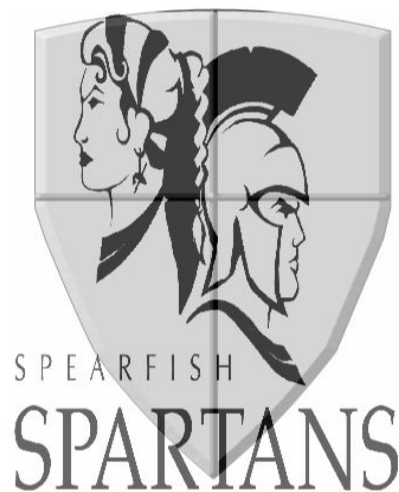


# SPEARFISH HIGH SCHOOL HANDBOOK 2009-10



Annual Report Card Web Address – <https://sis.ddncampus.net8081/nclb//index.html>

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## MESSAGE FROM THE PRINCIPAL

Welcome to the 2009 – 2010 school year at Spearfish High School. This handbook has been developed to inform students about their school. Guidelines are needed to help any school run in an efficient and organized manner. Spearfish High School is no different! This handbook is not meant to be an “include everything” manual. Common sense and “doing the right thing” always take precedence and are staples of everyday living. Please read the handbook and refer to it often.

There are seven major sections in the Spearfish High School Handbook. They are:

- Academics
- Attendance
- School Guidelines
- Consequences
- Student Activities
- General Information
- Emergency Procedures

If a student or parent desires to see a complete copy of a School Board Policy they may inquire in the Principal’s office (717-1212).

Each student at Spearfish High School can achieve success. Hard work, determination, organization, preparation, treating all people fairly, respecting others, respecting yourself, setting personal goals and respecting rules will lead to each student’s success. This handbook sets the basic guidelines, regulations, rules and gives essential information to help each individual student attain and have a successful high school experience. Each student is responsible for what she/he does and does not do. Each student must learn from past experiences, both good ones and bad ones. Attitude is vital for success. Attitude is the filter that allows information to flow to the brain. *If you come to school each day with a good attitude – your learning experience and success will be greatly enhanced!* Only “YOU” can change your attitude! Keep in mind that we all make mistakes, the key is to learn from those mistakes and not make the same mistake twice.

General Colin Powell once said – “There are no secrets to success: Don’t waste time looking for them. Success is the result of perfection, hard work, learning from failure, loyalty to those for whom you work and persistence.” Michael Jordan lived by this saying – “If you accept the expectations of others, especially negative ones, then you will never change the outcome.” Be a positive person, come to school every day, work hard while you are here, ask questions when you do not understand something and most of all - do the right thing, if it is not right, someone will tell you and don’t do it again! Have a great school year.



Steve Morford  
Spearfish High School Principal

**SPEARFISH HIGH SCHOOL IS ACCREDITED BY THE NORTH CENTRAL  
ASSOCIATION SOUTH DAKOTA STATE EDUCATIONAL DIVISION**

**SPEARFISH SCHOOL DISTRICT MISSION**

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

**SPEARFISH HIGH SCHOOL MISSION**

*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 2009-2010**

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)  
Drop Everything and Read (DEAR) will be held during Spartan Time. It is for all  
students grades 9-12 and will be from 1:45-2:05.**

**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 but not from DEAR. Any Senior student that has a D+ or less in any class will be required to attend Spartan Time and DEAR until the next grading period that shows he/she is passing all classes with a C- or better grade.
4. A students' status can change at any of the grading periods; mid term, quarter, semester.
5. Freshmen are exempt from this program. They must attend Spartan Time and DEAR 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 15-20 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):**

- August 26 (maroon white day)
- September 16
- October 20
- November 17
- December 16
- January 19 (maroon white day)
- January 26
- February 24
- March 31
- April 26
- May 12

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

## STUDENT COUNCIL 2009-2010

### **Student Body Officers**

President: Jeff Young  
V. President: Abby Albers  
Secretary: Kelsey Senden  
Treasurer: Kendra Apland

### **Senior Class Officers**

President: Brian Jones  
V. President: Tanner Triscori  
Secretary: To be determined  
Treasurer: Taylor Klinkel  
Class Rep: Alexandria Buccholz & Jamela Hafner

### **Junior Class Officers**

President: Jake Young  
V. President: Adam Mundorf  
Secretary: Becca Scheetz  
Treasurer: Dani Bergey  
Class Reps: Chloe Savage & Kaitlin Haase

### **Sophomore Class Officers**

President: Cody Drolc  
V. President: Liz Schwartz  
Secretary: Kelsey Lamb  
Treasurer: Nicole Lamb  
Class Reps: Lindsay Jones and To be determined

### **Freshman Class Officers**

President: TBA  
V. President: TBA  
Secretary: TBA (All positions will be elected in September of 2009)  
Treasurer: TBA  
Class Reps: TBA

## ACADEMICS

### **IDENTIFICATION CARDS**

Each student must have a current student ID card each school year. These are given to the student at the beginning of the school year, are used for proof of identification, and must be carried by the student at all times every day. Upon entering the building for the school day, students are required to have ID badges. Those HIGH SCHOOL students who use school busing must have the ID available upon boarding and riding the bus. No temporary ID badges will be issued. Any student who is new to the district or who did not have their school picture in August, must stop by the main office to have an ID made. If a student should lose or deface their ID, there is a \$5 replacement fee charge to make another ID. The ID's are to be accessible by the

student at all times and are used in the classrooms, lunchroom, hallways, library, buses, etc. The ID is the property of Spearfish High School.

Students without an ID will be required to purchase a new ID and will serve a detention that day or the next day after school. Detentions will continue to be served until the new ID is purchased. All procedures for unexcused tardies, absences and un-served detentions will be adhered to.

Seniors will be issued white ID cards, Juniors blue, Sophomores green and Freshmen red. Faculty and Staff ID's will be maroon.

Why have ID Cards?

- serve as a form of identification
- be used as the student library card
- be used for lunchroom purposes
- allow staff members to easily see who is a member of the SHS student body
- allow staff members to monitor visitors or intruders into our school
- allow for the general safety of our student body
- allow teachers and administrators to easily recognize what class (freshman, sophomore, junior, senior) a student is in

## **Academic Letters**

In order to receive the academic letter, a student must maintain a cumulative grade point average of 3.74 for the first three quarters of the school year.

## **Class Schedule Changes**

As a rule, changes in class schedules will be limited to the first week of a new semester. Changes made during this time may be made only with the consent of the counseling department, administration, and parents.

