of games/activities is not met, the suspension will be extended to the next activity the student participates in, even if that activity is the next school year. To count toward the minimum number of events, the student must participate in the entire activity season, beginning with the first day of practice and may not drop out or quit the activity to avoid suspension. The failure of a student completing the entire activity season shall result in the student being required to again serve the same suspension in the next activity they participate in. In addition, a suspension is only in effect during the South Dakota High School Activities Association's activity year, which begins on the first day of its first sanctioned event and concludes on the last day of its last sanctioned event.

The percentage will be divided by the number of regular season games/activities scheduled for the activity. All percentage points will be rounded up. (i.e. 1.1 games will equal 2 games) The suspension will occur when competition begins, not when practice begins. The attendance at practice will be at the discretion of the coach or advisor. Parent/guardians and the students will be notified and a record will be kept of pertinent facts, actions and contracts. Conferences with the participant, his/her parent/guardian, coach or advisor and the activities director will be required before any future participation by the individual.

For the second offense, the student will enroll, show a record of participation and complete an alcohol/drug diversion program by an approved, certified chemical dependency counselor or licensed health professional trained in chemical dependency. All costs of the diversion program are the responsibility of the student and family.

Third Violation: The participant will not be allowed to participate in any school extra-curricular activity, including athletics or fine arts, for the remainder of his/her high school career.

When a participant is accused of violating a training rule, the allegation will be directed to the coach and the activities director. The allegation may also be reported to any building administrator who will forward it to the activities director. The individual making the allegation must sign an accusation form, complete with details of when, where and witnesses. The accuser will be informed that the accuser's name and written statement will be kept in confidence to the

greatest extent possible, but may be released to the participant in case of an appeal. The activities director and the principal and/or asst. principal will discuss the allegation with the participant in question to determine the nature of the violation. After a proper investigation, a decision to suspend or not to suspend will be decided by the activities director and/or the principal.

Upon suspension for a First or Second violation, the participant may appeal the decision to the Superintendent by submitting an appeal in writing within 10 calendar days after the issuance of the suspension. The written request for a Superintendent appeal shall be directed to the Superintendent. Failure by the participant to request a Superintendent appeal within the 10 calendar days will be a waiver of any appeal right, and the suspension will be final. The Superintendent will conduct an investigation and issue a written decision as soon as possible and this decision will be final. The suspension will not begin until the Superintendent issues a decision affirming the suspension.

Upon suspension for a Third Violation, the participant may first appeal the decision to the Superintendent. If the participant is not satisfied with the Superintendent's decision, a written appeal may be made to the Board of Education within 10 calendar days from the date the Superintendent issues a decision. Failure by the participant to request a Board hearing within the 10 calendar days will be a waiver of any appeal right and the Superintendent's decision will be final. If the Superintendent affirms the suspension and the participant appeals to the Board of Education, the participant will be temporarily suspended during the period of appeal to the Board.

#### Consequences for Violations Involving Controlled Substances or Marijuana

In accordance with SDCL 13-32-9 the following consequences will occur with any violation of possession, use or distribution of a controlled substance or marijuana:

13-32-9. Suspension from extracurricular activities for controlled substances violation--Unified Judicial System to give certain notices. Any person adjudicated, convicted, the subject of an informal adjustment or court-approved diversion program, or the subject of a suspended imposition of sentence or suspended adjudication of delinquency for possession, use, or distribution of controlled drugs or substances or marijuana as defined in chapter 22-42, or for ingesting, inhaling, or otherwise taking into the body any substances as prohibited by § 22-42-15, is ineligible to participate in any extracurricular activity at any secondary school accredited by the Department of Education for one calendar year from the date of adjudication, conviction, diversion, or suspended imposition of sentence. The one-year suspension may be reduced to thirty calendar days if the person participates in an assessment with a certified or licensed addiction counselor. If the assessment indicates the need for a higher level of care, the student is required to complete the prescribed program before becoming eligible to participate in extracurricular activities. Upon a second adjudication, conviction, diversion, or suspended imposition of a sentence for possession, use, or distribution of controlled drugs, substances, or marijuana as defined in chapter 22-42, or for ingesting, inhaling, or otherwise taking into the body any substance as prohibited by § 22-42-15, by a court of competent jurisdiction, that person is ineligible to participate in any extracurricular activity at any secondary school accredited by the Department of Education for one

year from the date of adjudication, conviction, diversion, or suspended imposition of sentence. The one year suspension may be reduced to sixty calendar days if the person completes an accredited intensive prevention or treatment program. Upon a third or subsequent adjudication, conviction, diversion, or suspended imposition of sentence for possession, use, or distribution of controlled drugs or substances or marijuana as defined in chapter 22-42, or for ingesting, inhaling, or otherwise taking into the body any substances as prohibited by § 22-42-15, by a court of competent jurisdiction, that person is ineligible to participate in any extracurricular activity at any secondary school accredited by the Department of Education. Upon such a determination in any juvenile court proceeding the Unified Judicial System shall give notice of that determination to the South Dakota High School Activities Association and the chief administrator of the school in which the person is participating in any extracurricular activity. The Unified Judicial System shall give notice to the chief administrators of secondary schools accredited by the Department of Education for any such determination in a court proceeding for any person eighteen to twenty-one years of age without regard to current status in school or involvement in extracurricular activities. The notice shall include name, date of birth, city of residence, and offense. The chief administrator shall give notice to the South Dakota High School Activities Association if any such person is participating in extracurricular activities.

Upon placement of the person in an informal adjustment or court-approved diversion program, the state's attorney who placed the person in that program shall give notice of that placement to the South Dakota High School Activities Association and chief administrator of the school in which the person is participating in any extracurricular activity.

As used in this section, the term, extracurricular activity, means any activity sanctioned by the South Dakota High School Activities Association. Students are ineligible to participate in activity events, competitions, and performances, but a local school district may allow a student to participate in practices.

Source: SL 1997, ch 102, §§ 1, 4; SL 2003, ch 272 (Ex. Ord. 03-1), § 63; SL 2006, ch 82, § 1; SL 2010, ch 92, § 1; SL 2014, ch 88, § 1.

13-32-9.2. If a suspension is reduced pursuant to § 13-32-9, a suspension for a first offense shall make the student ineligible for a minimum of two South Dakota High School Activities Association sanctioned events. If two sanctioned events for which the student is ineligible do not take place within the reduced suspension period, the student's suspension remains in effect until two sanctioned events for which the student is ineligible have taken place. If a suspension is reduced pursuant to § 13-32-9, a suspension for a second offense shall make the student ineligible for a minimum of six South Dakota High School Activities Association sanctioned events. If six sanctioned events for which the student is ineligible do not take place within the reduced suspension period, the student's suspension remains in effect until six sanctioned events for which the student is ineligible have taken place. To count toward the minimum number of events, the student must participate in the entire activity season and may not drop out or quit the activity to avoid suspension and the failure of a student to complete the entire activity season shall result in the student being ineligible for one year from the date of adjudication, conviction, the subject of an internal adjustment or court approved diversion program, or the subject of a suspended imposition of sentence or suspended adjudication of delinquency. A suspension that is not completed by the student during one activity season shall carry over to the next activity season in



which the student participates. In addition, a suspension that is reduced pursuant to § 13-32-9 is only in effect during the South Dakota High School Activities Association's activity year, which begins on the first day of its first sanctioned event and concludes on the last day of its last sanctioned event. A reduced suspension that is not completed by the end of one activity year shall carry over to the next activity year.

A suspension begins on:

- (1) The day following the notification to a school administrator by the Unified Judicial System that a student has been adjudicated, convicted, the subject of an informal adjustment or court approved diversion program, or the subject of a suspended imposition of a sentence or a suspended adjudication of delinquency for possession, use, or distribution of controlled drugs, substances, or marijuana as defined in chapter 22-42, or for ingesting, inhaling, or otherwise taking into the body any substance prohibited by § 22-42-15 and the school administrator gives notice to the South Dakota High School Activities Association and the students; or
- (2) The day following the student's admission to a school administrator that the student committed an offense enumerated in subdivision (1), which shall be made with the student's parent or guardian present if the student is an unemancipated minor, and the school administrator gives notice to the South Dakota High School Activities Association.

A student may not behave in a manner that will bring discredit to the students' team, activity or school.

### **Wednesday Evening-Non-school Activities**

There are no scheduled school activities after 6:15 p.m. on Wednesday night that involve students. This allows the students to participate in the youth activity programs of their choice.

### **Concussion Procedures**

When Spearfish High School becomes aware of a student concussion, the staff at SHS wants to accommodate the safety and academic success of the student during the recovery process. A notification letter will be mailed to the student's parent outlining the procedures to be followed. Please be aware of the following: Possible symptoms of a concussion include: Headaches Slower reaction time, Blurred vision Insomnia or fatigue, Difficulty concentrating Short term memory lapses, Distraction by everyday noises. In some cases, symptoms became worse by participation in or experiencing the following: Playing video games Listening to loud music, Texting Bright lights – including night driving, Watching movies/television Activities that may cause another head injury, Using computers, Exercising, Reading or doing homework for varying periods of time. In the case of a concussion **YOU ARE ENCOURAGED** to have your son-daughter seen by a medical doctor. The doctor will provide you with more information about your child's specific injury and what to expect. The school district has also requested that your doctor send pertinent information to our guidance counselors, who are tasked with providing information to teachers about academic modifications that may be necessary (to be sure the school receives this information, please verify that it has been sent and received by our guidance counselors). **TO BE ELIGIBLE FOR ACADEMIC MODIFICATIONS, YOU MUST FURNISH SPEARFISH HIGH SCHOOL WITH ANY AND ALL OF YOUR MEDICAL DOCTOR'S RECOMMENDATIONS.** Subsequent changes in those recommendations must also be sent to the school so appropriate adjustments in services may be made. Parents are encouraged to

discuss physical and academic modifications with our guidance counselors (call 717-1212, or FAX 717-1234). While some individuals may be able to attend school without increasing their symptoms, the majority will probably need modifications depending on the nature of the symptoms. What follows are some examples of possible modifications: If students are unable to attend school for an entire day without symptoms, they may attend for a half day. Some students may only be able to attend for one period, some not at all, due to severe headaches or other symptoms. Frequent breaks with rest periods may be necessary. Often, alternating a class with a rest period may be helpful. Certain classes may cause more problems than others. As recovery proceeds, hours spent in school may be gradually increased. Depending on symptoms, some students may need to be driven to school to avoid walking or driving. In most cases students should not attend gym or exercise classes. Workload and homework may need to be reduced. Frequent breaks while doing homework may be helpful. Term papers should be postponed. Pre-printed class notes and tutors may help to relieve the pressure of schoolwork. If there are concentration and memory problems, tests, quizzes, and final exams should be delayed or postponed, but are not **exempted**. Extra time (un-timed tests) may be necessary initially when test taking is resumed. Questions about the IMPACT concussion testing process and results (the test used to determine whether or not a student has suffered a concussion) may be directed to the school district's trainer by calling 717-1212. More information about IMPACT testing may be found on their web site (<http://impacttest.com>).

### **Procedures for re-taking courses**

All attempted courses and grades by a student will be recorded on their transcripts. The official transcript is meant to be a complete and thorough record of scholarship. The Department of Education maintains that if a student retakes a course, the letter grades for both the initial course and the retaken course must be recorded on the transcript, but districts may use local discretion as to how the retaken course is calculated into the students' overall GPA.

#### **Guidelines for retaking of courses that were not failed**

- Only those courses with a C- or below can be retaken
- Course must be taken in the same format as the original course
- Cannot be taken during the same academic school year (recommended to take the following academic school year)
- Original course grade remains on the transcript and counts toward the cumulative GPA, 2nd course grade will be included on the transcript and will not affect GPA
- Placement in course dependant on availability of space and class numbers, class size will not exceed 25 students

### **Interquest Detection Canines Policy & Statement**

Spearfish High School has a contract with Interquest Detection Canines to conduct periodic inspection of our campus. These inspections will be carried out by a nationally certified canine and handler. Interquest is licensed and registered by the U.S. Department of Justice, Drug Enforcement Administration and regional regulatory agencies as required. These units are specially trained to find contraband items that include illegal drugs, gunpowder related items, alcoholic beverages and over the counter and prescription medications. Student lockers, classrooms, locker rooms, athletic facilities, commons areas, vehicles, desks, backpacks, parking

lots, gym areas, grounds and any other articles on school property are subject to inspection. All inspections will be conducted within the scope of law and with the knowledge of the student. Such inspections may be conducted on an unannounced basis under the auspices and direction of the district administration with Interquest acting as an agent of the district conduction such inspections.

#### **Negotiated Agreement**

All items in the Spearfish School District Negotiated Agreement will be strictly adhered to.

**DISTRICT POLICIES** All school board policies are located on the district website at:

[www.spearfish.k12.sd.us/district/policies/policies.html](http://www.spearfish.k12.sd.us/district/policies/policies.html)

#### **Copy of annual notice**

The Spearfish School District does not discriminate in its employment policies and practices, or in its educational programs on the basis of race, color, national origin, disability, sex, or age and provides equal access to designated youth groups. The following have been designated to handle inquiries regarding the non-discrimination policies:

Kirk Easton  
Title IX Coordinator  
525 East Illinois  
Spearfish, SD 57783  
605-717-1229

[keaston@spearfish.k12.sd.us](mailto:keaston@spearfish.k12.sd.us)

Sarah Heilman  
504 Coordinator  
525 East Illinois  
Spearfish, SD 57783  
605-717-1201

[sheilman@spearfish.k12.sd.us](mailto:sheilman@spearfish.k12.sd.us)

Office for Civil Rights:  
U.S. Department of Education  
One Petticoat Lane  
1010 Walnut Street, 3rd Floor, Ste 320  
Kansas City, MO 64106  
Phone 816-268-0550 Fax 816-268-0599 TDD 800-877-8339  
[OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov)

#### **Notification of Parental Rights and No Child Left Behind Mandates**

1. Parents may inspect and review the education records of each student.
2. Parents may request the amendment of the student's education records to insure they are not inaccurate, misleading or otherwise in violation of the privacy or other rights of student.
3. Parents must consent to disclose of personally identifiable information contained in the student's education records, except to the extent that the law authorizes disclosure without consent.
4. Parents may file with the United States Department of Education any complaint concerning alleged failures by Spearfish Schools to comply with requirements of the law.

5. Parents have the right to obtain the school board policy of the school district relating to student records.

6. Parents may request assistance in or the District will provide you with the following information:

- analyzing results from required assessments; identifying and addressing curriculum and instructional problems
- addressing problems using parent involvement and professional development requirements
- analyzing the school's budget and resources
- identifying and implementing professional development and instructional strategies that have proven effective in improving students' math and reading achievement
- notification if your child is attending a school that has been identified as a school in need of improvement

**Spearfish School District Public Notice  
Career and Technical Education**

Spearfish High School Career and Technical Education Department offers a variety of career and technical programs to all students.

