

WEST/MOUNTAIN VIEW ELEMENTARY SCHOOLS

FACULTY/STAFF HANDBOOK

2015-2016

This Handbook provides information and guidelines to assist you as a faculty and staff member at West/Mt. View Elementary Schools. You are responsible for understanding and abiding by the policies and procedures in this Handbook related to working with students, colleagues, and administrators. Keep it available for quick reference.

In addition all School District policies are available on the District website.

*Empowering All Students to Succeed
in a Changing World*

SPEARFISH SCHOOL BOARD

Jeff Sleep Mitch Hopewell Mistie Caldwell Amy Cermak Nancy Hall

SPEARFISH SCHOOL DISTRICT (717-1201)

Superintendent: David Peters
Business Manager: Craig Crosswait
Special Education Director: Sara Heilman
Title I Coordinator: Dan Olson

WEST ELEMENTARY AND MOUNTAIN VIEW SCHOOLS (717-1205/717-1209)

Certified Staff Positions:

Principal: Nick Gottlob; Carole Schaffan
Kindergarten: Summer Brock, Kristi Delahoyde, Alisa Bentley, Danya Foote, Laurie Johnson, Jennifer McBurnett, Natasha Robbins, Megan Weaver, Tammie Wood
1st Grade: Dacia Fischer, Michelle Boner, Luke Connally, Nadene Harr, Leesa Haugland, Pam Ruhnnow, Brandy Vavruska, Laura West
2nd Grade: Michelle Abbott, Camille Binder, Roxanne Dobesh, Tricia Gainey, Darcey McNary, Elizabeth Mentele, Brianna Schmidt, Diane Wendt, Ashleigh Hoff
Art: Julianne Zoller
Computer: Penny Lensegrav
Counselor: Mandi Scott
Library: Rena Case, Faith Plummer
Music: Kathy Ewing
Physical Education: Joel Martin
Special Education: Brandee DuPont, Betsy Koistinen, Betty Lenner, Amy Olness, Patti Schladweiler, Reva Sigle
Speech and Hearing: Kara Evans, Vanessa Hamaker, Julie Peldo, Londa DeRouchey
OT/PT: Kim Crosswait, Heather Munro
Title I: Beth Bentley, Cyndee Bosworth, Carol Coburn, Danita Klinkel
Class Size Reduction: Kris Hayes, Kristy Harrington, DeLynn Tollefsrud

Classified Staff Positions:

Copy Clerk: Rena Case
Custodial Personnel: Mark Ginsbach, Brady Rhodes
Educational Support Personnel: Ben Cerwinski, Sandy Eixenberger, Shannon Ellingsen, Mary Harmon, Monique Keck, Mary Kilber-Flesner, Julie Lingscheit, Alyssa Niesen, Sue Seykora, Amber Schweigert, Michelle May, Kristin Cooney, Renee Fender, Michelle Ludens, Dixie Varns, Jill Reede, Gretchen Boe, Lindsay Fiorello, Holly Hanson, Monique Keck, , Loann Oyen, Alyssa Niesen
School Nurses: Karen Moye, Barb Graslie
Secretarial Personnel: Calley Davis, Debra Parsons, Nicole Valentine

GENERAL INFORMATION

1. ACCIDENTS

All serious school accidents, especially head injuries, are to be written up on an Accident Report form and submitted to the office. Be sure to write the course of action taken and when the parents were notified. This could be protection for you in the event of a lawsuit.

2. ANIMALS AT SCHOOL

For student protection, please keep animals at home. No dogs or cats will be permitted at West/Mt. View because of allergy/safety concerns for our young children. Also no animals (leashed or not) are allowed on West/Mt. View's playgrounds, parking areas, etc.

3. ATTENDANCE AND PROGRESS REPORT

Teachers shall keep an accurate record of the ABSENCES AND TARDIES of each pupil in their classrooms. If a teacher is concerned about a student's attendance, contact the parent. If a teacher feels that this is a truancy issue, contact the principal.