## **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:

Thursday, October 1, 2009	4:00 pm – 9:00 pm Classrooms
Monday, March 8, 2010	4:00 pm – 9:00 pm Classrooms

## **Dual Credit**

Junior and senior status students at Spearfish High School may enroll for dual credit at Black Hills State University and/or Western Dakota Technical School. Application is made through the counseling department. Students may take additional classes at Black Hills State University or Western Dakota Technical School while enrolled as a full time student at Spearfish High

School. Students are responsible for registering for classes at the respective college or technical school and for all costs. Scheduling issues should be discussed with a guidance counselor to assure that all high school requirements can be met. Credit will be recorded on the student's transcript only after a copy of the official grade report from the respective college is provided to the guidance office. One-half credit will be recorded at SHS for 3, 4, and 5 semester hour courses completed at the college or technical school level. Letter grades will be computed into the student's grade point average using the 4.0 scale. Students who enroll for 1 or 2 classes at a college or university may not be required to take a full high school load. All school regulations regarding the withdrawal from a course during the semester apply and students can receive a "WF" on the official transcript as a result. The dual enrollment admission requirements include having completed the sophomore year of high school; have at least a 2.7 cumulative gpa (technical schools require a 2.0 gpa); rank in the top half of the class; meet all course prerequisites; and have a University or Technical School instructor's approval. All seniors must sign a transcript release so the school can access grades as soon as the college has posted them.

### **Early Graduation**

A student who is seeking permission from the administration to graduate early must have specific plans and written parental permission. Initial applications for early graduation should be submitted to the Guidance department and then to the Principal for approval. An exception may be made for fifth year seniors who will complete course work in less than a year. Students must complete seven 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.

### **Full-time Student Status**

A student must be enrolled in and attending a minimum of seven classes to maintain his/her full-time student status unless approved otherwise by the administration. Seniors who are not credit deficient may enroll in a minimum of six classes and maintain their full-time status if approved by the principal.

### **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

## **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**

Language Arts 4.00	Mathematics 3.00
Social Studies 3.50	Physical Education .50
Computer Studies .50	Lab Science 3.00
Economics or Personal Finance .50	Fine Art 1.00 Band, Choir, Art, Drama
Electives 4.5	1.5 – 2.0 units pending graduation track selected

Students will complete all prescribed requirements before being eligible for graduation from 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 7 classes; exceptions may occur if a student is enrolled in a college or tech school, upon approval of the building administrator.
- II. All course credit will be considered in determining cumulative grade point averages, class rank and scholarship consideration.
  - III. High school correspondence credit from an accredited institution will be allowed, upon the approval of the building administrator.
  - IV. Students may take college or vocational courses for credit towards high school graduation, upon approval of the building administrator.
  - V. 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 after 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.
  - IV. Students will complete all graduation requirements before they can participate in the graduation exercise and/or receive a diploma.

### **Honor Roll**

Scholarship is recognized and encouraged through an academic honor roll and academic lettering. The honor roll is compiled at the close of each quarter. Honor roll designations are restricted to an "A" honor roll and a "B" honor roll. A grade point of 3.66 must be attained to make the "A" Honor roll and 2.66 for the "B" honor roll.

### **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 can 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 to the instructor.

### **Report Cards**

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 mid term informing parents of such with report cards being mailed upon request only at each midterm reporting period.

## **Semester Test Schedule – 2009-2010**

The 2009-2010 semester test schedule will be:

Wednesday, January 13, 2010 and Friday, May 21, 2010:

- 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 14, 2010 and Monday, May 24, 2010:

- 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 15, 2010 and Tuesday, May 25, 2010:

- 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 make-up 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.

### **Spartan Time**

Spartan Time takes place on Maroon days during block 4. Drop Everything and Read (DEAR) will be held during Spartan Time. It is for all students, grades 9-12, and meets from 1:45-2:05. At 2:05, selected students in grades 10-12 will be released. Students will use this time to further their studies and seek assistance from teachers. Students must return to their Spartan Time classroom before the end of the block.

All 9 – 12 students are required to attend Maroon Block 4 on the following dates:

- August 26 (maroon white day)
- September 16
- October 20
- November 17
- December 16
- January 19 (maroon white day)
- January 26

- February 24
- March 31
- April 26
- May 12

### **Valedictorian and Salutatorian**

GPA and Class Rank following the first semester of the senior year will determine Valedictorian(s) and Salutatorian(s). Students should be aware that both the number of classes attempted and grades received factor into Grade Point Average.

### **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.

### **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 will lose them for being truant and be assigned to the "CABIN". If a student does not have an open period, he or she will be assigned 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 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. 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.

### **College Visits**

Juniors and Seniors will be allowed two 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 – but only two will be activity excused.

### **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 during class time whenever possible. If it is deemed necessary for the student to leave the classroom, the student must sign out of the particular classroom and be issued a pass by the classroom teacher. All students must have their student ID with them at all times.

## **SCHOOL GUIDELINES**

The authority of the school to set guidelines exists during school hours and extends beyond the building to school grounds and to all places where school-sponsored activities are held, including athletic contests and other activities. Violations will be dealt with on an individual basis and disciplinary measures applied after an investigation of the incident/referral.

### **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.

### **East Doors**

Students may use the East Doors on a limited basis. They may exit through these doors at any time, but are only permitted to enter through them during certain passing periods.

### **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.

### **Food and Drink**

No food or drink other than water is allowed in the classrooms, Library, the CABIN, or Auditorium. Board Policy 6700 Wellness will dictate the guidelines the school will follow in relation to food and drink availability.

### **Harassment**

Harassment by any employee or student of any other employee or student on the basis of race, color, sex, religion, notional 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**.

### **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**.

## **Insubordination**

Students who continually refuse to respond to school guidelines and/or reasonable requests are insubordinate. This conduct is disruptive to the learning process and will be dealt with accordingly.

## **Bullying**

Bullying is any gesture or written, verbal, graphic, or physical act (including electronically transmitted acts – i.e. internet, cell phone, personal digital assistant (pda), or wireless hand held device) that is reasonably perceived as being motivated either by any actual or perceived characteristic. Bullying among children can be defined as intentional, repeated hurtful acts, words or other behavior, such as name-calling, threatening and/or shunning committed by one or more children against another. These negative acts are not intentionally provoked by the victim, and for such acts to be defined as bullying, an imbalance in real or perceived power must exist between the bully and the victim. A student is being bullied when he or she is exposed, repeatedly and over time, to negative actions on the part of one or more students. Such behavior is considered harassment or bullying whether it takes place on or off school property, at any school-sponsored function, or in a school vehicle. Bullying will not be tolerated at SHS

## **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.

## **Laser Pointers**

Laser pointers are a disruption to the learning environment and potentially a health risk to students and staff. They are not permitted on school grounds during school hours or at school activities.