The program areas include the following:

- **Industrial Technology/Architecture and Construction Cluster**
  - Career Planning
  - Computer Applications
  - Intro to Drafting & Design
  - Architectural Drafting CAD
  - Cabinetry
  - Intro to Building Trades
  - Intro to Tech Ed
  - Intro to Arch and Construction
  - Geometry
  - Trigonometry
  - Mentorship
  - Senior Experience
- **Industrial Technology/Manufacturing Cluster**
  - Career Planning
  - Computer Applications
  - Intro to Tech Ed
  - Intro to Drafting & Design
  - Electronics
  - Mechanical Drafting & Design
  - Welding Technology
  - Advanced Welding Technology
  - Geometry
  - Physics
  - Mentorship
  - Senior Experience

- **Business/Business Management & Administration--Finance Cluster**
  - Computer Applications
  - Career Planning
  - Accounting I
  - Accounting II
  - Personal Finance
  - Economics
  - Sociology
  - Psychology
  - Algebra I
  - Mentorship
  - Senior Experience
- **15 STEM (Science, Technology, Engineering, Math) Cluster**
  - Computer Applications
  - Career Planning
  - Intro to Tech Ed
  - Intro to Drafting & Design
  - Electronics
  - Architectural Drafting
  - Mechanical Drafting & Design (CAD)
  - Biology
  - Biology Advanced Studies
  - Calculus
  - Chemistry
  - Geometry
  - Trigonometry
  - Physical Science
  - Physics
  - Mentorship
  - Senior Experience
- **10 Human Services Cluster – Laura Friedrich**
  - Computer Applications
  - Career Planning
  - Personal Finance
  - Child Development 1- Prenatal through Toddler
  - Child Development 2-Preschool to School Age
  - Foods 1- Nutrition and Wellness
  - Foods 2 -Nutritional Sciences
  - Sociology
  - Psychology
  - Mentorship
  - Senior Experience
- **11 Information Technology Cluster—Richard Banton**
  - Career Planning
  - Computer Applications
  - Web Publishing and Design
  - Java Programming I & II

- Computer Hardware & Beginning Programming
- Physics
- Calculus
- Trigonometry
- Mentorship
- Senior Experience

For more information about Career and Technical Education, Call Steve Morford 605-717-1212

In accordance with Federal Regulations, no individuals will on the basis of race, color, national origin, sex, age, or disability be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under the guidelines of the Career and Technical Education Program.

**EXTRA DUTY ASSIGNMENTS 2018-2019  
SPEARFISH HIGH SCHOOL**

**CLASS ADVISORS**

Senior Koehler	Junior McCoy	Sophomore Zwaschka	Freshman Standen
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**HOME COMING**

**SNOBALL**

**PROM**

APLAND LYKE CO-CHAIRS	GAINY – APLAND CO-CHAIRS STUDENT COUNCIL	HEILMAN T. GAINY CO CHAIRS
Spear	Benvenga	T. Gainey
E. Ligtenberg	Meunier	Meyerink
Work	Weglin	Lappe
Sullivan	Gainey	Skoglund
Kaitfors	Gabriel	Meyer
Walters	Nida	Mutchler
Fowlkes	Lammers	Schroeder Les
Schroeder Luann	Speirs	Heilman Sarah
Scherer	Johnsen	DuPont
Wince-Lyon	Apland	McCarty
Zwaschka	Banton	Koehler
Howard Lisa	Ligtenberg Danielle	D. Custis
Apland	Morrill	Tyson
Lyke	Appl	Friedrich
Gainey	Gueke	
Standen		
McCoy		
Bush		

**SPEARFISH HIGH SCHOOL CALENDAR - FIRST SEMESTER 2018 – 2019**

WEEK BEGINNING	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
August 19	20 Teacher In-service	21 Teacher In-service	22 Teacher In-service	23 <i>First Day of School</i>	24
August 26	27	28	29	30	31
September 2	3 Labor Day No School	4	5	6	7
September 9	10	11	12	13	
September 16	17	18	19 Staff PD 1:00 Early Release	20	21 1 <sup>st</sup> Quarter Midterm
September 23	24 Advisor/Advisee Coronation Burning of S	25	26 Post High Planning-8:30	27	28 Homecoming
September 30	1	2	3 Staff PD 1:00 Early Release P/T Conferences	4	5
October 7	8 Native American Day No School	9	10	11	12
October 14	15	16	17	18	19 No School Fall Break
October 21	22	23	24	25	26 End of 1 <sup>st</sup> Quarter
October 28	29	30 Advisor/Advisee Day	31	1	2
November 4	5	6	7 Staff PD 1:00 Early Release	8	9
November 11	12	13	14	15	16
November 18	19	20	21 No School	22 Thanksgiving	23 No School
November 25	26 Advisor/Advisee Day	27	28	29	30 End of 2 <sup>nd</sup> Quarter Midterm
December 2	3	4	5 Staff PD 1:00 Early Release	6	7
December 9	10	11	12	13	14
December 16	17	18	19	20 Advisor/Advisee	21
December 23	24 No School	25 Christmas Day	26 No School	27 No School	28 No School
December 30	31 No School	1 New Year's Day	2 No School	3 No School	4 No School
January 6, 2019	7	8	9 Semester Tests	10 Semester Tests	11 Semester Tests End of 2 <sup>nd</sup> Quarter & 1 <sup>st</sup> Semester

Spearfish High School Block Schedule – Alternating Maroon (M) and White (W) Days

Block 1 8:15 – 9:48

Block 3 12:09 – 1:39

Block 2 9:54 – 11:24

Block 4 1:45 – 3:15

Snow Days will not change the Maroon White Schedule



## SPEARFISH HIGH SCHOOL CALENDAR SECOND SEMESTER 2018 – 2019

WEEK BEGINNING	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
January 13	14 First Day of 2 <sup>nd</sup> Semester	15	16	17	18 Staff In-Service No School
January 20	21 MLK Day No School	22	23	24	25
January 27	28 Advisor/Advisee Day	29	30	31	1
February 3	4	5	6 Staff PD 1:00 Early Release	7	8
February 10	11	12	13	14 3 <sup>rd</sup> ¼ Midterm	15 Staff In-Service No School
February 17	18 Presidents' Day No School	19	20	21 Advisor/Advisee Day	22
February 24	25	26	27	28	1
March 3	4	5	6 Staff PD 1:00 Early Release P/T Conferences	7	8
March 10	11	12	13	14 Spring Break No School	15 Spring Break No School
March 17	18	19	20	21	22 End of 3 <sup>rd</sup> Quarter
March 24	25	26	27 Advisor/Advisee Day	28	29
March 31	1	2	3 Staff PD 1:00 Early Release	4	5
April 7	8	9	10	11	12
April 14	15	16	17	18	19 Good Friday No School
April 21 Easter	22 Easter Monday No School	23	24 4 <sup>th</sup> ¼ midterm	25	26 Advisor/Advisee Day
April 28	29	30	1	2	3
May 5	6	7	8	9	10
May 12	13	14	15 Seniors Last Day	16	17
May 19 Graduation	20 Advisor/Advisee Day 8 <sup>th</sup> Transition	21	22 Semester Tests	23 Semester Tests	24 Semester Tests Last day of school 4 <sup>th</sup> Quarter & 2 <sup>nd</sup> Semester
May 26	27 Memorial Day No School	28 Snow Make-Up Day	29 Snow Make-Up Day	30 Snow Make-Up Day	31 Snow Make-Up Day

### Snow Days will not change the Maroon White Schedule

#### Early Release Schedule

##### 1:00 Release White Day

Block 1 8:15 – 9:15 Block 1  
 Block 2 9:20 – 10:20 Block 2  
 Block 3 10:25 – 11:25  
 Lunch 11:25 – 12:09  
 Block 4 12:09 – 1:00 Block 4

##### 2:00 Release White Day

8:15 – 9:30 Block 1  
 9:35 – 10:50 Block 2  
 Lunch 10:50 – 11:30  
 Block 3 11:30 – 12:45  
 12:50 – 2:00 No Block 4

##### 1:00 Release Maroon Day

8:15 – 9:48  
 9:54 – 11:24  
 Lunch 11:24 – 12:09  
 Block 3 12:09 – 1:00  
 Block 4 Students dismissed

##### 2:00 Release Maroon Day

Block 1 8:15 – 9:48  
 Block 2 9:54 – 11:24  
 Lunch 11:24 – 12:09  
 Block 3 12:09 – 1:39

## Staff E-Mail Addresses

<b>Robi Apland</b>	<b>rapland@spearfish.k12.sd.us</b>
<b>Katie Appl</b>	<b>sappl@spearfish.k12.sd.us</b>
<b>Richard Banton</b>	<b>rbanton@spearfish.k12.sd.us</b>
<b>Emily Benvenga</b>	<b>ebenveng@spearfish.k12.sd.us</b>
<b>Ryan Bush</b>	<b>rbush@spearfish.k12.sd.us</b>
<b>Doug Custis</b>	<b>dcustis@spearfish.k12.sd.us</b>
<b>Brandee DuPont</b>	<b>bdupont@spearfish.k12.sd.us</b>
<b>Elise Fowlkes</b>	<b>efowlkes@spearfish.k12.sd.us</b>
<b>Laura Friedrich</b>	<b>lfriedri@spearfish.k12.sd.us</b>
<b>Stephen Gabriel</b>	<b>sgabriel@spearfish.k12.sd.us</b>
<b>Pat Gainey</b>	<b>pgainey@spearfish.k12.sd.us</b>
<b>Chris Geuke</b>	<b>cgeuke@spearfish.k12.sd.us</b>
<b>Sarah Heilman</b>	<b>sheilman@spearfish.k12.sd.us</b>
<b>Lisa Howard</b>	<b>lhoward@spearfish.k12.sd.us</b>
<b>Scott Howard</b>	<b>showard@spearfish.k12.sd.us</b>
<b>Laura Johnsen</b>	<b>ljohnsen@spearfish.k12.sd.us</b>
<b>Kelsey Kaitfors</b>	<b>kkaitfor@spearfish.k12.sd.us</b>
<b>Matt Koehler</b>	<b>mkoehler@spearfish.k12.sd.us</b>
<b>Michelle Lammers</b>	<b>mlammers@spearfish.k12.sd.us</b>
<b>Eric Lappe</b>	<b>elappe@spearfish.k12.sd.us</b>
<b>Danielle Ligtenberg</b>	<b>dligtenb@spearfish.k12.sd.us</b>
<b>Eric Ligtenberg</b>	<b>eligtenb@spearfish.k12.sd.us</b>
<b>Toni Lyke</b>	<b>tlyke@spearfish.k12.sd.us</b>
<b>Ann Wince-Lyon</b>	<b>alyon@spearfish.k12.sd.us</b>
<b>Chad McCarty</b>	<b>cmccarty@spearfish.k12.sd.us</b>
<b>Kristin Meunier</b>	<b>kmeunier@spearfish.k12.sd.us</b>
<b>Brenna Meyer</b>	<b>bmeyer@spearfish.k12.sd.us</b>
<b>Rick Meyerink</b>	<b>rmeyerin@spearfish.k12.sd.us</b>
<b>John Mitchell</b>	<b>jmitchel@spearfish.k12.sd.us</b>
<b>Steve Morford</b>	<b>smorford@spearfish.k12.sd.us</b>
<b>Jayna Morrill</b>	<b>jmorrill@spearfish.k12.sd.us</b>
<b>Teka Mutchler</b>	<b>tmutchle@spearfish.k12.sd.us</b>
<b>Charlie Neilson</b>	<b>cneilson@spearfish.k12.sd.us</b>
<b>Aaron Nida</b>	<b>anida@spearfish.k12.sd.us</b>
<b>Michele Olson</b>	<b>molson@spearfish.k12.sd.us</b>
<b>Steven Overby</b>	<b>soverby@spearfish.k12.sd.us</b>
<b>Kristi McCoy</b>	<b>krichard@spearfish.k12.sd.us</b>
<b>Renee Schenk</b>	<b>rschenk@spearfish.k12.sd.us</b>
<b>Cynthia Scherer</b>	<b>cscherer@spearfish.k12.sd.us</b>
<b>Les Schroeder</b>	<b>lschroed@spearfish.k12.sd.us</b>
<b>LuAnn Schroeder</b>	<b>laschroe@spearfish.k12.sd.us</b>
<b>Eric Skoglund</b>	<b>eskoglun@spearfish.k12.sd.us</b>
<b>Jim Seyer</b>	<b>jseyer@spearfish.k12.sd.us</b>

<b>Chad Spear</b>	<b>cspear@spearfish.k12.sd.us</b>
<b>Robert Speirs</b>	<b>rspeirs@spearfish.k12.sd.us</b>
<b>Charles Standen</b>	<b>cstanden@spearfish.k12.sd.us</b>
<b>Ryan Sullivan</b>	<b>rsulliva@spearfish.k12.sd.us</b>
<b>Chase Tyson</b>	<b>ctyson@spearfish.k12.sd.us</b>
<b>Kari VanZee</b>	<b>kvanzee@spearfish.k12.sd.us</b>
<b>Alyssa Walters</b>	<b>awalters@spearfish.k12.sd.us</b>
<b>Pamela Waterson</b>	<b>pwaterso@spearfish.k12.sd.us</b>
<b>Stacy Weglin</b>	<b>sweglin@spearfish.k12.sd.us</b>
<b>Heidi Work</b>	<b>hbeehler@spearfish.k12.sd.us</b>
<b>Jessica Zwaschka</b>	<b>jzwaschk@spearfish.k12.sd.us</b>

## YOUNG CENTER GYM SEATING

Row 1. Appl Benvenga Banton Meyer Tyson Fowlkes Custis  
 Row 2. Lappe Meunier Howard L McCarty SPED Gabriel Gainey  
 Row 3. Ligt. D. Ligt. E Work Heilman Sullivan Howard S Skoglund  
 Row 4. Weglin Walters Lyke McCoy SPED Morrill Guidance  
 Row 5. Nida VanZee Koehler Kaitfors Schroeder Le Schroeder Lu  
 Row 6. Speirs Standen Johnsen Scherer Spear Zwaschka Friedrich

## FOOTBALL FIELD LINE-UP

### CREEK

Kaitfors	S Howard	Appl	Appl
Schroeder, Les	Weglin	L Howard	Benvenga
Schroeder, Lu	Walters	SPED	Banton
Speirs	Lyke	Gabriel	Meyer
Standen	McCoy	Gainey	Tyson
Johnsen	Friedrich	Ligtenberg, D	Fowlkes
McCarty	SPED/Guidance	Ligtenberg, E	Custis
Scherer	Nida	Work	Lappe
Spear	Koehler	VanZee	Meunier
Zwaschka	Morrill	Sullivan	Skoglund

## Auditorium Seating

Door East Seats (Even #)	Center Seats	Door West Seats (Odd #)
X	X	X
W	W	W
V	V	V
U	U	U
T	T	T
S Appl	S Appl	S Appl
R SPED	R SPED	R SPED
Q Morrill	Q Skoglund	Q Friedrich
P Van Zee	P McCarty	P Lappe
O Kaitfors	O Zwaschka	O Zwaschka
N Kaitfors	N Sullivan	N S Howard
M Nida	M Work	M S Howard
L Nida	L McCoy	L L Howard
K Gabriel	K Gainey	K Fowlkes
J Gabriel	J Johnsen	J Fowlkes
H Custis	H Custis	H Meyer
G Tyson	G Meunier	G Spear
F Scherer	F Standen	F Spear
E Scherer	E E. Ligtenberg	E E. Ligtenberg
D D. Ligtenberg	D Speirs	D Weglin
C D. Ligtenberg	C Les Schroeder	C Weglin
B Lyke	B Koehler	B Walters
A Lyke	A Banton	A Walters

**STAGE**

## **ADMINISTERING MEDICINES TO STUDENTS**

It is the position of the board that the presence of medicines on school property and/or the taking of medicine by students during school hours must be carefully monitored to prevent the development of harmful situations to the students.