4. ATTENDANCE POLICY GUIDELINES

The Principal of each school shall prepare attendance procedures to prevent excessive student absenteeism. Records of student attendance, tardiness (excused or un-excused) will be kept. Elementary students including grades Kindergarten through Eight and/or children, who have not yet reached their eighteenth birthday, are required to maintain continuous and regular enrollment. Officials will check on unexplained absences. Spearfish School Attendance Policy limits the number of days of un-excused absences.

Regular attendance is a legal requirement. Only illness and matters of extreme emergency will be excusable reasons for a child to be absent from school.

Keep accurate records of absences and tardiness. When a student is tardy or leaves during the day, record the time of his/her arrival and departure from school. Absences over 5 days should be inquired about by the teacher if no reason is given. If no contact is made, or the teacher does not get satisfaction, it should be referred to the Principal immediately. Watch for habitual absences.

Parents need to inform the school when their child is absent. Teachers will record student absences and tardies on the computer. All written excuses from the parent shall be maintained by the teacher.

If a parent feels it is necessary to take a child out of school, it should be done through the office in advance. All assignments are then to be made up in advance, if possible.

Pupils will not be excused from classes for any part of the day unless absolutely necessary and deemed desirable. All parents taking children out of school during the day MUST sign them out in the school office.

5. AUDIO VISUAL GUIDELINES

- Only movies/videos that are G or PG rated can be shown at school.
- PG rated movie/video may be shown if parents approve and are informed prior to the activity.
- Limit the number of “entertainment” A.V. and videos shown during classroom time, to a maximum of 4 per year.
- Any video planned to be used in a classroom needs to be previewed by the teacher.
- Any A.V. material viewed in the classroom should include an introduction (purpose) and summary by the classroom teacher.

6. BICYCLES, SKATEBOARDS, ROLLERBLADES, SCOOTERS, SHOES WITH WHEELS, ETC.

Anyone riding bicycles will be expected to know all bicycle safety rules and abide by the driving laws. The bicycles will be parked in the bicycle racks and will remain there until school is out for the day. We recommend that bikes be locked while at school. The school does not assume liability for bicycles or other personal items brought from home. Skateboards, roller blades, scooters, shoes with wheels, etc. are not to be ridden or used on school grounds at any time. Violators will be asked to leave these items at home. No motorized student transportation is permitted at school.

7. CALLS TO ROOMS AND EMAIL MESSAGES

Intercom or phone calls from the office to rooms will be limited. At a minimum, check your email once in the morning and again prior to 2:30pm.

8. CHURCH NIGHT

There are no scheduled student activities on Wednesday night in the school district. This allows the students to participate in the youth activity programs in the church of their choice if desired.

9. COMMITTEES

Each teacher will participate in the committees developed in the building and share equally in committee responsibilities. The Principal will approve all committee work and make all committee assignments.

10. COMMUNITY RELATIONS

Teachers are encouraged to include the public in their classroom activities. Prior to contacting the media about our school, please visit with your Principal. Be positive and professional.

11. CUMULATIVE FOLDERS

Each child shall have a cumulative folder. The teacher has the responsibility of keeping them current. For security reasons these folders are stored in the office and can be viewed by signing a check out sheet. Any material placed into the folder must be dated and signed by the teacher. These records are open to parents for review. No pupil records are to leave school. Parents may have copies made at their request and expense. All parent, legal, or other requests to view pupil records should be referred to the Principal.

12. DRESS CODE

Refer to the Student/Parent Handbook for guidelines of students. If you feel that a student's dress or personal hygiene is affecting your pupil's school work or health, contact the counselor or Principal.

Personnel dress is expected to be professional, or business-casual, and appropriate for the grade-level and setting of instruction. Questions regarding appropriate dress should be referred to the Principal.

13. EMERGENCY PROCEDURES

Emergency drills are held periodically to familiarize the students with safety procedures. The classroom teacher will instruct the students on the proper steps to follow relative to the pending emergency. Only district administration will communicate with the media. Procedures are based on the District Crisis Procedure Manual.