## **Pagers and Cell Phones**

Pagers and cell phones can be a disruption to the learning environment. They are not to be used in the school building between the times of 8:15 – 11:24 and 12:09 – 3:15. Cell phones are not allowed and are not to be used at any time in locker rooms or restrooms. This includes during,

before, and after school as well as during practices and games. Cell phone photographs are not allowed in the school building at any time.

Abuse of the cell phone rules and regulations will be handled as follows: 1<sup>st</sup> offense = cell phone taken for the rest of the school day. 2<sup>nd</sup> offense = cell phone taken for a week unless the student's parent/guardian comes to pick it up. 3<sup>rd</sup> offense = Saturday school assigned. 4<sup>th</sup> 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.

### **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 lockers belong to the school and thus the school has the right to search them at any time.

### **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 area marked as “Fire 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.

### **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**).

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.

### **Weapons**

The bringing of dangerous and/or illegal weapons onto school property or to school related activities are forbidden. No student will possess, handle, carry, or transmit any weapon or dangerous instrument in any school building, on school grounds, in any school vehicle or at any

school-sponsored activity. A “dangerous weapon” and/or “deadly weapon” is defined as any firearm (pellet gun, air gun, BB gun, look-alike or facsimile gun), 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 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 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, will be in violation of this policy. Dangerous weapons shall be taken from pupils and reported to the pupil’s parents/guardians. Confiscation of weapons will also be reported to the police. **Board Policy 5115**

### 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. Detention will be held Monday through Thursday from 3:25 to 4:10 in the “CABIN” (Mod 3). It will not take place on Fridays or on days when there is no school the following day. 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.

### **The "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.

### **Peer Leaders**

Students who are involved in Peer Leaders are chosen and trained in the improvisational program (IMPROV) and perform to other schools reinforcing the Character Education Pillars and to serve as role models to the younger students. In addition, they are trained in the Teens Against Tobacco Use program (TATU) which educates students on the negative effects of smoking and to promote the anti- tobacco campaign. Peer Leaders also provide peer tutoring for Spearfish High School students on a continual basis. Their community service projects include: making Christmas Memories which encourages family communication, Anti- drug counter marketing efforts , highway safety with the Buckle Up Campaign, Establishing well being and aiding in National Nutrition guidelines by encouraging the "Fuel Up" with a good breakfast during nutrition week and participating in the community health fair. Students who are interested in becoming a part of the Peer Leaders should contact Jackie Rans.

## STUDENT ACTIVITIES

### **Activities Attendance Policy**

Extra-curricular activities are considered an integral part of the Spearfish School District 40-2 total educational program and shall be administered and conducted in a professional, educational manner. These activities, which are not considered formal education, offer participation and experience in some of those areas that are recognized as being of significant importance in preparing the student as a self-supporting, well-rounded participant for the business and social aspects of his future.

The objectives of the extra-curricular program include the development of good sportsmanship in victory or defeat, consideration of others, self-discipline, poise, teamwork and responsibility in order to enhance the character and positive self-esteem of all participants.

The commitment to athletic, creative, intellectual and service activities will reflect suitable support by the Spearfish School District within its budgetary constraints.

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.

### **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.

Adventure Club  
Art Club  
Close Up  
Diversity Club  
Drama Club

Aaron Nida  
Nathan Clark/Lisa Howard  
Kathy Furois  
Angie King  
Julie Walkins

French Club  
Key Club  
Letter Club  
Magazine Sales  
National Honor Society  
Philosophy Society  
Poetry Club  
Science Olympiad  
Spanish Club  
Speech/Debate  
We The People  
Young Democrats Club

Bernard Barnaud  
Danielle Ligtenberg  
Bruce Bresee  
Kristi McCoy  
Marcia Aiken  
Scott Howard  
Teresa Deuter  
Jessica Zwaschka  
Sherry Ewing/Toni Lyke  
Bob Speirs  
Pat Gainey  
Pat Gainey

### **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 2<sup>nd</sup> semester grade will determine eligibility for the beginning of the next year. 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.

### **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.

### **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.

### **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 without prior permission. 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.

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

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 extra-curricular activities grades 6-8 and 9-12 is prohibited. This prohibition will be in force all year, including the summer months, weekends and holidays. Out-of-school suspension super cedes all training rules.

### **Consequences for Violations of This Policy**

First Violation: The participant will be suspended for two weeks (14 calendar days and minimum of two events) of scheduled extra-curricular activities in the activity in session or the next activity of participation. 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 four weeks (28 calendar days and minimum of four events) of scheduled extra-curricular activity in the activity in session or the next activity of participation. 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.

A conference among the student, his/her coach or advisor, and the activities director will be required prior to future participation once the second violation has occurred.

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.

#### 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:

First Violation: Any participant who is adjudicated, convicted or subject of a suspended imposition of sentence for possession, use or distribution of controlled substances or marijuana will be ineligible to participate in any extra-curricular activity for one year. The one-year suspension may be reduced to sixty school days if the person participates in an assessment with a certified chemical dependency counselor or completes an accredited intensive prevention or treatment program. 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.

Second Violation: Upon a 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.

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 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.

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.

## **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, school musicals/plays, and to receive a copy of the school newspaper at no further charge. Set activity rates for 2008-2009 are:

Grade 1-12	\$25.00 per year
Senior Citizen	\$ 5.00 per year
Adult	\$75.00 for Adult Season Activity Pass
	\$125.00 for two Adult Season Activity Passes
	\$50.00 for a 15 punch card

## **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.

## **Student Teacher/Interns**

Throughout the school year, we have the opportunity to utilize student teachers/interns in the Spearfish School District. The majority of these prospective teachers are current students at Black Hills State University here in Spearfish.

The purpose of the student teaching/internship experience is to provide authentic classroom teaching experience to these students who are required, as part of earning a teaching degree, to work along side a certified, supervising teacher for a specific number of weeks.

## **Immunizations**

The parents or guardian of each child admitted to the schools shall present a certification from a licensed physician or authorized representative of the State Department of Health that the child has received immunization against diphtheria, pertussis, tetanus, measles, rubella, German measles, mumps, and poliomyelitis.