Whenever possible, students are encouraged to receive medicine outside school hours. However, in those cases where medicine must be taken during the student's time at school, the following procedures are to be followed as safeguard measures:

### **A. Definition**

#### **1. Nonprescription Medications**

Nonprescription medications are those medicines which may be purchased without approval of a physician.

#### **2. Prescription Medications**

Prescription medications are those medicines which may be purchased only through the approval of a physician and are prescribed for a specific individual.

#### **1. Medication**

Medication means both nonprescription and prescription medication.

### **Implementation**

1. The medication must be brought to school on behalf of the student by the parent, guardian or a responsible designated adult and given to the school secretary in the principal's office. A signed copy of the Request to Administer Medication and Release Agreement to Spearfish Schools (Form 5310.1) must accompany the medication. If it becomes apparent that a child has medicine at school without prior secretary notification by the parent/guardian or responsible designated person, the parent/guardian or responsible designated person will be contacted so the proper medication and release agreement forms can be completed.
2. Parent/guardian/responsible designated person requests to store and/or administer prescription or non-prescription medication to students must be in writing, must include a signed copy of the Request to Administer Medication and Release Agreement (Form 5310.1), must state the specific instructions for administering the medication, which are

consistent with the directions given by the physician on the prescription; and be signed and dated by the requesting parent/guardian or responsible designated person. A record of all written parent/guardian or responsible designated person requests to store and/or administer prescription and non-prescription medications to students must be kept on file with the school secretary.

3. All medications must be stored in a secure area, managed by the school secretary, and removed from the usual work stations of the students.
4. Prescription medications to be stored and/or administered must be in a pharmacist-labeled container which specifies the student's name, the prescribing physician's name, the date of the prescription and the directions for use.
5. Non-prescription medications to be stored and/or administered should be in the original container.
6. Food supplements, vitamins, herbal and homeopathic preparations will not be administered at school, as they are not FDA approved or regulated, and do not contain FDA warnings on the packaging.
7. Cough drops are not considered a medicine for grades 6-12.
8. High school students may carry one dose of a medication per day for self-administration with the parent's signature for nonprescription medication and a doctor's signature for prescription medication. Inhalers are allowed to be carried at the middle and high school levels with a doctor's signature on file at the school. Exception to this must be cleared with the nurse or building administrator.

**For high school only**--add to the signature page of the handbook the following:

I authorize my child to take his/her own medication while at school, and I release the Spearfish School District 40-2, its Board, employees and agents from all liability and responsibility for all claims or damages arising from or related to this authorization for my child's self-administration of medication. I understand students may only carry one dosage of medication per day, and that any exceptions must first be authorized by the nurse or building administrator.

Parent's Signature \_\_\_\_\_ Date \_\_\_\_\_

Adopted June 27, 1988  
Revised August 12, 1996  
Revised February 14, 2000  
Revised May 14, 2007

**GUIDELINES FOR GIVING MEDICATIONS BY  
NON-LICENSED ASSISTIVE PERSONNEL**

1. The Board of Nursing has determined that administration of medications is a nursing function and has set forth rules that allow a licensed nurse to delegate the administration of medications to non-licensed assistive personnel who have a minimum of a high school education or the equivalent and who have completed training as outlined in the rules. It is through the act of the nurse delegating this function that a non-licensed individual has the legal authority to perform this function.

Medication administration may be delegated only to those individuals who have successfully completed a training program approved by the South Dakota Board of Nursing. Only those completing the training may administer medications under the supervision of a licensed nurse.

The following tasks may be legally delegated by a nurse to those individuals who have successfully completed the training program:

- a. Administration of medications by oral, rectal or topical route.
  - b. Measuring of a prescribed amount of liquid medication or crushing a tablet for administration, if the licensed nurse has calculated the dose.
  - c. Administration of Schedule II substances (ex. Ritalin) which have been prescribed and labeled in a container for a specific client.
2. The initial form required is the Request to Administer Medication and Release Agreement (Form 5310.1FM) with the attached Medication Administration form (Form 5310.1FM). **ABSOLUTELY NO MEDICATION MAY BE GIVEN WITHOUT WRITTEN PERMISSION ON THIS FORM.** This form will be included in the initial welcome-to-school folder or handout with a note of explanation. It is important to inform new families of the medication requirements when they register for school.

Verbal or telephone orders are another option but require a registered nurse. Only the supervising school nurse can take verbal orders from the Health Care Provider regarding medication. Such orders must be followed by a hard copy to verify the order within 24 hours. All orders should be clear and specific. If questions exist, they should be clarified through the supervising nurse.

3. Receiving the order and medication

Review the form. Your responsibility in receiving the form (form 5310.1FM) includes a review of the form to see that it is complete. If signatures or information is missing, parents



should be notified of the missing data. If specific administration information is missing from the form, the nurse may choose to contact the Health Care Provider if the information is something that only the Health Care Provider can provide. The medication bottle should be compared with the written order to confirm they are consistent and accurate. The label on the bottle will indicate the dosage of medication given for the day. The written order should indicate for which dose the school is responsible. The label may indicate more doses but the written order should indicate which of those doses the school is authorized to administer.

Verify the number of pills, tablets, etc. When medication is received, count the medication with another person as soon as possible. The other person could be the parent or another staff member. Complete the area on the form that indicates the number of pills received. Both parties are to sign in the appropriate area. The purpose of counting medications is to verify how many pills were received at school, if parents question the need for more, and to provide assurance that pills are not lost, stolen, used by another or misplaced.

Contact the supervising school nurse. After counting the medication and reviewing the form for completeness, contact the school nurse for further direction. The nurse may wish to review with you over the telephone the medication order or the nurse may choose to come and review the order personally. In some situations, the nurse may ask you to go ahead with the order and review the order with her only when she comes to the building.

4. The child must come to the office at the time the child is to receive medication. Sometimes young children may need to be reminded for a few days by their teacher. If a child misses a dose, the school secretary or nurse will notify the parent.
  - a. Children in resource rooms will be accompanied to the office to receive their medication from trained personnel.
  - b. Medication can be safely administered up to one-half hour before or after the prescribed time.
  - c. For students who are participating in school activities outside the building (i.e., field trips or athletic participation): 1) the parent/guardian or responsible designated person is required to bring the appropriate dosage in a sealed envelope with instructions for administering the appropriate medication and dosage and signed by the parent/guardian or responsible designated person; 2) the secretary will provide the appropriate medication

and dosage to the appropriate school personnel who will administer the medication/dosage to the student.

5. If there is an increase or decrease or change of medication a new Request to Administer Medication and Release Agreement (Form 5310.1FM) shall be completed by the parent/guardian or responsible designated person.
6. Use the Medication Administration form (Form 5310.1FM) to document giving medication to the child and be certain the person giving the medication signs it. Time should be

included. It is best practice to indicate on the medication form when and why a medication has not been given as ordered (i.e. vacation, ill, snow day, error-forgot, accident report written, etc.).

7. If you have any concerns about giving any child any medication, please visit with the district nurse.
8. All medications must be stored in a locked cabinet or refrigerator.
9. Errors and accident reports. If an error occurs it must be called to the attention of the supervising school nurse as soon as it is recognized. Errors may be forgetting to administer a medication, giving the wrong dose to the right child, giving the wrong medication to a child, giving the right medication to the wrong child, etc. In most cases, the error will not cause significant harm to the child but each incidence must be investigated to determine if a situation does require further action. It is important that all errors be reported to the supervising nurse as soon as they are recognized so the appropriate action can be determined. Depending on the situation, the physician may need to be called. Parents should always be notified. In some cases, parents may need to adjust the next dose of medication, observe for reactions, etc. An Incident Report (Form 5310.3FM) should be completed, signed by the principal and sent to the supervising nurse.

Approved August 12, 1996  
Revised December 14, 1998  
Revised February 14, 2000  
Revised May 12, 2008

## **SEARCH AND SEIZURE**

### **A. Searches by School Authorities of School Property Assigned to Students.**

1. The right of inspection of students' assigned lockers, desks, and other school property is inherent in the authority granted school boards and administrators. This authority may be reasonably exercised as needed in the interest of safeguarding students and their property and the property of the school district. Lockers, desks and other school property assigned to students remains the property of the school district and the school district has the right of access to such property at any time for any reason. Students have no expectation of privacy in lockers, desks and other school property assigned to students.

2. Students are encouraged to keep their assigned lockers or other school property closed and locked against incursion by other students. However, no student may use a locker, desk or other school property as a depository for a substance, article or object which is prohibited by law or district policy, or which constitutes a threat to health, safety or welfare of the occupants of the school building or the building itself.

3. The following rules apply to searches of lockers, desks and other school property by school authorities (superintendent, principal, or principal's authorized designee), and seizure of items in the student's possession:

Lockers, desks and other school property may be subject to sniffing by contraband-detecting canines at any time.

- b. There should be reasonable cause for school authorities to suspect, based upon an individualized suspicion that a substance, article or object is kept or deposited in the locker, desk or other school property whose possession is prohibited by law or district policy, or which constitutes a threat to health, safety or welfare of the occupants of the school building or the building itself.
- c. Search measures of a locker, desk or other school property assigned to a student should be reasonably related to the objectives of the search in light of the age and sex of the student and the nature of the infraction, and should be for a specifically identified substance, article or object
- d. The search should be conducted in the presence of the student with the student's knowledge. However, if school authorities reasonably believe the locker, desk or other school property contains an item which constitutes an immediate threat to health, safety or welfare of the occupants of the school building itself, or creates an

emergency condition, it may be searched without the presence or knowledge of the student.

- e. General housekeeping inspection of school property may be conducted with reasonable notice.
- f. Substances, articles or objects whose possession is prohibited by law or district policy, or which constitutes a threat to health, safety or welfare of the occupants of the school building or the building itself may be seized by school authorities at any time.

B. Searches of Student Property by School Authorities.

1. The right of inspection of students' personal property on premises owned or controlled by the school district is inherent in the authority granted school boards and administrators. This authority may be reasonably exercised as needed in the interest of safeguarding students and their property and the property of the school district.
2. No student may use his or her personal property on premises owned or controlled by the school district as a depository for a substance, article or object which is prohibited by law or district policy, or which constitutes a threat to health, safety or welfare of the occupants of this school building or the building itself.
3. The following rules apply to searches by school authorities (superintendent, principal, or principal's authorized designee) of property belonging to a student on premises owned or controlled by the school district, and seizure of items in this student's possession:
  - a. There should be reasonable cause for school authorities to suspect, based upon an individualized suspicion, that a substance, article or object is kept or deposited in a student's personal property whose possession is prohibited by law or district policy, or which constitutes a threat to health, safety or welfare of the occupants of the school building or the building itself.
  - b. Search measures of a student's personal property should be reasonably related to the objectives of the search in light of the age and sex of the student and the nature of the infraction, and should be for a specifically identified substance, article or object.
  - c. The search should be conducted in the presence of the student with the student's knowledge. However, if school authorities reasonably believe the student's personal property contains an item which constitutes an immediate threat to health, safety or welfare of the occupants of this school building or the building itself, or creates an emergency condition, it may be searched without the presence or knowledge of the student.
  - d. Substances, articles or objects whose possession is prohibited by law or district policy, or which constitutes a threat to health, safety or welfare of the occupants of

the school building or the building itself may be seized by school authorities at any time.

C. Searches by Law Enforcement Officers.

1. Law enforcement officers appearing at a school building with a Court authorized search warrant shall be accorded the right to conduct the search described in the search warrant.
2. If a contraband-detecting canines handled by a law enforcement officer alerts while on District premises, the resulting search and/or seizure shall be conducted by a law enforcement officer.
3. Any search and/or seizure conducted by a law enforcement officer on District premises shall comply with Federal and State rules of law and procedure concerning lawful search and seizure under the circumstances.

D. Searches of Parking Lots.

1. Automobiles or other vehicles parked in parking lots owned by or under the control of the school district may be subject to sniffing by contraband-detecting canines at any time.
2. In the event an automobile or other vehicle parked in a school-owned or controlled parking lot is identified by a contraband-detecting canine's alert, the school authorities (superintendent, principal or principal's authorized designee) shall contact the student responsible for the automobile or vehicle and request the student's consent that it be searched. If the student refuses consent for the search, the school authorities shall contact the student's parent or guardian for consent to search the automobile or vehicle.
3. If either the student or parent/guardian gives consent for the search, the automobile or vehicle may be searched. Substances, articles or objects whose possession is prohibited by law or district policy, or which constitutes a threat to health, safety or welfare of the occupants of the school building or the building itself may be seized by school authorities at any time.
4. If no consent to search the automobile or vehicle is obtained from this student or parent/guardian, the school authorities shall advise law enforcement officials of the contraband-detecting canine's alert, and the law enforcement officer shall proceed under applicable South Dakota rules of law and procedure concerning the search of the automobile or vehicle applicable under the circumstances.

E. Publication of this Policy.

1. A copy of this policy shall be included in the student handbook each year.
2. School authorities (superintendent, principal or principal's authorized designee) may post signs in school buildings advising students (a) school lockers desks and other school

property and student property shall be subject to search by school authorities or law enforcement officers at any time under the terms of school district policy, including sniffing by contraband-detecting canines; and (b) automobiles and other vehicles parked in school-owned or controlled parking lots shall be subject to sniffing by contraband-detecting canines and subsequent search under the terms of school district policy.