The West/Mt. View Elementary Crisis Procedure Handbook will be distributed to each staff member. Please place this handbook manila envelope by your classroom exit door. In the case of an emergency the envelope should be taken with you. The envelope should contain Red and Green cards along with additional material to be used in case of an emergency. Please make sure that all appropriate materials are placed in the manila envelop. Staff should periodically review the Crisis Procedures Handbook.

14. ENROLLMENT INFORMATION

Each child will have enrollment information stored on Infinite Campus. Please have the secretaries help look up any information you may need if you are unable to access it.

15. ERRANDS FOR PUPILS

No teacher shall send a pupil off campus on an errand during school hours.

16. EVALUATIONS AND OBSERVATIONS

School Board policy standards state that tenured teachers will be evaluated every other year; non-tenured teachers are evaluated twice per year.

17. FACULTY/STAFF MEETINGS

General faculty/staff meetings will be held monthly as needed. Committee meetings will be called as needed. Any teacher schedule conflicts must be cleared with the Principal.

18. FIELD TRIPS

- All field trip information should be provided to parents. A definite educational purpose or objective must be the reason for any excursion. All field trips must be approved by the Principal and scheduled with the office. Field trip information forms are available in the office.
- The children should help make plans and rules for an orderly trip, and these rules should be enforced.
- Permission must be granted by the owners or managers of the place to be visited prior to the visit.
- If the trip is out of town and students are traveling in vehicles, written permission must be obtained from and details of the trip must be communicated to the parent.
- After such a trip, teachers should plan for activities in connection with the learning from the trip. These can be correlated with social studies, language arts, spelling, math, etc.
- The lunchroom supervisor must be notified at least one week prior to the day the class will miss a school cafeteria meal. Earlier notification is appreciated.
- Transportation is not normally provided by the school. Parent drivers should check with their insurance companies regarding liability insurance coverage and have that information and other required information filed in the office prior to the fieldtrip.
- See Student/Parent Signature Page.

19. GRADE PLACEMENT

In the promotion or placement of pupils in school, the recommendation of the teacher, with the approval of the Principal, shall be sufficient. Teachers should begin parent conversations no later than February if they are looking at Retention. The Principal shall approve all student retention recommendations.

20. GROWTH PLANS

Growth plans may be used for staff as a part of the professional development model. Growth plans may be used at the principal's discretion.

21. HALLWAY SUPERVISION

Teachers shall accompany their students to and from Specials and lunch each day. Teachers/staff will supervise hallways jointly in the mornings and as needed.

22. HEALTH PROCEDURES

Teachers are expected to be alert to health problems in their particular room. Watch closely for deviations from normal health and, at the same time, ascertain if certain habits fundamental to

cleanliness and personal hygiene are being practiced. Should you feel that a health problem exists that is not being cared for at home, report the situation to the Counselor or Principal. If a child is sent home due to illness, please have the parent/guardian check him/her out at the office. In case of emergency, the Principal's office should be notified, and the office will contact the doctor and the parents of the child.

ALL medications (prescriptions, Tylenol, cough drops, etc.) are kept in the office AT ALL TIMES. ALL medications must be in their ORIGINAL container with the students name on it. Parents must sign a MEDICATION RELEASE FORM BEFORE the child can be given the medication.

Any serious injury must be reported to the office and the parents immediately. An Accident Report form must be completed by school staff as well.

23. INSURANCE

Accident and dental insurance forms are available each year for students.

24. KEEPING PUPILS IN AT RECESS AND NOON HOUR

Generally pupils should not be in their classroom during recess and lunch playground time. If you require this of a student, an adult must ALWAYS be there to supervise.

25. LITERACY

Leveled language arts materials and the “Bonkers” library are the primary resources used with students grades K-2. Our writing curriculum includes Lucy Calkins writing materials and Regie Routman’s methods of teaching writing. Accelerated Reader and reading incentive programs (Book-It) may be used. Visit with your Principal about any other materials and programs you would like to use.

26. LUNCH

The school hot lunch program is available to all students and adults. Adults can pay each day if unable to purchase a 10 meal ticket.

27. LUNCH SUPERVISION

ESP’s and assigned teachers/staff will handle lunchroom supervision. Classroom teachers are expected to accompany their pupils to lunch and ensure appropriate behavior to the lunchroom and while in line. Teachers must check out in the main office if leaving the building for lunch.