## **Lunch**

Cost of meals at the high school for the 2009-2010 school year is \$2.35 per meal and \$1.35 for breakfast. The lunch system is computer operated and students are issued an ID card that will allow them to access their account. Applications for free or reduced lunches are available in the principal's office. There will be no cash purchases in the lunch line. Students are encouraged to keep a running balance in their account.

## **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.

### **Telephone Calls**

Except in an emergency, students will not be allowed to use the telephones in the main office. A student telephone is provided on the shelf in the school office. Students will not be called out of class for telephone calls except in extreme emergencies. Messages will be taken and posted outside the activities office by grade level. Students are encouraged to check the message board often during the school day. Students may also be notified via school e-mail.

### **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 should report to the high school office and receive a visitor's badge.

## **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.

## **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.

## **Late Start Schedule**

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

### **White Days**

Block 1	10:15-11:25
Lunch	11:25-12:05
Block 2	12:05-1:05
Block 3	1:10-2:10
Block 4	2:15-3:15

### **Maroon Days**

Block One	10:15 – 11:24
Lunch	11:24 – 12:09
Block Two	12:09- 1:39
Block Three	1:45 – 3:15
No Spartan Time	

## **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)

## **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)

<b>2009 - 2010 School Calendar</b>	
<b>August 24 &amp; 25</b>	<b>Pre-School In-service</b>
<b>August 24</b>	<b>West Elementary Open House 1:00 - 2:30 p.m.</b>
<b>August 24</b>	<b>East Elementary Open House 1:30 - 3:00 p.m.</b>
<b>August 24</b>	<b>Middle School Open House 2:00 – 3:30 p.m.</b>
<b>August 26</b>	<b>First Day of School</b>
<b>September 7</b>	<b>Labor Day - No School</b>
<b>October 1</b>	<b>P/T Conference High School 4:00 - 9:00 p.m.</b>
<b>October 7</b>	<b>P/T Conference Middle School 3:45 to 7:00 p.m.</b>
<b>October 9</b>	<b>In-service - No School</b>
<b>October 12</b>	<b>Native American Day - No School</b>
<b>October 19-22</b>	<b>Elementary P/T conference - by appointment</b>
<b>October 23</b>	<b>No School Elementary P/T conference - by appointment</b>
<b>October 30</b>	<b>End of First Quarter - High School</b>
<b>November 16</b>	<b>In-service - No School</b>
<b>November 20</b>	<b>End of First Trimester - Grades K-8</b>
<b>November 25-27</b>	<b>Thanksgiving Vacation</b>
<b>December 22</b>	<b>Early Release for Christmas 1:00 p.m</b>
<b>December 23- January 1</b>	<b>Christmas Vacation</b>
<b>January 15</b>	<b>End of Second Quarter - High School</b>
<b>January 18</b>	<b>In-service - No School</b>
<b>January 20</b>	<b>P/T Conference Middle School 3:45 to 7:00 p.m.</b>
<b>February 12</b>	<b>Early Release - Staff Development 1:00 p.m.</b>
<b>February 15</b>	<b>Presidents' Day - No School</b>
<b>February 26</b>	<b>End of Second Trimester - Grades K-8</b>
<b>March 4</b>	<b>P/T Conference West &amp; East Elementary 3:30 to 7:00 p.m.</b>
<b>March 8</b>	<b>PT Conference High School 4:00 - 9:00 p.m.</b>
<b>March 10-12</b>	<b>Spring Break</b>
<b>March 24</b>	<b>End of Third Quarter - High School</b>
<b>April 2-5</b>	<b>Easter Break - No School</b>
<b>April 14</b>	<b>P/T Conference Middle School 3:45 to 7:00 p.m.</b>
<b>April 28</b>	<b>Late Start - Staff Development 10:30 a.m.</b>
<b>May 23</b>	<b>Graduation</b>
<b>May 26</b>	<b>Last day for students (if no snow day) - Early Release 1:00 p.m.</b>
<b>May 26</b>	<b>End of Third Trimester - Grades K-8</b>
<b>May 26</b>	<b>End of Fourth Quarter - High School</b>
<b>May 27, 28 June 1</b>	<b>Make-up Snow Days</b>
<b>May 31</b>	<b>Memorial Day</b>

**SPEARFISH HIGH SCHOOL CALENDAR  
FIRST SEMESTER 2009 – 2010**

<b>WEEK BEGINNING</b>	<b>MONDAY</b>	<b>TUESDAY</b>	<b>WEDNESDAY</b>	<b>THURSDAY</b>	<b>FRIDAY</b>
August 24	24 In-Service	25 In-Service	26 W/M First Day for Students	27	28
August 31	31	1	2	3	4
September 7	7 No School Labor Day	8	9	10	11
September 14	14	15	16 Advisor Day	17	18
September 21	21	22	23	24	25 1st Quarter Midterm
September 28	28	29	30	1	2
October 5	5	6	7	8 P/T Conferences	9 No School In-Service
October 12	12 No School Native American Day	13	14	15	16 Homecoming
October 19	19	20 Advisor Day	21	22	23 No School
October 26	26	27	28	29	30 End of 1st Quarter
November 2	2	3	4	5	6
November 9	9	10	11	12	13
November 16	16 No School In-service	17 Advisor Day	18	19	20
November 23	23	24	25 No School	26 Thanksgiving No School	27 No School
November 30	30	1	2	3	4 2 <sup>nd</sup> Quarter Midterm
December 7	7	8	9	10	11
December 14	14	15	16 Advisor Day	17	18
December 21	21	22	23 No School Christmas Vacation	24 No School Christmas Vacation	25 Christmas Day No School
December 28	28 No School Christmas Vacation	29 No School Christmas Vacation	30 No School Christmas Vacation	31 No School Christmas Vacation	21 No School Christmas Vacation
January 4	4	5	6	7	8
January 11	11	12	13 Semester Test	14 Semester Test	15 Semester Test End of Second Quarter End of 1 <sup>st</sup> Semester

**Spearfish High School Block Schedule – Alternating Maroon (M) and White (W) Days  
Block 1 8:15 – 9:48 Block 2 9:54 – 11:24 Block 3 12:09 – 1:39 Block 4 1:45 – 3:15  
SNOW DAYS WILL NOT CHANGE THE MAROON/WHITE SCHEDULE**

**SPEARFISH HIGH SCHOOL CALENDAR**  
**SECOND SEMESTER 2009 – 2010**  
**SNOW DAYS WILL NOT CHANGE THE MAROON/WHITE SCHEDULE**