3. The school district may also publicize this policy and undertake training efforts consistent with other school district policies concerning substances, articles or objects whose possession is prohibited by law or district policy.

Approved June 10, 1996

Reviewed December 14, 1998

Revised April 14, 2008

Legal Authority: New Jersey v. T.L.O., 469 U.S. 325; 105 S.Ct. 733; 83 L.Ed.2d 720 (1985); United States v. Friend, 50 F.3d 548 (8th Cir. 1995); United States v. Harvey, 961 F.2d 1361 (8th Cir. 1992); Jennings v. Joshua Independent School District, 877 F.2d 313 (5th Cir. 1989); South Dakota Policy Reference Manual.

pol5110

**DANGEROUS WEAPONS IN THE SCHOOL  
STAFF AND STUDENTS**

Federal Gun-Free Schools Act (GFSA) requires that each state receiving federal funds have in effect a state law requiring local education agencies to expel from school for not less than one (1) year a student who is determined to have brought a firearm to school, and have in effect a state law allowing the local education agency's chief administrating officer to modify the expulsion requirement on a case-by-case basis. (SDCL 13-32-4, 13-32-4.2, 13-32-7, 21-1-2).

Board policy forbids the bringing of dangerous and/or illegal weapons on school property or to school-related activities. ~~Dangerous~~ Weapons shall be taken from pupils and shall be reported to the pupil's parents. Confiscation of weapons will also be reported to the police. Appropriate disciplinary and legal action shall be pursued by the building principal.

An "illegal weapon" is any firearm, or air gun (including pellet guns and BB guns), whether or not the firearm or air gun is designed, adapted, used, or intended primarily for imitative or noisemaking purposes (include facsimiles and homemade guns), or any dangerous weapon. A "dangerous weapon" ~~for~~ "deadly weapon" is defined as any firearm, stun gun, knife (including pocket knives) or device, instrument, material, or substance, whether animate or inanimate, which is calculated or designed to inflict death or serious bodily harm or by the manner by which it is used is likely to inflict death or serious bodily harm.

Any person who carries, has possession of, stores, keeps, leaves, places or puts into the possession of another person, any dangerous or illegal weapon, on or in school premises, vehicle or building used or leased for school functions, whether or not any person is endangered by such actions, shall be in violation of this policy. This would exempt law enforcement officers, employees or students who utilize an instrument, i.e. knife, scissors, staple, etc., for educational use or for maintenance purposes. This section does not apply to authorized weapons in use at school related events, starting guns used at athletic events, or ceremonial presence of unloaded weapons at color guard ceremonies.

Violation of this policy for intentionally brining a firearm to school will, except as modified herein, result in the mandatory disciplinary sanction of expulsion from school for a period of not less than twelve months of any student who is determined to have violated this policy. The expulsion requirement may be modified by the superintendent on a case-by-case basis. For the purpose of this section of this policy, the term "firearm" includes any weapon (including a starter gun, except when authorized above) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, any firearm muffler or firearm silencer, or any destructive device (explosive, incendiary or poison gas bomb, grenade, rocket, missile, mine or similar devise).

This policy will be implemented in a manner consistent with the Individuals with Disabilities Education Act and Sec. 504. Expulsion means removal from the regular school district at the location where the violation occurred. All expulsion recommendations will be taken to the school board for action.

Disciplinary Sanctions and Implementation Procedures

A. Students

- a. The building administration will notify the parent/s or guardian/s of the violation and the administrative disciplinary action taken.
2. The building administration will notify the law enforcement agency.
3. The administration will follow Board Policy 5210 Suspension and Expulsion to notify the parent/s or guardian/s of the violation, the student’s due process rights, the twelve month expulsion requirement for a firearm related violation and case-by-case exception procedure set forth in the policy.

B. Staff

1. Staff who violate this policy shall be subject to personal discipline procedures, up to and including dismissal.

Approved	<u>May 8, 1995</u>
Revised	<u>December 14, 1998</u>
Revised	<u>April 26, 1999</u>
Revised	<u>December 11, 2000</u>
Revised	<u>December 11, 2006</u>
Revised	<u>April 14, 2008</u>
Reviewed	<u>January 9, 2012</u>
Revised	<u>July 14, 2018</u>



**Spearfish School District 40-2  
5000 Students**

Board Policy

Code: 5130/4101

Page: 1 of 6

**Anti-Harassment Policy**

The Spearfish School District is committed to providing a learning and working environment free of unlawful harassment based on an individual's race, color, religion, creed, ancestry, gender, sexual orientation, national origin, disability, age, or other basis prohibited by law.

It shall be a violation of this policy for any student or any school personnel of the School District to harass a student, any school personnel, or any visitor through conduct or communication of a sexual nature or communication disparaging a person's race, color, religion, creed, ancestry, national origin, gender, sexual orientation, disability, or age. For the purpose of this policy, "school personnel" includes School Board members, all school employees and agents, volunteers, contractors, or persons subject to the supervision and control of the School District. This policy applies on all School District property and to all School District sponsored, approved, or related activities at any location.

The School District will act to investigate all complaints of harassment and will discipline or take appropriate action against any student or other school personnel who is found to have violated this policy.

At the beginning of every school year building principals shall review this policy and its regulation with the school personnel and students in his/her building in a manner deemed appropriate for the age of the students within the building.

**Legal References:**

- Title VII of the Civil Rights Act of 1964
- Title IX of the Education Amendments of 1972
- South Dakota Executive Order 81-08

**Harassment**

**A. Definitions**

1. **Harassment:** Harassment consists of physical or verbal conduct related to a person's race, color, religion, creed, ancestry, national origin, gender, sexual orientation, age, disability, or other basis prohibited by law, when the conduct is so severe, pervasive, and objectively offensive that it:
  - a. has the purpose of effecting or creating an intimidating, hostile, or offensive working or educational environment, or

- b. has the purpose or effect of substantially or unreasonably interfering with a student's educational performance which deprives the student access to educational opportunities.

**2. Sexual Harassment:** Sexual harassment is any unwelcome sexual advance(s), request(s) for sexual favors, and/or other verbal, physical and/or visual contact(s) of a sexual nature, or communication of a sexual nature when:

- a. submission to such conduct or communication is made, either explicitly or implicitly, a term or condition of an individual's employment or education;
  - b. submission to or rejection of such conduct or communication by an individual is used as the basis for educational or employment decisions affecting the individual; or
- c. submission to or rejection of the conduct or communication by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the school; or
- d. such conduct is so severe, pervasive, and objectively offensive that such conduct or communication has the purpose or effect of interfering with an individual's educational or professional performance or creating an intimidating, hostile, or offensive employment or educational environment.

Sexual harassment may include, but is not limited to, the following conduct when such conduct is severe, pervasive, and objectively offensive:

- a. unwelcome verbal harassment or abuse based upon gender;
- b. unwelcome pressure for sexual activity;
- c. **unwelcome, gender motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of pupils by teachers, administrators, or other school personnel to avoid physical harm to persons or property;**
- d. unwelcome behavior or words, based upon gender, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's educational or employment status; or
- e. unwelcome behavior or words, based upon gender, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's educational or employment status.

## **B. Reporting Incidents of Harassment**

Any student or school personnel who believes he or she has been the victim of harassment as defined above by a student or by school personnel of the School District shall report the alleged acts immediately to the building principal or the Title IX Officer. The report shall be on a form available from the principal of each building or the Title IX Officer.

1. **Designated Personnel.** The building principal is the person designated by the School District for receiving written reports of harassment at each school building. Upon receipt of a written report of harassment, the principal shall immediately notify and forward the written report form to the Title IX Officer. Failure to forward any harassment report or complaint as provided herein will result in disciplinary action. If the complaint involves the building principal, the complaint shall be filed directly with the Title IX Officer.
2. **District wide.** The School Board hereby designates the Superintendent as the School District's Title IX Officer to receive reports or complaints of harassment from any individual, employee, or victim of harassment and also from the building principal as outlined above. If the complaint involves the Title IX Officer, the complaint shall be filed directly with the School Board. The School District shall post on student and school personnel bulletin boards and the web site the name of the Title IX Officer including a mailing address and telephone number.

3. **Submission of a complaint or report of harassment.** Submission of a complaint or report of harassment will not affect the student's educational or work assignment of the school personnel's employment.
4. **Confidentiality.** The School District will make attempts to respect the confidentiality of the complainant and the individual(s) against whom the complaint is filed as much as possible consistent with the School District's legal obligations and the necessity to investigate allegations of harassment and take disciplinary action when the conduct has occurred.
5. **Procedure.** The complainant will be asked to put the facts surrounding the conduct in writing on a form provided by the School District that includes the following: Complainant's name and address; date of the incident; type of harassment; description of the incident; name of any witnesses; what action, if any, has been taken; and signature of the complainant.
6. **Required Reporting.** If the accusations include possible criminal activity such as molestation, sexual battery, or similar contact, the Title IX Officer shall comply with all mandatory state reporting requirements including, but not limited to, contact with the State Department of Social Services.

### C. Investigation

Upon receipt of a written report alleging harassment, the Title IX Officer shall immediately authorize an investigation. This investigation may be conducted by School District officials or by a third party designated by the School District. The investigating party shall provide a written report of the status of the investigation within ten (10) working days to the Superintendent/Title IX Officer.

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

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

In addition, the School District may take immediate steps, at its discretion, to protect the complainant, students, and school personnel pending completion of an investigation of alleged harassment.

During the investigation all parties directly involved in the complaint may have legal or other representation. If any party elects to be represented at any step of the complaint procedure, the name of the representative must be declared in writing to the Title IX Officer.

### D. School District Action

1. Upon receipt of the recommendation that the allegations of the complaint constitute a violation of School District policy, the School District will take such action as appropriate based upon the results of the investigation.
2. The results of the investigation of each complaint will be reported in writing and kept on file with the Title IX Officer. The report shall include findings of fact and will document the disciplinary action taken, if any, as a result of the complaint.
3. The complainant will be advised of the District decision in writing on a form supplied by the School District.
4. If either party is not satisfied with the written decision rendered by the School District he or she may appeal the decision in writing to the School Board within ten (10) working days following receipt of the decision. The appeal must include a written statement as to the reason for appeal.

5. The School Board will review the material submitted, investigate the-circumstances, and respond in writing within fourteen (14) working days of the appeal with a determination to uphold, modify, or reverse the District decision. At the School Board’s discretion, an additional investigation may be conducted, including interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The appeal may also include any other methods or documents deemed pertinent by the School Board.
6. The School Board will render a decision in writing within fourteen (14) working days of the hearing.

**E. Prohibition against Retaliation**

The School District strictly prohibits and will discipline any individual who retaliates against any person who reports alleged harassment or who retaliates against any person who testifies, assists, or participates in any investigation, proceeding, or hearing related to a harassment complaint.

During the investigation all parties directly involved in the complaint may have legal or other representation. If any party elects to be represented at any step of the complaint procedure, the name of the representative must be declared in writing to the Title IX Officer.

Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment. Retaliation is itself a violation of federal and state laws prohibiting discrimination and may lead to separate disciplinary action against an individual.

If any student or school personnel who has filed a complaint or has testified, assisted or participated in the investigation of harassment believes that he or she has been retaliated against because of his or her participation, he or she should follow the procedures set forth above.

**F. False Charges**

Charges found to have been intentionally dishonest or made maliciously without regard for truth may subject complainants to disciplinary action.

**G. Uncomfortable Situations**

The School District recognizes that not every uncomfortable situation constitutes harassment. Whether a particular action or incident is a personal, social relationship without a discriminatory employment or educational effect requires a determination based on all the facts and surrounding circumstances. False accusations can have a serious detrimental effect on innocent parties.

**H. Discipline**

Any School District action taken pursuant to this policy will be consistent with requirements of applicable School District policies. The School District will take such disciplinary action it deems necessary and appropriate, including but not limited to, warning, suspension, or immediate discharge to end harassment and prevent its recurrence.

Approved	<u>May 27, 1997</u>
Reviewed	<u>December 14, 1998</u>
Revised	<u>August 9, 1999</u>
Revised	<u>December 11, 2006</u>
Revised	<u>February 12, 2007</u>

**HARASSMENT GRIEVANCE FORM**  
(To be used by designated contact person)

Name of Complainant \_\_\_\_\_

Address of Complainant \_\_\_\_\_

Date of Complaint \_\_\_\_\_

Date and Place of Incident(s) \_\_\_\_\_

Type of Harassment \_\_\_\_\_

Description of the Incident(s) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Witnesses \_\_\_\_\_

What action, if any, has been taken \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Other Comments or Information \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

Signature (optional) \_\_\_\_\_ Date \_\_\_\_\_

**Spearfish School District 40-2**  
**5000 Students**

Board Policy

Code: 5600

**STUDENT RECORDS**

It is the policy of the Spearfish School Board that the principal of each school will be the legal custodian of all student records for that school.

Eligible students and parents will have access to their school records. The school will notify parents and adult students annually of the following:

1. The type of records kept;
2. The procedure for inspecting and copying these records;
3. The right for interpretation;
4. The right to challenge data thought to be erroneous, the procedures for correcting or expunging erroneous data or inserting a rebuttal statement;
5. The right to lodge a complaint with the U.S. Department of Education if mandates are not adequately implemented.

Additionally, the district will notify parents annually of the district's policy on the collection or use of personal information collected from students for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose, including arrangements to protect student privacy that are provided by the agency in the event of such collection, disclosure or use.

The educational records or school records include all materials directly related to a student that a school maintains. Records and notes maintained by a teacher, administrator, school physician, or school psychologist for his or her own use, and which are not available to others are exempted from this definition as are records maintained by a law enforcement officer assigned to the school and maintained by the officer solely for law enforcement purposes.

The school will require a prior written consent before information other than directory information may be divulged to third parties. Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. The superintendent will provide a list of directory information. An exception to this rule exists for school district employees who have legitimate interests in viewing the records, as well as officials in other schools in which the student seeks to enroll. A school district in which a student is enrolled or is in the process-of enrolling in, may request the students education records from any district in which the student was formerly enrolled to ascertain safety issues with incoming students and ensure full disclosure. The records, including the student's disciplinary records, will be forwarded to the requesting district within three (3) business days. Disciplinary records shall include but not be limited to all information that relates to a student assaulting, carrying weapons, possessing illegal

drugs, including alcohol, and any incident that poses a potential dangerous threat to students or school personnel. When schools transfer records to new educational institutions, the schools must notify parents of the transfer and of their right to review and contest the material. An exemption exists for material under court order. Parents must be notified of such order prior to release.