Children are to go outside at recess and noon time. During extremely cold weather, teachers will shorten or eliminate the time out-of-doors. When the wind chill reaches 0 degrees or colder, children will remain inside the building.

28. MATH

Investigations Math is currently the math curriculum used. If other materials are to be used, please visit with your Principal.

29. MENTORS

New teachers will be assigned fellow veteran teachers who will provide them with guidance and assistance throughout the year.

30. MONEY

Pupils are discouraged from carrying money or leaving money in their desks. Teachers should not leave money in their desks or rooms. If money is to be left at school, please have the secretaries put it in the school safe. The school takes no responsibility for losses.

31. NEW ENROLLMENT

- All new students who enroll after registration day must come to the office to be enrolled.
- Registrations for each child are filled out in the office.
- Records will be sent for and notification given to the teacher when they arrive.

32. NEWSLETTERS

Principal newsletters are sent home to parents via email and are posted on the West/Mt. View website. Teachers may periodically be asked to contribute to a school-wide newsletter. In addition, teachers are expected to maintain and facilitate regular communication with parents via classroom newsletters, website, or other medium that is family-friendly, informative, and timely. All work must be copy-ready.

33. PARENT MAILINGS

All mass mailings/correspondence to parents/guardians must be previewed by the Principal prior to being sent home.

34. PARENT – TEACHER CONFERENCES

- Research has shown that the conference is the most fruitful single means of communicating with parents, and is even more effective when combined with progress reports and report cards.
- Children build up anxieties about conferences. These can be relieved by explaining to each child individually the purpose of the conference, where it is to be, and what will be shown to the parents.
- Brief parents ahead of time as to the location, time, and some questions they might ask.
- BE PREPARED.
- Have a healthy attitude about the outcome and values of each conference.
- Compare each pupil with his/her own abilities and not to other children in his/her family or with the class.
- Give one or more specific suggestions to the parents that can be used. Telling them a pupil needs to work harder is a vague suggestion.
- BE A GOOD LISTENER.

- Every child does something well and has some difficulties.
- Seek help from the parents.
- Use language which the parents will understand.
- Don't let your desk be a barricade between you and the parents. Sit with them.
- Be honest with parents. False parental expectations will eventually make everyone unhappy and the school will be blamed.
- Avoid inappropriate references to other teachers, staff, or schools.
- Emphasize that we are doing everything we can to help the child be successful.
- Begin each conference with encouraging news and end with a note of optimism.

35. PLAN BOOK - TEACHERS

Teachers must have lesson plans, attendance, and a grade book available in their classrooms. Lesson plans will not be required to be turned in to the Principal. However, they should be available upon request and for a substitute teacher.

36. PLAYGROUND SUPERVISION

If youngsters are properly taught how to utilize recess time, this becomes less of a burden for all involved. It should be a very relaxed, unstructured period. Discussions and planning in the rooms help control the playground activities. Incidents of poor behavior should be reported to the homeroom teacher after warnings and redirections have failed. Major infractions should be reported to the office via a School Rules Violation slip. Some examples of this are fighting, disrespect, willful disobedience, etc.

37. PURCHASE ORDERS AND REQUISITIONS

The district cannot pay for items you order or purchase without prior written permission. This is done by filling out a requisition and having the Principal sign it.

38. ROOM PARENTS AND INSTRUCTIONAL VOLUNTEERS

Names of classroom parents/volunteers should be given to the Principal at the beginning of each school term. These parent volunteers, not only provide routine assistance in your classroom, but also are important for feedback and support. You are encouraged to have instructional volunteers and they should be selected carefully to avoid unnecessary problems.

39. ROOM SECURITY, MAINTENANCE, AND CLEANING

All rooms should be locked when unoccupied. All rooms are to be locked at night, windows closed, lights/electronic equipment turned off at all times when the room is not in use. Teachers will be issued a key for their room. A duplicate key will be kept in the office.

Under normal situations, verbal communications of concerns should be expressed directly to the custodian assigned to your room. If further action is necessary the teacher should express the concern to the head custodial supervisor next and if the situation is still unresolved, to the building Principal.