<b>WEEK BEGINNING</b>	<b>MONDAY</b>	<b>TUESDAY</b>	<b>WEDNESDAY</b>	<b>THURSDAY</b>	<b>FRIDAY</b>
January 18	18 In-Service	19 W/M	20	21	22
January 25	25	26 Advisor Day	27	28	29
February 1	1	2	3	4	5
February 8	8	9	10	11	12 Early Release 1:00 PM
February 15	15 No school Presidents's Day	16	17	18	19 3 <sup>rd</sup> Quarter Midterm
February 22	22	23	24 Advisor Day	25	26
March 1	1	2	3	4	5
March 8	8 P/T Conferences	9	10 Spring Break No School	11 Spring Break No School	12 Spring Break No School
March 15	15	16	17	18	19
March 22	22	23	24 End of third Quarter	25	26
March 29	29	30	31 Advisor Day	1	2 Good Friday No School
April 5	5 Easter Monday No School	6	7	8	9
April 12	12	13	14	15	16
April 19	19	20	21	22	23 4 <sup>th</sup> Quarter Midterm
April 26	26 Advisor Day	27	28 Late Start-10:30 AM	29	30
May 3	3	4	5	6	7
May 10	10	11	12 Advisor Day	13	14
May 17	17	18	19	20	21 Semester Tests
May 24	24 Semester Tests	25 Semester Tests Laptop Computer Check-In	26 Last Day for Students Laptop Computer Check-In End of 2 <sup>nd</sup> Semester	27 Make-Up Snow Day	28 Make-Up Snow Day
May 31	31 Memorial Day No School	1 Make-Up Snow Day			

**Spearfish High School Block Schedule – Alternating Maroon (M) and White (W) Days**  
**Block 1 8:15 – 9:48 Block 2 9:54 – 11:24 Block 3 12:09 – 1:39 Block 4 1:45 – 3:15**

## Teacher E-Mail Addresses

First letter of first name and then the next seven characters of their last name (not to exceed eight characters) then [@spearfish.k12.sd.us](mailto:rapland@spearfish.k12.sd.us)

Ex. rapland@spearfish.k12.sd.us

Steve Aalbu	saalbu
Marcia Aiken	maiken
Robi Apland	rapland
Connie Auer	cauer
Richard Banton	rbanton
Tobin Barnes	tbarnes
Bernard Barnaud	bbarnaud
Bruce Bresee	bbresee
Nathan Clark	nclark
Keyra Comer	kcomer
Doug Custis	dcustis
Bev Draine	bdraine
Teresa Deuter	tdeuter
Sherry Ewing	sewing
Kathy Furios	kfurois
Stephen Gabriel	sgabriel
Pat Gainey	pgainey
Kim Ginsbach	kginsbac
Kathy Gusso	kgusso
Tim Gusso	tgusso
Karen Hahn	khahn
Shannon Heilman-Gusso	shheilma
Jennie Hosselkus	jhosselk
Lisa Howard	lhoward
Scott Howard	showard
Eileen Johnson	ejohnson
Stacy Kingsbury	skingsbu
Bernie Krambeck	bkrambec
Danielle Ligtenberg	dligtenb
Todd Lambrecht	tlambrec
Eric Ligtenberg	eligtenb
Toni Lyke	tlyke
Jamie Mutter	jmutter
Ann Wince-Lyon	alyon
Jason McMasters	jmcmaste
Steve Morford	smorford
Charlie Neilson	cneilson

<b>Aaron Nida</b>	<b>anida</b>
<b>Linda Outland</b>	<b>loutland</b>
<b>Dan Poeppel</b>	<b>dpoeppel</b>
<b>Jackie Rans</b>	<b>jrans</b>
<b>Jean Reede</b>	<b>reede</b>
<b>Kristi McCoy</b>	<b>krichard</b>
<b>Doug Ruhnow</b>	<b>druhnow</b>
<b>Renee Schenk</b>	<b>rschenk</b>
<b>Les Schroeder</b>	<b>lschroed</b>
<b>LuAnn Schroeder</b>	<b>laschroe</b>
<b>Jim Seyer</b>	<b>jseyer</b>
<b>Erik Skoglund</b>	<b>eskoglun</b>
<b>Chad Spear</b>	<b>cspear</b>
<b>Robert Speirs</b>	<b>rspeirs</b>
<b>Charles Standen</b>	<b>cstanden</b>
<b>Rebecca Studt</b>	<b>rstudt</b>
<b>Stanley Takahashi</b>	<b>stakahas</b>
<b>Julie Walkins</b>	<b>jwalkins</b>
<b>Pamela Waterson</b>	<b>pwaterso</b>
<b>Jessica Zwaschka</b>	<b>jzwaschk</b>

## **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.

### **a. 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

**Spearfish School District 40-2  
4000 Personnel**

Board Policy

5115/4250

Code:

Page 1 of 2

**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 weapon 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.

A "dangerous weapon" /or "deadly weapon" is defined as 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.

Any person who carries, has possession of, stores, keeps, leaves, places or puts into the possession of another person, any dangerous 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

Violation of this policy will, except as modified herein, result in the mandatory disciplinary sanction of expulsion from school for a period of not less than one year 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.

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

- b. 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 one-year expulsion requirement 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.

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>

A

**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; and,
  - 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.

-6. 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.

b. 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 in 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 is 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) chemical (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**

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 in 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>February 12, 2007</u>
Revised	<u>May 27, 1997</u>	Revised	<u>April 14, 2008</u>
Revised	<u>June 15, 1998</u>		
Reviewed	<u>December 14, 1998</u>		
Revised	<u>April 12, 1999</u>		
Revised	<u>August 9, 1999</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 result 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;
    1. 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: ADo 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;
  - ll. 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 (Aeligible 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 Individuals 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.

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>
<b>Revised</b>	<b><u>April 14, 2008</u></b>

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

**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 drivers 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 drivers 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 Districts 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.

---

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.

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

Board Policy

Code:  
5320

**IMMUNIZATIONS OF STUDENTS/PHYSICAL EXAMINATIONS**

State law requires that prior to admission all students have received or are in the process of receiving the required immunizations against diphtheria, tetanus, pertussis, polio, rubeola, rubella, mumps, and varicella (chicken pox).

As an alternative to the requirement for a physician's certification, the pupil may present certifications or written statements as provided for under SDCL 13-28-7.1, as from time to amended.

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

Physical examinations will be required annually for all students who participate in interscholastic athletics and other school activities. The examinations will be administered by a licensed physician and the cost will be borne by the student.

Selected grades of students have annual health screenings for visual acuity. Other students are screened for visual acuity, dental problems, hearing and scoliosis at parent/guardian or teacher request.