The district may disclose, without the consent or knowledge of the eligible student or parent, personally identifiable information in the educational records of a student to the Attorney General of the United States or his or her designee in response to an ex parte order in connection with the investigation or prosecution of terrorism crimes. The district is not required to record such disclosure of information and is protected from liability for disclosing such information in good faith.

Legal References: Family Educational Rights and Privacy Act

18 USC §§2331 and 2332(g)(5)(B); 20 USC 1232;

P.L. 107-110, No Child Left Behind Act of 2001; ARSD [24:43:09:02](#)

Revised

May 12, 2008

**STUDENT ALCOHOL, TOBACCO, AND OTHER DRUG ABUSE POLICY**

Part 1 - Policy Definition

Spearfish School District 40-2 recognizes that alcohol, tobacco and other drug abuse poses a serious threat to the health and well-being of the district's students and is detrimental to the learning process and the effective operation of the schools. Furthermore, the board recognizes that alcohol, tobacco and other drug abuse is a social and personal health problem that needs to be treated, not merely punished. Therefore, the board expresses the following policies. The rules and sanctions apply to students regardless of age and regardless of whether or not they may legally use the products away from home. As required by law, violations will be reported to appropriate authorities, including law enforcement officials.

1. Students are forbidden to possess, use, sell, barter, or misuse:

- a. Alcohol, tobacco or other drugs;
- b. Controlled substances;
- c. Mind altering or mood altering substances;
- d. Intoxicants;
- e. Paraphernalia for drug use;
- f. Anything purposed to be any of the substances previously listed;
- g. Paraphernalia for using any of the substances previously listed.
- h. Inhalants
- i. Non-prescription or prescription drugs (see #2 below).

This prohibition exists in school, on school properties, personal and/or school vehicles, at school activities, or in any other area where school-related functions are occurring. The intent to possess, use, or sell any of the above is forbidden.

2 The Spearfish School District has a separate policy covering possession and use of prescription and non-prescription medications, Board Policy 5310.

2. Students who possess and use medications (as that term is defined in Board Policy 5310) in accordance with Code 5310 will not be in violation of this policy.
3. If students possess or use medications without the appropriate paperwork and signatures as required by Board Policy 5310, the school office will contact the student's parent/guardian and request the correct forms be completed before administration or self-administration of the medication can occur.



- c. Academic and/or disciplinary sanctions (including but not limited to an educational project, suspension or expulsion) for students violating Board Policy 5310 may be imposed or recommended by the building administrator, depending upon the facts and circumstances involved.

**Part II - Disciplinary Sanctions and Implementation For Alcohol and Other Drugs**  
**Procedures:**

Parent/legal guardians and appropriate authorities, including law enforcement officials, must be notified of incidents involving possession, use, sale and/or being under the influence of these products. All incidents must be notated and a record must be kept of pertinent facts, actions, and contacts made with parents/legal guardians, legal officials, and other appropriate agents or agencies.

1. The first violation of this policy will result in 10 days in or out-of-school suspension.
  - a. For the first offense of the violation of this policy, the student will enroll in a certified alcohol/drug diversion program. All costs of the diversion program are the responsibility of the student and family. Parent participation in alcohol/drug diversion and/or tobacco classes is encouraged.

Upon proof of enrollment, the suspension will be reduced to four (4) days or less of in or out-of-school suspension.
  - b. Without proof of enrollment or if student withdraws from diversion program, the original suspension will stay in effect.
  - c. A student may be allowed academic credit, according to building procedure, if all work is turned in the day the student returns to school from the out-of-school suspension.
  - d. Student activity rules will be followed as outlined in Board Policy 5430/6315. Students participating in extra-curricular activities will not be allowed to travel, but are allowed to attend home events during first offense suspension, but will not dress or sit with the team or group.
2. A second violation of this policy will result in long-term suspension.
  - a. For the second violation of this policy, the student must attend a certified alcohol/drug diversion program. All costs of a certified alcohol/drug diversion program are the responsibilities of the student and family. Parent participation in alcohol/drug diversion is encouraged.

- b. Upon proof of compliance with a certified alcohol/drug diversion program, the suspension may be reduced, at the discretion of the building administrator, to no less than six days of out-of-school suspension.
  - c. Without proof of enrollment in the diversion program or if a student withdraws from diversion program, original suspension will take effect.
  - d. The school will support the continuation of educational efforts in any alternative educational setting.
  - e. Student activity rules, as outlined in Board Policy 5430/6315, will be followed. Students participating in extra-curricular activities will not be allowed to attend the next four scheduled events.
3. A third violation of this policy will result in an out-of-school suspension until the next regular school board meeting at which time the building administrator will make a recommendation for expulsion.
  4. Supplying/distributing or selling (bartering) chemicals (alcohol and other drugs) or material represented to be a controlled substance will result in the number two sanction, even though it may be the first violation of this policy.

### **PART III - Disciplinary Sanction for Tobacco and Implementation Procedures**

**For the purposes of this policy, tobacco means any substance or item, in any form, containing tobacco. The administration is directed to treat the use, possession or promotion of all forms of nicotine-containing products or nicotine delivery devices, which may or may not include actual tobacco, as a violation of this policy, provided the device is not part of an individual's cessation program.** The following tobacco laws affect people under the age of 18:

1. If you are under the age of 18 years it is illegal to possess, smoke, chew or ingest tobacco. The maximum fine for such a violation is \$200 and/or 30 days in jail. (SDCL 34-36-2). The states attorney may choose to allow the adolescent to avoid adjudication by attending a tobacco diversion program.
2. It is illegal to purchase or attempt to purchase smoking or chewing tobacco if you are under the age of 18 years.
3. It is illegal to knowingly sell or distribute a tobacco product to a person under the age of 18 years.

4. It is unlawful to sell cigarettes other than in an unopened package originating with the manufacturer and depicting warning labels required by federal law.
5. It is illegal to distribute tobacco samples in or on a public street, sidewalk or park that is within 500 feet of a playground, school or other facility when it is being used primarily by persons under the age of 18 years.
6. It is illegal for those under the age of 18 to smoke, even in the presence of parents.

Parents/legal guardians and appropriate legal authorities must be notified of incidents involving possession or use of tobacco. A record of all incidents must be kept of pertinent facts, actions, and contacts made with parents/legal guardians, legal officials, and other appropriate agents or agencies. Parents/legal guardians should be involved.

1. The first violation of this policy will result in four (4) days or less of in or out-of-school suspension, reduced to a one (1) day in or out-of-school suspension if the student participates in a tobacco class for the violation. All costs are the responsibility of the student and family. Parent participation in the tobacco class is encouraged.

Student activity rules, as outlined in Board Policy 5430/6315, will be followed. Students participating in extra-curricular activities will not be allowed to attend the next two scheduled events.

2. The second violation of this policy will result in four (4) days or less of in or out-of-school suspension.
  - a. Student activity rules, as outlined in Board Policy 5430/6315, will be followed. Students participating in extra-curricular activities will not be allowed to attend the next four scheduled events.
3. Third and subsequent violations of this policy will result in long-term suspension.

#### **PART IV - Parent/Guardian and/or Self Referral**

In the event a student and/or his/her parent or guardian reports a violation of this policy and is seeking treatment support:

1. Student will enroll in a certified alcohol/drug diversion program. The school will assist in the referral process of the diversion program. All costs of the diversion program will be the responsibility of the student and family.

2. Student activity rules, as outlined in Board Policy 5430/6315, will be followed as a first violation in all cases.
3. Any academic penalty will be waived.

**Part V - Annual Review of the Drug-free School Policy will be made.**

1. To determine the effectiveness of the program and to implement changes to the program and policy, if needed.
2. To insure that disciplinary sanctions are consistently enforced.

Student and parent members of the school community will be provided written notification of the policy and policy provisions and their mandatory nature.

Due Process: Students shall be afforded the rights of fair procedure and due process, including the definitions, policies and procedures set forth in Board Policy 5210, Suspension and Expulsion.

Approved	<u>April 3, 1995</u>
Revised	<u>May 27, 1997</u>
Revised	<u>June 15, 1998</u>
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Reviewed	<u>January 12, 2004</u>
Revised	<u>February 12, 2007</u>
Revised	<u>April 14, 2008</u>
Reviewed	<u>January 11, 2010</u>
Revised	<u>July 11, 2011</u>

**STUDENT ALCOHOL, TOBACCO, AND OTHER DRUG ABUSE**

Part One: These guidelines apply when a student **appears to be under the influence** of a prohibited substance, as defined in Board Policy 5105, in school, on school properties, at school-related activities, or in any other area where school functions are occurring.

- I. **Crisis Guidelines:** These apply in cases of medical emergency, such as an apparent overdose.
  - A. An adult will attempt to stay with the student at all times.
  - B. An effort should be made to bring the student to the administrative office. If this is not possible, someone must be sent to locate an administrator. On those occasions when an administrator is not available, the person in charge of the school activity is responsible for securing medical assistance.
    1. Medical assistance must be sought promptly by calling 911.
    2. As soon as it is practical, parents/legal guardians are to be called.
    3. As soon as it is practical, the incident must be documented and referred to an administrator for appropriate action.
    4. The administrator will contact law enforcement officials as soon as possible.
- II. **Non-crisis Guidelines:** These apply when a student appears to be under the influence of a prohibited substance, as defined in Board Policy 5105, but does not appear to be in immediate danger.
  - A. An adult will attempt to stay with the student at all times.
  - B. The student should be removed to the administrative office, if possible.
  - C. Either the administrator or his/her designee must contact law enforcement officials and parents/legal guardians as soon as possible.
  - D. The incident must be documented and referred to an administrator for appropriate action.

Part Two: The guidelines apply when a staff member **observes** the use, possession, or sale of prohibited substances, as defined in Board Policy 5105, in school, on school properties, at school activities or in any other area where school functions are occurring.

- A. The time and place, a description of the incident, and the names of participants and witnesses are to be documented.

B. A reasonable effort should be made to confiscate the substance. The item is to be turned over to law enforcement officials. If this is not feasible, careful observation of the type of substance should be made.

C. An administrator must be contacted as soon as possible and the administrator will contact law enforcement officials. In cases where an administrator cannot be contacted in a reasonable time, law enforcement officials must be called.

Part Three: If a staff member **suspects** that a student is in violation of Board Policy 5105, this staff member must make a referral to the administrator.

In cases of alcohol and other drug abuse problems not directly mentioned in these guidelines, referral to an administrator is appropriate.

Approved April 3, 1995  
Reviewed December 14, 1998  
Revised February 12, 2007  
Reviewed April 2008

\*Please note: Not part of policy but to be included in student handbooks

## DEFINITION OF TERMS

- 1. ALCOHOL, MOOD ALTERING CHEMICALS, SUBSTANCES, AND TOBACCO:** Using, possessing, selling, dispensing, or misuse of any mood altering chemicals, alcohol, substances, tobacco, prescription drugs, or possessing drug paraphernalia at school, on school property, or at a school sponsored activity is prohibited.
- 2. HARASSMENT:** Any unwanted or unwelcome verbal, visual or physical behavior which is intentional and repetitive.
- 3. SEXUAL HARASSMENT:** Any unwelcome advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. It is any unwelcome sexual advances, solicitations or sexual activity by promise of rewards, coercion of sexual activity by threat of punishment, verbal sexist remarks, or physical sexual assault. This conduct has the effect of unreasonably interfering with an individuals academic or work performance or of creating an intimidating, hostile, or offensive employment or educational environment regardless of intent.
- 4. EXTRA-CURRICULAR:** Activities outside the regular classroom. There is no grade earned. To participate in an extra-curricular activity is a privilege.

5. **CO-CURRICULAR:** Activities that are related to curriculum, classroom work. It is part of the earned grade for a given class. The events related to classroom work and the grading system need to be given at the beginning of the class.
  6. **IN-SCHOOL SUSPENSION:** Denial of a student K-8 to participate in class and/or extra-curricular activities for a period of one to 10 days. The suspension will be served within the school setting.
  7. **OUT OF SCHOOL SUSPENSION (OSS):** Temporary denial to a student by the principal, superintendent or school board of participation in class and/or extra-curricular activities.. Suspension will be served out of school
  8. **LONG-TERM SUSPENSION:** Temporary denial to a student by the superintendent or school board of participation in school and related school activities for more than ten days and not more than ninety days.
  9. **EXPULSION:** Denial of a student=s membership in school for a period of time.
  10. **REASSIGNMENT:** The Superintendent or designee may reassign students to a school other than their home attendance center because of student misbehavior. When a student is reassigned for misbehavior, transportation will be provided by the parent at no expense to the District.
  11. **MISUSE:** The use of a substance other than its intended use.
- rev.5145

**PUBLIC CONDUCT ON SCHOOL PROPERTY AND AT SCHOOL EVENTS**

Although the Spearfish School District Board of Education welcomes the use of its facilities for public events and public visitation to the schools, the Board expects all visitors to abide by acceptable rules of conduct. To maintain order on school property, the Board prohibits the following conduct or acts on school property or at school events:

1. The willful physical injury of any person or the threat to use force which would results in such injury.
2. The harassment or coercion of any person.
3. The willful damage to or destruction of property.
4. The entry of any school building or upon any portion of the school premises unless such entry is made in connection with official business with the district or to attend an activity or function authorized thereby.
5. The willful interference with lawful and authorized activities of others.
6. The possession, consumption, or exchange of alcoholic beverages, unauthorized drugs or narcotics on school property.
7. The use of all forms of tobacco by staff members, employees, visitors or guests in all District buildings (in compliance with Public Law 103-227, Part C Environmental Tobacco Smoke, also known as the Pro-Children Act of 1994), on school grounds, in all school vehicles at all times and at any school-related functions.
8. The possession or use on school district property or at school events of any firearm (pellet gun, air gun ((including BB gun)), look-alike facsimile or homemade guns), knife (including pocket knives), device, instrument, material or substance, whether animate or inanimate, which is calculated and designed to inflict death or serious bodily harm or in the manner by which it is used is likely to inflict death or serious bodily harm.
9. The violation of any federal or state statute, local ordinance or Board Policy.
10. The refusal or failure of any person to comply with a lawful order or direction of an official of the school district in the performance of their duties.
11. The distribution or posting of any written material, pamphlets or posters without the prior written approval of the administration.

Enforcement and Penalties

Any violation of the above shall be reported immediately to the building principal. The building principal will investigate the case thoroughly and make a written report to the superintendent. Penalties that may be imposed by the administration include:

- A reprimand;
- An order to leave school property immediately;
- Assistance from law enforcement to include a request that appropriate charges be filed.



Other Penalties

The penalties mentioned above are not considered to be inclusive or to preclude in any way the prosecution and conviction of any person for the violation of any federal or state law or local ordinance and the imposition of a fine or penalty provided for therein.