LEGAL REFS: SDCL 13-28.7.1

	Adopted	<u>July 10, 1978</u>
	Revised	<u>June 8, 1987</u>
_____	Revised	<u>November 11, 1996</u>
_____	Reviewed	<u>December 14, 1998</u>
	Revised	<u>May 14, 2007</u>

## **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

### **WELLNESS POLICY**

To support its mission, the Spearfish School District will provide an environment that cultivates maximum student potential. Nutrition influences a child's development, health, well-being and potential for learning. To afford students the opportunity to fully participate in the educational process, the School Board encourages all members of the school community to create an environment that supports life-long healthy eating habits. Decisions made in all school programs need to reflect and encourage positive nutrition messages and healthy food choices.

#### **Goals for Nutrition Education**

- Students in grades pre-K-12 are to receive nutrition education that is interactive and teaches the skills they need to adopt healthy eating behaviors.
- Nutrition education will be based on the South Dakota Health Education Standards and addresses nutrition concepts progressively through the grades.
- Nutrition education will provide enjoyable, developmentally appropriate, culturally relevant and participatory activities that may involve parents, students and the community.
- Nutrition education efforts will offer information to families that encourages them to teach their children about health and nutrition and to provide nutritional meals for their families.

#### **Goals for Physical Activity**

- Physical education classes will include participation in moderate to vigorous intensity physical activity for at least half of the class.
- The physical education curriculum should be consistent with South Dakota physical education standards and taught by highly qualified physical education teachers.
- Student-teacher ratios in physical education classes should match those for other subject areas.
- Participation in other activities involving physical activity will not be substituted for meeting the physical education requirements.
- Opportunities for physical activity will be encouraged in all subject areas.
- Daily recess for students in all elementary grades will be provided.
- The district will offer extracurricular activities for students, including interscholastic sports programs as appropriate.
- Staff will rarely restrict recess or other physical activity time as a consequence for inappropriate behavior and/or poor academic performance. If staff uses recess or other physical activity time as a consequence for inappropriate behavior, then they will strive to incorporate physical activity into this time.

#### **Goals for Other School-Based Activities Designed to Promote Student Wellness**

- On-going training and staff development for all staff regarding health and wellness will be provided.
- Students will be provided with a safe, clean and enjoyable eating environment with adequate time, ample space and appropriate facilities to ensure health and wellness.

- Recess scheduled immediately before lunch will be encouraged so that students will arrive less distracted and ready to eat.
- Community and student access to the school's physical activity facilities outside the normal school day will be provided to promote recreational/physical activity.
- Fundraising efforts are to be supportive of a healthy lifestyle. Fundraisers that include physical activity, school support and academic achievement will be encouraged.

### **Nutrition Guidelines**

- The school food service program will operate in accordance with the National School Lunch Act and the Child Nutrition Act of 1996, and all other applicable laws and regulations governing such programs.
  - Food choices, including a-la-carte items, will be consistent with the Dietary Guidelines for Americans, and should be planned to account for students cultural norms, and to meet special dietary needs (dietician assistance as required).
  - School food service departments will neither sell nor give extra portions of dessert and french fries.
- Vending machines with food and beverages will not be available to elementary (K-5) students, and will not be available to any students during meal service.
  - Food and beverages sold in such machines accessible to students before school and during the normal school day will meet the Standards for Foods and Beverages and guidelines for vending machines as attached.
  - Pricing strategies will be designed to encourage the purchase of nutritious items.
- School staff will encourage healthy/nutritious snacks and beverages at parties and other celebrations. A list of such snacks and beverages will be disseminated to parents and teachers.
  - Classroom rewards should be non-candy items (re: stickers, erasers, pencils).
- All food and beverages sold in concession stands outside of school hours will include at least a 35% mix of items that meet the Standards for Food and Beverages noted above.
- Organizations are encouraged to sell non-food items and healthy foods as fundraisers. The school district will make available a list of ideas for acceptable fundraising activities.
  - The sale of food or beverages as fundraisers that do not meet the Standards for Food and Beverages will take place after the end of the normal school day.

### **Wellness Council**

- A school Wellness Council (to include teachers, parents, administrators, food service personnel, students, and other interested parties) will be developed to plan, implement, and improve the nutrition and physical activity within the school environment.
- The Wellness Council will meet at least twice annually and will review this policy and suggest possible revisions, coordinate the implementation of this policy, and promote healthy eating and physical activity.

Appendices available upon request:

- A. USDA Dietary Guidelines (available in respective building office)
- B. South Dakota Department of Education Standards for Food and Beverages
- C. South Dakota Department of Education Content of Vending Machine guidelines
- D. Fundraising suggestions (available in respective building office)
- E. Suggested party snacks (available in respective building office)
- F. Definitions

Adopted

April 10, 2007

## **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

**NON-STUDENT REGISTERED SEX OFFENDERS**

**Part One – Non-Student Registered Sex Offenders.**

No person, other than a student who is enrolled in the Spearfish School District 40-2 (“District”) who is registered as a sex offender under SDCL Chapter 22-24B, may knowingly be present on the facilities or grounds owned, leased or controlled by the District (the AProperty@) except for the limited circumstances stated in this policy. A student enrolled in the District who is registered as a sex offender under SDCL Chapter 22-24B shall be subject to Board Policy Code 5040.

If any District employee becomes aware of any non-student registered sex offender’s presence on District Property, he/she shall immediately inform the Superintendent or designee. If the registered non-student sex offender is not on District Property pursuant to a waiver issued under Part Three of this policy, the Superintendent or designee shall direct the individual to leave the District Property immediately. The Superintendent or designee shall request assistance from local law enforcement authorities if the individual resists this directive. If the non-student registered sex offender repeats this restriction of being present on District Property, the Superintendent or designee may confer with legal counsel to take appropriate legal action.

**Part Two - Registered Sex Offenders Who Are Parents or Legal Guardians of Enrolled Students.**

This policy applies with equal force to a registered sex offender who is the parent or the legal guardian of a student enrolled in the District except for the limited circumstances stated in this policy in Part Three.

**Part Three - Written Waiver Request; Conditions of Waiver Approval.**

1. The Superintendent or designee, or School Board, may waive, subject to any restriction, limitation, or condition that the Superintendent or School Board may elect to impose, enforcement of this policy on a case by case basis based upon receipt of a written Waiver Request (Form A) from a registered sex offender. This may include consideration of the statutory exemption from, or a Court-approved petition for exemption from, the Community safety zone regulations of SDCL Chapter 22-24B, to allow access for voting, or in case of a Court Order to allow access. Waiver Request forms may be obtained by contacting the district administrative office. If a waiver is approved, it will be issued on the Waiver Approval (Form B).

2. Under no circumstances is any registered sex offender permitted to loiter on District Property in violation of SDCL 22-24B-22(2) and 24.

3. If the registered sex offender is the parent or the legal guardian of a student enrolled in the District and has submitted a Waiver Request:

(A) The Superintendent or designee may waive, subject to any restriction, limitation, or condition, enforcement of this policy on a Waiver Approval for the sole purpose of the parent or the legal guardian to drop-off and pick-up the student on District Property or for the parent to attend parent-teacher conferences held on District Property.

(B) The Superintendent may waive, subject to any restriction, limitation, or condition, enforcement of this policy on a Waiver Approval for the sole purpose of the parent or the legal guardian to attend school events on District Property where the parent's/legal guardian's student/ward participates, but only under exceptional situations, such as, but not limited, to graduation.

(C) A Waiver issued under this Section 3 to a parent or legal guardian shall be valid only for up to one year each (September 1 to August 31<sup>st</sup>). If the registered sex offender parent or legal guardian seeks renewal of the Waiver he or she must submit a new Waiver Request under Paragraph 1 of this Part Three above each year.

4. Any other Waiver Request by a registered sex offender will first be reviewed by the Superintendent, and if the Superintendent recommends approval, the Superintendent shall submit the waiver to the Board of Education with a recommendation, subject to the Board's right, in its sole discretion, to approve or deny the waiver or to impose further restrictions, limitations or conditions on the Waiver Approval. The Waiver Approval shall clearly state the termination date of the Waiver, and a Waiver shall only be valid for up to one year each (September 1<sup>st</sup> to August 31<sup>st</sup>), but may be renewed by a subsequent Waiver Request for additional periods of up to one year each.

5. Any holder of a Waiver Approval may come to the District Property for the stated business only, and when entering the building the Waiver Approval holder must first report to and check in at the front office only. When finished, the Waiver Approval holder must immediately leave District Property. While on District Property, the Waiver Approval holder must present picture identification to District personnel when so requested to assure proper identification. The Waiver holder must be in possession of the Waiver Approval form any time the Waiver holder is on District Property.

6. The Superintendent may deny any Waiver Request without submission of the request to the Board of Education, and the Superintendent's decision shall not be subject to appeal.

7. Upon issuance of any Waiver Approval, the Superintendent and designee, and the School Board, retain the right to revoke or modify the waiver. If the Waiver Approval was issued by the Superintendent or designee, the Superintendent or designee may revoke

or modify the Waiver Approval. Except in the case of a violation under No. 7 below, if the Waiver Approval was issued by the Board of Education, the Superintendent will recommend action to the Board, and the Board may revoke or modify the Waiver Approval.

8. If the registered sex offender violates any of the conditions established in the Waiver Approval or otherwise poses a risk to any student in the opinion of the Superintendent or designee, the Superintendent or designee may immediately revoke the Waiver Approval and shall direct the individual to leave the District Property immediately. The Superintendent or designee shall request assistance from local law enforcement authorities if the individual resists this directive.

### **Part Three - South Dakota Registered Sex Offender Registry.**

The State of South Dakota maintains a registry of registered sex offenders for public information. Any interested person is encouraged to contact a local law enforcement agency or the South Dakota Attorney General's Office for further information or to access the registry. Persons using the registry are reminded to obey all laws concerning misuse of the information obtained.

This policy does not impose any duty upon any District employee to review the sex offender registry for individuals who may come upon District Property.

A copy of this policy shall be included in the District Student Handbook.

Adopted May 12, 2008

**REGISTERED SEX OFFENDER WAIVER REQUEST**

Applicant Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Other Contact Information: \_\_\_\_\_

WAIVER REQUEST: I am requesting a waiver of the Non-Student Registered Sex Offender Policy Code No. 1320 for the following reason (please check as applicable to you, and complete):

\_\_\_ I am applying for a Waiver as the parent or legal guardian of a student in the Spearfish School District. Please provide the name(s) and current grade level(s) of your child/ren/wards:

\_\_\_\_\_.

\_\_\_ I am applying for a Waiver, but I am neither the parent nor legal guardian of a student in the Spearfish School District.

Please specify the reason(s) for the request, the date and/or event you seek a waiver for, and any other information you believe is important to processing your request: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

DOCUMENTATION: Please provide a copy of the Judgment of Conviction and further documents you believe would assist the Spearfish School District 40-2 in its consideration of your request.

NARRATIVE OF REGISTRY OFFENCE: Please provide the following for the offence which requires you to be a registered sex offender:

Date of Offence: \_\_\_\_\_

County and State of Offence: \_\_\_\_\_

Factual Narrative of the Offence (provide sufficient facts to fully describe the Offence):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

Dated: \_\_\_\_\_

I certify that the foregoing information is true, correct and complete to the best of my knowledge, and that I have read and understand Spearfish School District 40-2 Code 1320.

\_\_\_\_\_

Signature of Applicant

**REGISTERED SEX OFFENDER WAIVER APPROVAL**

Name of Waiver Approval holder:

\_\_\_\_\_

The Spearfish School District 40-2 has approved the Waiver Request of the above-named Waiver Approval holder (*District approver to initial and complete all applicable areas*):

\_\_\_ A non-parent or non-guardian of a student in the Spearfish School District, for the following purpose(s) only (*be specific about place, time, and purpose*):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

\_\_\_ A parent or legal guardian of a student in the Spearfish School District, for the following purpose(s) only (*initial all that are approved*):

- \_\_\_ Drop-off and pick-up the student on District Property
- \_\_\_ Parent-teacher conferences held on District Property
- \_\_\_ Other (*be specific about place, time, and purpose*):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

Further Conditions or Requirements:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

This Waiver has a beginning date of \_\_\_\_\_, 2\_\_\_\_.

This Waiver terminates on the earlier of August 31, \_\_\_\_\_, or on \_\_\_\_\_.

**Any holder of a Waiver Approval may come to the District Property for the stated business only, and when entering the building the Waiver Approval holder must first report to and check in at the front office only. When finished, the Waiver Approval holder must immediately leave District Property. While on District Property, the Waiver Approval holder must present picture identification to District personnel when so requested to assure proper identification. The Waiver holder must be in possession of this Waiver Approval any time the Waiver holder is on District Property.**

Dated: \_\_\_\_\_

Spearfish School District 40-2

By: \_\_\_\_\_

Title: \_\_\_\_\_

I agree to abide by all Spearfish School District 40-2 Policies, including Code 1320, and the directives of authorized Spearfish School District 40-2 personnel, including the requirements stated above.