Adopted: July 8, 2002  
Reviewed April 10, 2006

## **SUSPENSION AND EXPULSION**

### **PART ONE: DEFINITIONS**

Terms used in this policy mean as follows:

- A. Expulsion: the Board's termination of a student's membership in school for a period of time up to and not exceeding 12 consecutive months.
- B. Long-Term Suspension: the exclusion of a student by the superintendent or Board from class(es) for more than 10 school days but not more than 90 school days.
- C. Short-Term Suspension: the exclusion of a student by a principal or superintendent from class(es) for not more than 10 school days.
- D. Parent: a parent, guardian or person in charge of a student;
- E. Policy: a rule, regulation, or standard enacted by the Board.
- F. In-school Suspension: This policy does not pertain to in-school suspension, which is a disciplinary action used at the discretion of the administration.

### **PART TWO: GENERAL PROVISIONS APPLICABLE TO ALL PROCEDURES**

1. Students and parents shall be given a student handbook which lists specific types of behavior, conduct, or violation of school rules that may result in suspension from school. The student handbook is a source of information approved by the Board of Education and used as a reference/guideline to follow in order to maintain a safe and orderly environment.
2. Students being considered for suspension must be provided an opportunity to present his or her version of the incident and answer the charges.
3. An informal meeting or oral contact in person or by phone with the parent is required prior to suspension. A student may not be removed from the school premises before the end of the school day without contacting a parent unless the student's presence poses a continuing threat or danger, in which case the pupil may be immediately removed from school and transferred into the custody of a parent or law enforcement.
4. When a student is placed on out-of-school suspension, the student will not be allowed to be in or around the school or its activities during the length of the suspension.

5. The suspension or expulsion of students on IEP's or 504 plans shall include the general due process procedures used for all students. Additional considerations and procedural safeguards as outlined in I.D.E.A. and Section 504 must be addressed when the suspension exceeds 10 days. Before a long-term suspension or expulsion can occur, a manifestation determination of the relationship between the action, behavior or activity and the student's disability must be completed.

### **PART THREE: SHORT-TERM SUSPENSION PROCEDURE**

1. The superintendent or a principal has the authority to suspend a student for a period not to exceed 10 school days without board action.

2. Any suspension by a principal shall be immediately reported to the superintendent who may revoke the suspension at any time.

3. If a short-term suspension from a class, classes or school is anticipated because of a student's violation of a policy of this board, the principal or superintendent shall give oral or written notice to the student as soon as possible after discovery of the alleged violation, stating the basis for the suspension.

4. Parents of students being suspended must be provided with written notification of the charges (5210.1FM) when the student is suspended, to include:

- a. Date of event(s) which led to the short-term suspension;
- b. Description of the observable event(s);
- c. Names and titles of person(s) involved in event;
- d. Description of the activities taken immediately following the event;
- e. Summary of recommendations documenting why suspension is necessary;
- f. A list of alternate disciplinary activities to a recommended suspension may be included;
- g. Length of suspension;
- h. Academic consequences, if any.

### **PART FOUR: LONG-TERM SUSPENSION OR EXPULSION PROCEDURE**

1. If a long-term suspension or expulsion is anticipated because of a student's violation of a policy, the superintendent shall file a sealed written report with the board secretary or business manager by the end of the fifth school day following the day of discovery of the alleged violation.

2. If the superintendent finds grounds for a long-term suspension from a class or classes or expulsion from school, the superintendent may exclude the student from a class or classes before a Board hearing by using the short-term suspension procedure and general provisions stated above. The student or the student's parent may appeal the decision of the superintendent to the Board as provided in this policy. The Board may suspend or expel from school any student for violation of rules or policies or for insubordination or misconduct as provided in this policy.

3. A student in need of special education and/or related services may not be suspended more than 10 days without board action.

4. In the case of a student in need of special education or related services, the principal must file a written report with the superintendent by the end of the school day following the day of discovery of the

alleged violation. The superintendent must send a copy of the report to the student's parent or to the student who is 18 years of age or older or an emancipated minor when it is filed with the board secretary or business manager. The report must remain in the possession of the board secretary or business manager, sealed and unavailable for review by Board members, until the time set for hearing.

5. The superintendent shall give notice of the necessity for a Board hearing to each board member. A written notice (5210.2FM) of hearing shall be given to the student's parent or to the student who is 18 years of age or older or an emancipated minor, to contain the following minimum information:

- a. The policy allegedly violated;
- b. The date, time and place for the hearing;
- c. A description of the hearing procedure;
- d. The reason for the disciplinary proceedings;
- e. Notice of the right to request a hearing or waive the right to a hearing;
- f. A statement that the student's records are available at the school for examination by the student's parent(s) or the parent(s) authorized representative;
- g. A statement that the student may present witnesses; and
- h. A statement that the student may be represented by an attorney.

6. The student, if 18 years of age or older or emancipated, or the student's parent, may waive the right to a hearing in writing to the superintendent (5210.3FM). If the hearing is not waived, the hearing shall be held on the date, time and place set in the notice unless a different date, time and place are agreed to by the parties.

7. The Board is the hearing board and shall conduct the hearing in the following manner:

- a. The Board shall appoint a board member or a person who is not an employee of the District as the hearing officer;
- b. Each party may make an opening statement;
- c. Each party may introduce evidence, present witnesses, and examine and cross-examine witnesses;
- d. Parties may be represented by an attorney, at their own expense;
- e. The school administration shall present its case first;
- f. The hearing is closed to the public. A verbatim record of the hearing will be made and will be sealed pending court order;
- g. Witnesses may be present only when testifying. All witnesses must take an oath or affirmation administered by the board president or business manager: "Do you solemnly swear or affirm to tell the truth, the whole truth and nothing but the truth so help you God?"
- h. Each party may raise objections; however, objections are limited to relevancy and scope of the question;
- i. All relevant evidence must be admitted; however, unproductive or repetitious evidence may be limited by the hearing officer;
- j. The hearing officer may ask questions of witnesses and may allow other school board members to interrogate witnesses;
- k. Each party may make a closing statement;
- l. After the hearing, the Board will continue to meet in executive session for deliberation. No one other than the hearing officer may meet with the Board during deliberation. The Board may seek advice during deliberation from an attorney who has not represented any of the parties to the hearing. Consultation with any other person during deliberation may occur only if a representative of the student is present; and

m. The decision of the Board must be based solely on the evidence presented at the hearing and must be formalized by a motion made in open meeting. The motion must omit the name of the student and state the reason for the Board's action. The Board shall notify the student or the student's parent(s) in writing of the decision. The decision notice must state the length of the suspension or expulsion.

8. The student may appeal a decision by the Board to the circuit court.

9. If a student identified in need of special education, pursuant to SDCL 13-37-1, is expelled or subjected to long-term suspension, the superintendent shall refer the student to the District's placement committee. The placement committee shall determine whether the action, behavior, or activity which resulted in the long-term suspension or expulsion is the result of the student's disabling condition (manifestation determination). If the placement committee determines that the long-term suspension or expulsion of a student is based upon action, behavior or activity by the student arising from the student's disabling condition, the placement committee shall immediately prepare a revised individual educational plan to provide educational services to the student. The student's long-term suspension or expulsion may terminate upon implementation of the student's revised individual educational plan.

One exception in the above refers to if the infraction involves either weapons or drugs. Under this circumstance the district may choose to enforce the suspension/expulsion and place the student in an interim alternative education setting while an appropriate educational program is being developed.

If the team determines the behavior or activity was not related to the disabling condition, the suspension/expulsion may continue but the district must continue to provide special education designed to address the IEP goals/objectives.

For other students with disabilities, (Section 504) a similar determination process is required. The Office of Civil Rights requires that a re-evaluation must occur prior to such a change in placement for a student with a disability. The first step in this re-evaluation is to determine if the action, behavior or activity was caused by the disability. If the disability appears to be the cause, a placement team must then determine an appropriate placement.

10. If the Board needs to suspend a student in need of special education or in need of special education and related services ("eligible student") for more than 10 consecutive school days, the Board shall request written parental approval for continued suspension or expulsion, or agreement to an interim placement. If the Board is unable to obtain parental agreement for an interim placement, continued suspension, or expulsion, the Board shall apply to a court of competent jurisdiction to do so.

11. In filing a suit under the Individual's with Disabilities Education Act, Part B, as of July 1, 1990, for appropriate injunctive relief where agreement cannot be reached with the parent for a change of placement, the Board must show that maintaining the current placement is substantially likely to result in injury to the student or to others.

## **PART FIVE: EARLY REINSTATEMENT AND CONDITIONS**

1. If a student is expelled from school as provided above, the Board may grant the student an early reinstatement allowing the student to return to school before the end of the period of expulsion.

2. Any early reinstatement granted by a Board may include one or more specific conditions established by the Board that the expelled student must meet, either prior to the granting of the early

reinstatement or after the early reinstatement is granted and before the end of the period of expulsion. Any early reinstatement conditions established by the Board for an expelled student shall pertain to the reasons why the student was expelled, and the Board shall provide notice of any early reinstatement conditions to the student's parent or guardian or to the student, if the student is at least eighteen years of age or is an emancipated minor, at the time the student is expelled.

3. If the Superintendent determines the student has met the early reinstatement conditions established by the Board, the Superintendent may grant the student early reinstatement and allow the student to return to school.

4. If a student violates an early reinstatement condition after the student's early reinstatement, but before the end of the expulsion period, the Superintendent may revoke the student's early reinstatement. Within five days after revoking an early reinstatement, the Superintendent shall provide written notice of the revocation including any early reinstatement condition that was violated by the student to the student's parent or guardian or to the student, if the student is at least eighteen years of age or an emancipated minor.

5. If a student's early reinstatement is revoked, the student's expulsion shall continue until the end of the original period of expulsion unless the student's expulsion is firearm-related and the original period of expulsion is modified by the Superintendent pursuant to Code 5115/4250.

6. If a student is subject to a mandatory twelve month expulsion for a firearm-related violation of Code 5115/4250, Part Five of this Policy will not apply and the Superintendent will have the authority to modify the mandatory expulsion under Code 5115/4250.

Approved	<u>November 27, 1995</u>
Revised	<u>June 23, 1997</u>
Reviewed	<u>December 14, 1998</u>
Revised	<u>August 9, 1999</u>
Revised	<u>February 14, 2000</u>
Revised	<u>January 12, 2004</u>
Revised	<u>March 14, 2005</u>
Revised	<u>April 14, 2008</u>
Reviewed	<u>January 9, 2012</u>
Revised	<u>June 9, 2018</u>

Legal Authority: SDCL 13-32-4, 13-32-4.1; S.D. Administrative Rules Chapter 24:05 (effective April 29, 1997), Special Education, Chapter 24:07, Student Due Process (effective November 4, 1996), Sec. 89001 (a) of Title VIII, Gun-Free Schools Act of 1994

Legal Authority: SDCL 13-32-4.4 to 4.6.

**SPEARFISH SCHOOL DISTRICT 40-2**

Code: 5210.1FM

Date \_\_\_\_\_

**NOTICE OF SUSPENSION**

Dear \_\_\_\_\_

As we discussed on \_\_\_\_\_, \_\_\_\_\_ has been suspended  
from school for \_\_\_\_\_ school days.

Beginning Date \_\_\_\_\_

The grounds for suspension and a summary of the situation are outlined below:

I thank you for your support in this matter. Should you have any questions regarding this matter, please feel free to call me at \_\_\_\_\_.

Sincerely,

\_\_\_\_\_  
\_\_\_\_\_

cc: cumulative folder

BEFORE THE BOARD OF EDUCATION  
OF SPEARFISH SCHOOL DISTRICT 40-2  
LAWRENCE COUNTY, SOUTH DAKOTA

IN THE MATTER OF:  
RETURN RECEIPT REQUESTED

BY REGISTERED MAIL,

**NOTICE OF HEARING**

---

TO: \_\_\_\_\_

\_\_\_\_\_  
Spearfish, SD 57783

PLEASE TAKE NOTICE that on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_,  
2\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_, at \_\_\_\_\_,  
Spearfish, South Dakota, a hearing will be held before the Spearfish Board of Education, Spearfish  
School District 40-2, Spearfish, South Dakota, for the following purpose:

The act, transaction or occurrence which is the basis of the action being proposed before the Board is as follows:

The District Policy allegedly violated by the act, transaction or occurrence described above is as follows:

In the hearing, you will have the following rights:

1. An opportunity to be heard in opposition to the proposed action and to present any evidence or testimony in opposition thereto; and
2. To have counsel or representative present, at your expense, to examine witnesses and to present evidence and testimony; and
3. To present witness(es) to testify on your behalf;
4. The opportunity to confront the witness(es) who propose or support the action to be taken; and
5. A written decision by the Board within a reasonable period of time after the conclusion of the hearing; and
6. The decision of the Board to be based solely upon the evidence presented at the hearing, to include a summary of the evidence and the reason(s) for the decision.

You are further notified that you also have the following rights:



1. The records of the student in question are available at the Business Office of Spearfish School District 40-2 for examination by the you or your authorized representative.
2. You may waive the right to a hearing.

IN CASE OF YOUR FAILURE TO APPEAR OR ANSWER it will be presumed that you consent to the action proposed to be taken.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

SPEARFISH SCHOOL DISTRICT 40-2  
SPEARFISH, SOUTH DAKOTA

By: \_\_\_\_\_  
Superintendent of Schools  
Copy to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Spearfish School District 40-2**  
**5000 Students**  
Code: 5210.3FM

**STUDENT SUSPENSION/EXPULSION WAIVER**

I hereby waive my right to a hearing in the matter of potential suspension or expulsion from school for the alleged misconduct of \_\_\_\_\_.

Said hearing was set for the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
Student

\_\_\_\_\_  
Parent, Guardian or other Responsible Person

### **SPECIAL TRIP POLICY**

From time to time, a student may be requested by a teacher or other District employee to drive his or her motor vehicle to or from a site off campus to attend a classroom activity, or may be requested by a teacher or other District employee to drive his or her motor vehicle to a site off campus to obtain supplies, etc. These trips are designated ASpecial Trips.@ Student drivers may also be requested to transport other students to or from the Special Trip site.

All students participating in the Special Trip will be required to provide a release signed by the parent, and the student if 18 years of age or older. The release shall grant permission to participate in the Special Trip, both as a driver or as a passenger. The release will absolve the District of liability for any damages or action arising from the Special Trip. The release will constitute an agreement by the student driver to abide by this policy, to follow directions established by the District, to have a valid S.D. Driver's license and minimum required motor vehicle insurance, not to overload the vehicle, to wear seat belts, and to follow all traffic laws and regulations. Discipline for violation of the requirements stated in the Release may be imposed pursuant to school policy. The student vehicle and all carry on items, backpacks and purses in the student's motor vehicle, whether belonging to the student driver or student passenger are subject to search by the District at any time pursuant to the District's search and seizure policies. Confirmed use of alcohol, tobacco, weapons or prohibited drugs on the Special Trip will result in suspension or expulsion as provided in school district policy, and law enforcement may be contacted.

Adopted July 12, 2004  
Revised April 14, 2008

**RELEASE AND CONSENT FOR SPECIAL TRIPS**

I/We certify that I/we am/are the parent(s) of \_\_\_\_\_, a student in good standing at the Spearfish High School. I /We have read the Special Trip policy of the Spearfish School Board as printed on the other side of this Release and Consent and I/we and the student identified above agree to its terms.

I/We, in consideration of the District allowing my/our student to operate or ride as a passenger in a motor vehicle to participate in one or more Special Trips, agree:

1. I/We agree that the student may operate his or her motor vehicle to travel to and from the Special Trip site as directed by the teacher, and/or may ride as a passenger in another student=s motor vehicle to and from the Special Trip.
2. I/We agree that the student, if a driver, shall at all times carry a valid South Dakota driver=s license motor vehicle liability insurance in the minimum coverage required by the State of South Dakota while operating his or her motor vehicle to and from the Special Trip site
3. I/We agree that the student, either as driver or passenger, shall wear a seat belt at all times during travel to or from the Special Trip site. Further, the student driver agrees not to overload his or her vehicle with passengers or cargo or otherwise create any unsafe condition within or without the motor vehicle.
4. I/We agree that the student driver=s vehicle and all carry-on items, backpacks, and purses occupied or possessed by the student driver or student passenger to, from and at the Special Trip site are subject to search by the District at any time pursuant to the District=s search and seizure policies.
5. I/We agree that if the student refuses to abide by the rules of conduct established by the teacher for the Special Trip, or student driver violates any traffic rules, regulations or laws while driving to or from the Special Trip, the student may lose driving privileges for the Special Trip or future Special Trips.
6. I/We agree that use of alcohol, tobacco, weapons or prohibited drugs by the student during travel to or from, or at the Special Trip site will result in suspension and or expulsion according to District alcohol, tobacco and drug policies. It is also understood that law enforcement may be notified.

7. I/We hereby release, waive, and abandon to the fullest extent allowed by law any claim or cause of action I/we may have against the Spearfish School District 40-2, its officers, agents, and employees for any damages which may arise directly or indirectly from activities occurring to, from and during the Special Trip, whether as a student driver or passenger in a student driver=s motor vehicle.
  
8. I/We agree to indemnify and hold harmless the Spearfish School District 40-2, its officers, agents, and employees from any costs, claims, or damages, including reasonable attorney=s fees, arising, directly or indirectly from activities occurring to, from and during the Special Trip, whether as a student driver or passenger in a student driver=s motor vehicle.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_\_.

\_\_\_\_\_  
Parent/Guardian

\_\_\_\_\_  
Parent

\_\_\_\_\_  
Student

THIS RELEASE AND CONSENT FOR SPECIAL TRIPS MUST BE SIGNED BY PARENT(S)/GUARDIAN AND THE STUDENT.

## PUPIL TRANSPORTATION - PRIVATE VEHICLES

**School Policy:** *The use of passenger vehicles to transport students to and from school sponsored and approved activities will only be permitted after ascertaining that the vehicle is reasonably safe, the driver (employee or other) qualified and reasonably competent, and that adequate insurance coverage is in force.*

- No vehicle may be used that is designed to carry less than three or more than nine passengers.
- Insurance coverage: The vehicle must be insured to at least the minimum level required by law. **Please attach a copy of the insurance certificate/card to this form.**
- Private passenger vehicles are covered primarily by the owner's insurance, and secondarily by the school's insurance. School coverage is for liability only and does not cover damage to private vehicles.
- The school Principal (or designee) will determine that each driver of a private vehicle to be used for pupil transportation is properly licensed to drive (**attach a copy of the Driver License to this application**), that the vehicle to be used is insured as described previously, and that the passenger vehicles have a seat and seat belt inside the vehicle for each rider.

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By signing and dating above, the driver certifies that all conditions have been met as described.

To be completed by the building Administrator:

Date(s) of trip: \_\_\_\_\_

Location(s): \_\_\_\_\_

Times: \_\_\_\_\_

**Spearfish School District 40-2  
5000 Students**

Board Policy

Code:  
5435/6318

**EXTRA-CURRICULAR TRAINING RULE VIOLATIONS**

When a participant is accused of violating a training rule, the allegation will be directed to the coach and activity director. The allegation may also be reported to any building administrator who will forward it to the activity director. The individual making the allegation must sign a written statement complete with details of when, where and witnesses. The accuser will be informed that the accuser's name and the written statement will be kept in confidence to the extent possible, but may be released to the participant in case of an appeal. The activities director and the coach/advisor will discuss the allegation with the participant in question to determine the nature of the violation. After a proper investigation, a decision to suspend or not to suspend will be decided upon by the activities director and the coach/advisor.

Upon a suspension for a First Violation or a Second Violation, the participant may appeal the decision to the Superintendent by submitting an appeal in writing within 10 calendar days after the date the activities director and coach/advisor issue the suspension. The written request for a Superintendent appeal shall be directed to the Superintendent. Failure by the participant to request a Superintendent appeal within the 10 calendar days will be a waiver of any appeal right, and the suspension will be final. The Superintendent will conduct an investigation and issue a written decision as soon as possible and this decision will be final. The suspension will not begin until the Superintendent issues a decision affirming the suspension.

Upon suspension for a Third Violation, the participant may first appeal the decision to the Superintendent. If the participant is not satisfied with the Superintendent's decision, a written appeal may be made to the Board of Education within 10 calendar days from the date the Superintendent issues a decision. Failure by the participant to request a Board hearing within the 10 calendar days will be a waiver of any appeal right and the Superintendent's decision will be final. If the Superintendent affirms the suspension and the participant appeals to the Board of Education, the participant will be temporarily suspended during the period of appeal to the Board.

In case of appeal to the Board of Education, the following procedures shall apply:

1. The Superintendent will file a sealed written report with the Board secretary or business manager by the end of the fifth school day following the date the participant's written request for an appeal is received.

2. The Board hearing shall be conducted as provided in Board Policy 5210, Part Four, items 5 through 11.

July 12, 2004



## **OFF-CAMPUS MISCONDUCT**

1. **Application of disciplinary code to off-campus misconduct.**  
The Student Disciplinary Code and all penalties shall apply to aggressive or violent conduct off school grounds that disrupts school or that affects a health or safety factor of the school or its programs.
2. **Examples of off-campus misconduct subject to discipline.**  
Examples of such conduct include, but are not limited to: illegal activity involving violence or aggression, threats of violence or aggression to persons or property, fighting, hazing, or other violent or aggressive offenses against persons or property.
3. **Full range of disciplinary penalties.**  
Students may be subject to the full range of disciplinary penalties for off-campus misconduct, including, but not limited to: suspension, expulsion, detention, as well as removal from participation in extracurricular activities such as interscholastic sports teams, club sports, student government positions, class trips, class proms, and graduation ceremonies.

Legal reference: SDCL 13-32-1

**FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that the school district, with certain exceptions, obtain written consent from a student's parent or guardian prior to the disclosure of personally identifiable information from a student's education records. However, the district may disclose appropriately designated "directory information" without written consent, unless a student's parent or guardian have advised the district to the contrary in accordance with district procedures. The primary purpose of directory information is to allow the district to include this type of information from student's education records in certain school publications. Examples include:

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

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks.

In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories - names, addresses and telephone listings - unless parents or guardians have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If a student's parent or guardian does not want the Spearfish School District to disclose directory information from his or her child's education records without prior written consent, he or she must notify the District in writing by September 15 of every school year.

The district has designated the following information as directory information:

**Note:** an LEA may, but does not have to, include all the information listed below.

student's name, grade level, address, dates of attendance, telephone listing, degrees, honors and awards received, photograph, participation in officially recognized activities and sports, date and place of birth, the most recent educational agency or institution, weight and height of members of athletic teams, major field of study.

Adopted May 12, 2008

**REQUEST TO PARTICIPATE IN SPEARFISH HIGH  
SCHOOL  
OFF CAMPUS PROGRAM/ACTIVITY  
AND  
STATEMENT TO HOLD SCHOOL DISTRICT HARMLESS**

**The undersigned parent/legal guardian requests that their child  
participate in the following OFF CAMPUS program/activity:**

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The program requires off campus activities. The below identified student will use their personal vehicle for transportation, or will ride with another student who is using their personal vehicle. The parent states that:

- The student driver has a valid driver's license
- The student will abide by school policy
- The vehicle is insured

**Furthermore, the undersigned hereby releases and agrees to hold harmless the  
School District from any claim or injury that may be suffered as a result of  
participation in the off campus program/activity.**

Name of Student: \_\_\_\_\_

Signature of Student: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Parent/Guardian: \_\_\_\_\_

Signature of Parent/Guardian: \_\_\_\_\_ Date: \_\_\_\_\_

**Based on the foregoing, the School District hereby grants permission for the above  
named student to participate in the off campus program/activity.**

Spearfish School District Employee: \_\_\_\_\_

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

### **CYBER BULLYING POLICY**

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

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

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

Reports of cyber bullying will be investigated as deemed appropriate by the administration.

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

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

Disciplinary action may include, but is not limited to, the loss of computer privileges, detention, suspension, or expulsion of a student, or other appropriate disciplinary action of a staff member who is found to have violated this policy, based upon the facts and circumstances of each case. Violations of this policy may also be reported to law enforcement officials if deemed appropriate by the administration.

Adopted December 10, 2007  
Reviewed January, 2009

Board  
Policy

Code: 5133/6248

## **BULLYING**

Bullying is repeated and intentional harmful behavior initiated by one or more students and directed toward another student. Bullying exists when a student with more social and/or physical power deliberately dominates and harasses another who has less power. Bullying is unjustified, typically repeated, and differs from conflict. Two or more students can have a disagreement or a conflict, but bullying involves a power imbalance in which a bully targets a student who has difficulty defending him or herself.

1. Bullying will not be tolerated on school grounds or at any school activity on or off school grounds.
2. All district employees will be vigilant in preventing and reporting bullying. The district expects staff members who observe or become aware of an act of bullying to take immediate, appropriate steps to intervene, unless intervention would be a threat to the staff member's safety. Any behavior that may be construed as bullying is to be reported to school administrators.
3. The school district expects and encourages students and parents who become aware of an act of bullying to report it to the school principal for further investigation.
4. Any student who retaliates against another for reporting bullying will be subject to disciplinary action, up to and including suspension/expulsion.
5. When an alleged bullying incident is reported, the principal or designee will conduct an investigation to determine the most appropriate response to the behavior, up to and including suspension or expulsion.
6. Accusations of bullying are serious. Falsely accusing someone of being a bully is unacceptable and will result in disciplinary action for the person making the false accusations as appropriate.

Approved January 11, 2010

## **SPEARFISH SCHOOL DISTRICT WEB PAGE ADMINISTRATIVE REGULATION**

The purpose of this administrative regulation is to define the intended objectives of the Spearfish School District website for Spearfish School District employees. This regulation applies to all Spearfish School District employees.

The Spearfish School District has developed and operates the following web site, [www.spearfish.k12.sd.us](http://www.spearfish.k12.sd.us) with the following objectives:

- \* To provide general information on the Spearfish School District.
- \* To use technology as a tool to enhance curriculum, instruction and assessment, K-12.
- \* To utilize technology in communicating among schools, libraries and town departments, and with the greater community.

1. Access to, and maintenance of, the Spearfish School District web site will be exclusively controlled by the District Technology Coordinator or designated committee, without prior notice and in a manner consistent with the policies and administrative regulations adopted by the Spearfish School District. There should be no expectation of privacy for any content stored or displayed on the Spearfish School District web site.
2. Personal student details (including addresses and phone numbers) shall not be placed on the Spearfish School District website. Student pictures and names may be placed on the Spearfish School District website unless requested by parents or eligible students not to do so. It is the responsibility of those persons adding information to individual school web sites to conform to individual parental or eligible student guidelines regarding use of student information. Staff members may post their own personal information on the Spearfish School District website, but must have written permission prior to posting anyone else's personal information.
3. The District Technology Coordinator reserves the right to review and to remove any information contained within the Spearfish School District web site without prior notice.
4. The Spearfish School District is not responsible for any errors or misleading/incorrect information displayed on the Spearfish School District web site.
5. The Spearfish School District web sites may not be used for commercial or political activities, nor may they be used for any purpose that is illegal, causes an unreasonable reduction of web site performance, or otherwise violates generally recognized community standards or Spearfish School District policies or administrative regulations.
6. Posting or providing access to material that violates the copyrights of others is prohibited. No copyrighted materials, including educational materials subject to copyright, may be posted anywhere on the Spearfish School District website without the written authorization of the copyright owner.

Approved February 8, 2010

## **Spearfish School District E-Mail Retention Administrative Regulation**

The School District is obligated to respect and, in many cases, to protect confidential data. There are, however, technical and legal limitations to the District's ability to protect confidentiality. For legal purposes, electronic communication (e-mail) is no different than a paper document. In limited circumstances the District, or individuals who work for the district, may be legally compelled to disclose information relating to business or personal use of the District's e-mail system to governmental authorities or, in the context of litigation, to other third parties. E-mail may also contain information that should be retained in the official records of the School District. Any e-mail message that would be saved had its contents been transmitted in paper form must be saved to the email archive and retained in school records.

An e-mail user's decision to retain an e-mail will be based on his/her best judgment of the demands of the situation to which the e-mail pertains. Individuals with questions regarding the retention of particular e-mail messages should obtain an immediate opinion from their supervisor.

### **I. Examples of e-mail messages which may be deleted are:**

- A. Messages that address routine administrative, curricular and co-curricular matters, announcements of meetings, schedules of events, etc.
- B. Messages that take the place of informal discussion and which if they were printed would not be retained in school records.
- C. Messages that transmit generic information and are not specific to a student's educational program.
- D. Messages that address personal matters unrelated to the School District.

### **II. Examples of e-mail messages which should be retained are:**

- A. Messages that address significant aspects of a specific student's educational program including, but not limited to, health, discipline, special education program, interaction with child protection agencies and communication with parents relating to specific aspects of the student's interaction with the school district.
- B. Messages that address and/or provide information used in making policy decisions, concerning curricular or co-curricular activities, personnel actions or that relate to the business transactions of the School District.
- C. Messages that address activities of significant interest in the community relating to the School District.
- D. Emails that are the subject of investigations or litigation when the district has reasonable notice of the proceeding.