\_\_\_\_\_  
Signature of Waiver Approval holder

**STUDENT REGISTERED SEX OFFENDERS**

**Part One - Student Registered Sex Offenders.**

1. If a student enrolled in the Spearfish School District 40-2 (the ADistrict@) is registered as a sex offender under SDCL Chapter 22-24B, the Superintendent or designee will arrange an intake meeting for the student to include, as deemed necessary by the Superintendent or designee, the student, the student's parents or guardians, parole or court services officer, school resource officer, District administrators and guidance counselors, to determine the student's background, conditions of parole, the safety risk posed by the student, and any other relevant factors affecting the student and the safety of other District students.
2. The Superintendent or designee may establish restrictions for the student registered sex offender, which may include, without limitation, (A) no attendance at a building where there are day care centers or younger students, and/or which are located near a private day care, and/or buildings attended by the offender's adjudicated victim or a victim's sibling, and/or any other location that would violate the offender's parole conditions; and/or (B) a behavior contract with school officials, which includes a prohibition on leaving campus during the school day; and/or (C) periodic meetings with the school resource officer; and/or (D) attendance in alternative school. The District will take appropriate action when dealing with a student registered sex offender who is eligible for special education and related services.
3. Under no circumstances is any student registered sex offender permitted to loiter on District Property in violation of SDCL 22-24B-22(2) and 24.
4. If the student registered sex offender violates any of the restrictions or conditions established by the District under this policy, or otherwise poses a risk to any student in the opinion of the Superintendent or designee, the Superintendent or designee may take immediate action to address the situation including disciplinary action against the student registered sex offender as authorized by law, and if necessary for the safety of other students or District employees, requesting assistance from local law enforcement authorities if the student resists District directives.

**Part Two - South Dakota Registered Sex Offender Registry.**

The State of South Dakota maintains a registry of registered sex offenders for public information. Any interested person is encouraged to contact a local law enforcement agency or the South Dakota Attorney General's Office for further information or to access the registry. Persons using the registry are reminded to obey all laws concerning misuse of the information obtained.

This policy does not impose any duty upon any District employee to review the sex offender registry for individuals who may come upon District Property.

A copy of this policy shall be included in the District Student Handbook.

Adopted May 12, 2008

**Spearfish School District 40-2  
4000 Personnel**

Board Policy

Code: 4910

**DISTRIBUTION OF PROMOTIONAL MATERIALS**

General Guidelines

Individuals, including students, may have the right to distribute, on school premises and at reasonable times and places, unofficial written material, petitions, buttons, badges or other insignia, except expression which, in the judgment of the building principal

- is obscene
- is libelous
- contains indecent, vulgar, profane or lewd language
- advertises any product or service not permitted to minors by law
- constitutes insulting or fighting words that may be considered harassment or injurious
- presents a clear and present likelihood that it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities.

Distribution on school premises of the aforementioned material to any student is prohibited.

Procedures

Anyone wishing to distribute unofficial written material must first submit for approval a copy of the material to the building principal or designee at least twenty-four hours in advance of desired distribution time, together with the following information:

- Name and phone number of the person submitting request
- Date(s) and time(s) of day of intended display or distribution
- Location where material will be displayed or distributed
- The grade(s) of students to whom the display or distribution is intended.

All such materials must also contain the following statement: *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.*

The Principal will render a decision on whether or not the material may be distributed as planned, and will include reasons for refusal if that is the decision. The decision may be appealed to the Superintendent of Schools, in writing, within twenty-four hours of receipt of the Principal's response. The Superintendent (or designee) will arrange a meeting for discussion of the issue and will render a decision within three days of the meeting. There is no further appeal of the Superintendent's decision.

Approved materials will be sent home with elementary students. At the Middle School and High School approved materials will be made available in the school office. No instructional time will be used to present information regarding non-school programs.

Political Materials and Signs

With the exception of items being used for instructional purposes or school-related student campaigns, political materials shall not be distributed on school grounds. Political signs may not be posted on school property unless a school building is being used as a polling place, and then can be posted only for a period of time in compliance with State law.

Disciplinary Action

Distribution by any student of unofficial material that has not been approved by the school administration may result in immediate termination of the distribution, and students may be subject to disciplinary action including suspension and expulsion. Any other party violating this policy may be requested to leave school property immediately, and, if necessary, local law enforcement officials will be called.

Adopted May 12, 2008

**SPEARFISH SCHOOL DISTRICT** **4910 FM**  
**DISTRIBUTION OF PROMOTIONAL MATERIAL REQUEST**

THIS FORM MUST BE COMPLETED AND APPROVED BY THE BUILDING PRINCIPAL PRIOR TO DISTRIBUTION OF PROMOTIONAL MATERIAL.

Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Date and time of day of intended display or distribution: \_\_\_\_\_

Location where material will be displayed or distributed: \_\_\_\_\_

Grade(s) of students to whom the display or distribution is intended: \_\_\_\_\_

PLEASE GIVE A BRIEF DESCRIPTION OF MATERIALS TO BE DISPLAYED OR DISTRIBUTED.

**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

## Board Policy

Code: 6315/5430

### **SPEARFISH SCHOOL DISTRICT EXTRA-CURRICULAR RULES AND ENFORCEMENT PROCEDURE**

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 extra-curricular activities grades 6-8 and 9-12 is prohibited. This prohibition will be in force all year, including the summer months, weekends and holidays. Out-of-school suspension supercedes all training rules.

#### Consequences for Violations of This Policy

**First Violation:** The participant will be suspended for two weeks (14 calendar days and minimum of two events) of scheduled extra-curricular activities in the activity in session or the next activity of participation. 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 four weeks (28 calendar days and minimum of four events) of scheduled extra-curricular activity in the activity in session or the next activity of participation. 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.

A conference among the student, his/her coach or advisor, and the activities director will be required prior to future participation once the second violation has occurred.

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.

### 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:

First Violation: Any participant who is adjudicated, convicted or subject of a suspended imposition of sentence for possession, use or distribution of controlled substances or marijuana will be ineligible to participate in any extra-curricular activity for one year. The one-year suspension may be reduced to sixty school days if the person participates in an assessment with a certified chemical dependency counselor or completes an accredited intensive prevention or treatment program. 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.

Second Violation: Upon a 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.

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 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.

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

This policy to be reviewed annually.