Approved June 14, 2010

**Acceptable and Ethical Use of Technology Resources  
Spearfish School District Network and Computer Systems**

Definitions: The "District's Computer Systems" and the "District's Networks" are defined as any configuration of hardware and software, including all of the computer hardware, operating system software, application software, stored text, and data files. This also includes, but is not limited to, electronic mail, local databases, externally accessed databases (such as the Internet), CD-ROM, optical media, clip art, digital images, digitized information, communications technologies, and any and all new technologies as they become available.

Policy: The use of the District's Network, inclusive of the Wide Area Network (WAN) and the Local Area Network (LAN) is a privilege, not a right. Guidelines are provided to make all users aware of the responsibilities associated with educational, efficient, ethical, and lawful use of network resources. If a person violates any of these provisions, privileges may be terminated, access to the District Network may be denied, and the appropriate disciplinary action shall be applied. The District's discipline policy shall be applied to student infractions.

In compliance with applicable laws, including SDCL 22-24-55, the District shall operate a technology protection measure that blocks or filters Internet access. The technology protection measure is intended to protect against access by adults and minors to content that is harmful to minors, abusive, obscene, profane, sexually explicit, threatening, illegal or pertaining to pornography, including child pornography. The District shall make reasonable efforts to restrict access to inappropriate materials and shall take reasonable measures to monitor the online activities of the end users; however, it is impossible to control all materials on a global network. Therefore, the District shall not be liable for the content or viewing of any materials not prepared by the District, or for access by a minor user to obscene materials under SDCL 22-24-57. Teachers may file a request with the Technology Coordinator to unblock websites that they believe have significant educational value. If the website is determined to be appropriate, the site will be unblocked.

Disciplinary action may be taken against students whose on-site communication causes a substantial disruption to the education environment or interferes with another student's rights. Disciplinary action may also be taken against students for non-communication violations affecting the District's Computer Systems and District's Networks. Criminal action by law enforcement authorities may be taken against students if their on-site communication constitutes a threat or otherwise constitutes illegal conduct.

The parent/guardian shall notify building administrators each year if the parent/guardian does not want his or her child to independently use the District's Computer Systems to access the Internet. Unless the District receives a proper authorization from the student and parent/guardian, students will not be permitted Internet access (See Code 6245). If a parent/guardian denies Internet access, this does not apply to direct classroom instruction where the teacher uses the Internet as a classroom demonstration or in a situation where the



students are using computers and being supervised by District staff in the directed use of specific Internet sites as part of the class curriculum. Teachers should be prepared to provide alternate activities for students who have lost privileges through disciplinary action.

User accounts are considered the property of the District. The District expressly reserves the right at any time to review the subject, content, and appropriateness of electronic communications or other computer files and remove them if warranted, reporting any violation to the school administration or law enforcement officials.

Persons using the District's Computer Systems or District's Networks shall have no expectation of privacy or confidentiality in the content of electronic communications or other computer files sent, received, or stored on the District's Computer Systems or District's Network.

The District does not guarantee that the District's Computer Systems or District's Networks will be uninterrupted or error-free; nor does it make any warranty as to the results to be obtained from use of the service or the accuracy or quality of the information obtained on or by them.

**Access to the District's Computer Systems or District's Network is provided on an "as is" basis without warranties of any kind, express or implied, and all implied warranties including those of merchantability or fitness for a particular purpose are excluded. Neither the District nor any of its agents or employees shall be liable for any direct, indirect, incidental, special, or consequential damages arising out of the use of or inability to use the District's Computer Systems or District's Network or out of any breach of any warranty, express or implied.**

Security of all networks connected to the District is a high priority. Anyone observing a security problem on the District's Computer Systems or District's Network shall notify District personnel. Any person identified as a security risk or having a history of problems with other computer systems may be denied access to the District's Computer Systems or District's Network.

The District's Network may not be used for personal gain, which includes District email and/or web pages, to solicit sales or conduct business.

#### **Proper Use of District Network and Computer Systems**

Proper use of the District's Computer Systems and the District's Network requires that District staff and students abide by the following guidelines. District staff and students shall:

- (a) be responsible for all use of the network under their accounts, regardless of whether access is gained with or without the person's knowledge and/or consent;
- (b) immediately notify the District if the person suspects any unauthorized use of their account. The person shall remain liable and responsible for any unauthorized use until the District is notified of the suspected unauthorized use and the District has a reasonable opportunity to act upon such notice;
- (c) be responsible for any costs, fees, charges, or expenses incurred under the person's account number in connection with the use of the the District's Computer Systems and the District's Network except such costs, fees, charges, and expenses as the District explicitly agrees to pay;

- (d) avoid anonymity when communicating through electronic resources, unless authorized by the District or completing professionally-related surveys;
- (e) ensure that student information shared electronically complies with the Family Educational Rights and Privacy Act;
- (f) delete non-District authorized or adopted software if disk-space or system conflict issues arise;
- (g) abide by all District policies and regulations when accessing personal email accounts, chat rooms, social networking sites or other forms of direct electronic communications via the District's Network;
- (h) not send, access, or retain any abusive, defamatory, obscene, profane, sexually explicit, pornographic, threatening, or illegal material;
- (i) not transmit copyrighted material without the express consent or authorization of the owner of the copyrights;
- (j) not disclose passwords;
- (k) not intentionally damage the District's Computer Systems, equipment or software or intentionally attempt to harm or destroy data of another person. This includes, but is not limited to, "hacking" and the loading or creation of computer viruses. The persons responsible for such actions or their parents/guardians shall be responsible for damages or the cost of correcting the problem;
- (l) not install equipment on or make modifications to the District's Computer Systems or District's Network without pre-authorization from the District Technology Coordinator;
- (m) not utilize proxy sites or other means to circumvent the District's filter;
- (n) not include in student folders executable files (\*.exe), batch files (\*.bat), command files (\*.com), system files (\*.sys), media player files (\*.mp3), or network files unless the file(s) directly relate(s) to a classroom assignment;

### **Educational Use of District Technology Resources**

Online communication and network resources are an important part of 21st Century teaching and learning. The network and technology resources are considered an extension of the classroom. An educator's role includes fostering development of students who are reasonably equipped to communicate effectively, ethically and safely through appropriate guidance to students using telecommunications and electronic information resources related to the District curriculum. Teachers may allow students to use forms of online collaboration such as email, wikis and blogs, etc. for educational purposes only and with proper supervision. Proper supervision shall include the teacher having documentation of the identities of participating students and being able to monitor the account.

### **Ethical Use of District, Public, or Private Technology Resources**

Ethical behavior requires that District staff and students show consideration and respect whenever using computers or electronic communication/technology/devices/resources. When interacting with each other, District staff and students shall:

- (a) not include in electronic communication between staff, students and/or parents/guardians, comments or content that would not be acceptable in a face-to-face communication;
- (b) not disclose, use, or disseminate unauthorized personal information of another person;
- (c) distinguish between personal social networking sites and professional social networking sites. Staff shall not invite or accept current District students, except for the staff person's relatives, into any personal social networking sites; and
- (d) evaluate all information for its accuracy, reliability, and authority.

Disciplinary action may be taken against staff or students whose off-site communication causes a substantial disruption to the education environment or substantially interferes with another's rights. Criminal action by law enforcement authorities may be taken if the off-site communication constitutes a threat or otherwise constitutes illegal conduct.

Adopted January 10, 2011

**Board Policy Code 4050**  
**REPORTING CHILD ABUSE**

Any person who has contact with a child through the performance of services in this District as a teacher, school nurse, school counselor, school official or administrator, or other school employee who has reasonable cause to suspect that a child under 18 years of age has been abused or neglected (including sexual or emotional abuse – see definition in SDCL 26-8A-2 below) by a parent or other person, will report orally or in writing this information to the building principal or Superintendent. The principal or Superintendent should immediately report this information to the state's attorney; or the department of social services; or the county sheriff; or the city police.

If the principal or Superintendent does not confirm to the teacher or other employee within 24 hours that action has been initiated, the employee will report this information directly to the proper authorities. "Reasonable cause" exists where the facts and circumstances within the employee's knowledge, and of which he or she has reasonably trustworthy information, are sufficient in themselves to warrant a belief by a person of reasonable caution that a child has been abused or neglected. The terms "teacher," "school counselor," "school official," "school administrator," "school principal," and "school superintendent" apply to any person substantially performing the respective duties of any such position in this District. The report will contain the following information: name, address, date and place of birth of the child; the name and address of parents, guardian, custodian or responsible persons; date of the report; and the suspected or proven instances of child abuse or neglect as defined in SDCL 26- 8A-2 below. School employees, including administrators, will not contact the child's family or any other persons to determine the cause of the suspected abuse or neglect. It is not the responsibility of the school employees to prove that the child has been abused or neglected, or to determine whether the child is in need of protection, but only to report suspicions of abuse or neglect if the person knows or has reason to suspect that a child has been abused or neglected. Anyone who participates in making a report in accordance with the law and in good faith is immune from any civil or criminal liability that may otherwise arise from the reporting, or from any resulting judicial proceeding, even if the suspicion is proved to be unfounded. Any personal interview or physical inspection of the child should be conducted in a considerate, professional manner. Information or records concerning reports of suspected abuse or neglect are confidential. The release to persons other than those provided by law is a class one misdemeanor. Failure to make a report of abuse or neglect is a class one misdemeanor.

Copies of this policy will be distributed by the Superintendent to all school employees at the beginning of each school term, and to new employees when they begin employment if at a different time than the beginning of the school term. The definition of an abused or neglected child is found in the following statute: 26-8A-2. Abused or neglected child defined. In this chapter and chapter 26-7A, the term, abused or neglected child, means a child:

- (1) Whose parent, guardian, or custodian has abandoned the child or has subjected the child to mistreatment or abuse;
- (2) Who lacks proper parental care through the actions or omissions of the child's parent,

guardian, or custodian;

(3) Whose environment is injurious to the child's welfare;

(4) Whose parent, guardian, or custodian fails or refuses to provide proper or necessary subsistence, supervision, education, medical care, or any other care necessary for the child's health, guidance, or well-being;

(5) Who is homeless, without proper care, or not domiciled with the child's parent, guardian, or custodian through no fault of the child's parent, guardian, or custodian;

(6) Who is threatened with substantial harm;

(7) Who has sustained emotional harm or mental injury as indicated by an injury to the child's intellectual or psychological capacity evidenced by an observable and substantial impairment in the child's ability to function within the child's normal range of performance and behavior, with due regard to the child's culture;

(8) Who is subject to sexual abuse, sexual molestation, or sexual exploitation by the child's parent, guardian, custodian, or any other person responsible for the child's care;

(9) Who was subject to prenatal exposure to abusive use of alcohol, marijuana, or any controlled drug or substance not lawfully prescribed by a practitioner as authorized by chapters 22-42 and 34-20B; or

(10) Whose parent, guardian, or custodian knowingly exposes the child to an environment that is being used for the manufacture, use, or distribution of methamphetamines or any other unlawfully manufactured controlled drug or substance.

Legal References: SDCL Ch. 26-8A; Hughes v. Stanley County School Board, 594 N.W.2d 346 (S.D. 1999)

February 13, 2018

## Board Policy 4050

### REPORTING CHILD ABUSE

Any person who has contact with a child through the performance of services in this District as a teacher, school nurse, school counselor, school official or administrator, or other school employee who has reasonable cause to suspect that a child under 18 years of age has been abused or neglected (including sexual or emotional abuse – see definition in SDCL 26-8A-2 below) by a parent or other person, will report orally or in writing this information to the building principal or Superintendent. The principal or Superintendent should immediately report this information to the state's attorney; or the department of social services; or the county sheriff; or the city police. If the principal or Superintendent does not confirm to the teacher or other employee within 24 hours that action has been initiated, the employee will report this information directly to the proper authorities.

"Reasonable cause" exists where the facts and circumstances within the employee's knowledge, and of which he or she has reasonably trustworthy information, are sufficient in themselves to warrant a belief by a person of reasonable caution that a child has been abused or neglected. The terms **"teacher," "school nurse," "school counselor," "school official," "administrator," "school principal," and "school superintendent"** apply to any person substantially performing the respective duties of any such position in this District.

The report will contain the following information: name, address, date and place of birth of the child; the name and address of parents, guardian, custodian or responsible persons; date of the report; and the suspected or proven instances of child abuse or neglect as defined in SDCL 26-8A-2 below.

School employees, including administrators, will not contact the child's family or any other persons to determine the cause of the suspected abuse or neglect. It is not the responsibility of the school employees to prove that the child has been abused or neglected, or to determine whether the child is in need of protection, but only to report suspicions of abuse or neglect if the person knows or has reason to suspect that a child has been abused or neglected.

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

Any personal interview or physical inspection of the child should be conducted in a considerate, professional manner. Information or records concerning reports of suspected abuse or neglect are confidential. The release to persons other than those provided by law is a class one misdemeanor. Failure to make a report of abuse or neglect is a class one misdemeanor.

Copies of this policy will be distributed by the Superintendent to all school employees at the beginning of each school term, and to new employees when they begin employment if at a different time than the beginning of the school term.

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- (1) Whose parent, guardian, or custodian has abandoned the child or has subjected the child to mistreatment or abuse;
- (2) Who lacks proper parental care through the actions or omissions of the child's parent, guardian, or custodian;
- (3) Whose environment is injurious to the child's welfare;
- (4) Whose parent, guardian, or custodian fails or refuses to provide proper or necessary subsistence, supervision, education, medical care, or any other care necessary for the child's health, guidance, or well-being;
- (5) Who is homeless, without proper care, or not domiciled with the child's parent, guardian, or custodian through no fault of the child's parent, guardian, or custodian;
- (6) Who is threatened with substantial harm;
- (7) Who has sustained emotional harm or mental injury as indicated by an injury to the child's intellectual or psychological capacity evidenced by an observable and substantial impairment in the child's ability to function within the child's normal range of performance and behavior, with due regard to the child's culture;
- (8) Who is subject to sexual abuse, sexual molestation, or sexual exploitation by the child's parent, guardian, custodian, or any other person responsible for the child's care;
- (9) Who was subject to prenatal exposure to abusive use of alcohol, marijuana, or any controlled drug or substance not lawfully prescribed by a practitioner as authorized by chapters 22-42 and 34-20B; or
- (10) Whose parent, guardian, or custodian knowingly exposes the child to an environment that is being used for the manufacture, use, or distribution of methamphetamines or any other unlawfully manufactured controlled drug or substance.

Legal References: SDCL Ch. 26-8A; *Hughes v. Stanley County School Board*, 594 N.W.2d 346 (S.D. 1999)

Adopted February 13, 2018