Custodians are a very important part of the educational system. The basic reason for having school custodians is to ensure clean, safe, attractive, efficient, functioning facilities. If custodians, staff, and students work in harmony, the result will be satisfying and rewarding. Students and teachers will, as a result, gain the full advantage of the academic and technical facilities that our school system offer; facilities where children can learn and teachers can teach, that encourage desired positive public relations.

Listed below are some simple things teachers can do to make the cleaning job more productive and desirable for custodians:

- Have students stack all chairs just prior to student dismissal.
- Have students pick up paper and debris on classroom floor.
- Assist your custodian with table top item removal when classroom tables need scrubbing.
- Assign students to empty pencil sharpeners and general desk top cleaning.
- Show appreciation to your custodian when appropriate.

40. SCHOOL BUS

Dakota Bus Company and Prairie Hills Transit is responsible for all bus transportation. However, the School District will issue bus regulations and rules. Get children to the bus promptly and orderly. School rules apply on buses.

41. SCIENCE

Kindergarten, 1st and 2nd Grade science is taught using FOSS (Full Option Science System) life, earth, and physical science modules.

42. SOCIAL STUDIES

Nystrom, Character Counts, Kids Voting, McMillan/McGraw-Hill resources will be used. If planning to use any other materials, please visit with your Principal.

43. SOUTH DAKOTA REGISTRY

When there are updates to the South Dakota Sex Offender Registry, the School District is notified. A copy of that person's information is copied and added to our registry notebook in the Staff Lounge. Staff is responsible for becoming familiar with information in this registry and must alert the office if one of these persons is seen on school property within the District.

44. STAFF LOUNGE

There is a lounge available for the staff at both West and Mt. View. It normally has a refrigerator, microwave oven, sink, storage, phone, etc. Lounges are a place for you to relax, laugh and enjoy a break in your routine. We have discovered through experience that it is best to keep the atmosphere light, free of complaints and positive.

45. STAFF NOTES

School information is posted weekly on and regularly on the West and Mt. View Activities Calendar. It is your responsibility to read all information. If you wish to include something on the calendar, inform the office at least one day prior to posting.

46. STANDARDS, CURRICULUM AND COURSE GUIDELINES

Teachers will use the district adopted standards, curriculum, course guidelines, and materials in developing and delivering lessons for their classrooms. If there is a question about what or how the material is to be covered, the teacher needs to visit with the Principal. Teachers, grade levels, buildings, and the district will at times add curriculum areas and grants such as Character Counts, etc. These additional curriculum areas need the approval of the Principal before district time or resources are spent on them.

47. STORM POLICY

When school is closed due to inclement weather or an emergency and buses cannot run, the information will be given by phone via the District's SchoolReach parent/staff notification system by 6:30am. Also radio and television stations will post information as well. In the event of school dismissing prior to normal time, information will be available on SchoolReach, radio and TV stations.

48. STUDENT BEHAVIORAL EXPECTATIONS/GUIDELINES

Good student behavior is a result of a good instructional program that includes teaching and reinforcing student behavioral expectations. West/Mt. View Elementary Schools have school-wide student behavioral expectations and rules. Our goal is to help students be respectful, responsible and safe at school by teaching simple guidelines of behavior.

The 3 B's

West/Mt. View Elementary Schools focus on the “3 B's” (**Be Respectful, Be Responsible, Be Safe**). Please go over the following Expectations with students at the beginning of the school year and as necessary throughout the year. Remember, faculty/staff on playground/lunchroom duty are in charge of discipline decisions.

- Hall/Locker Expectations
 1. **Be Respectful:** Use a whisper voice. Keep hands and feet to self.
 2. **Be Responsible:** Keep hallways/lockers clean. Close lockers quietly and carefully.
 3. **Be Safe:** Use Spartan Walk.

- Lunchroom Expectations
 1. **Be Respectful:** Use quiet talk with neighbor. Keep hands and feet to self.
 2. **Be Responsible:** Keep tables and floor clean.
 3. **Be Safe:** Walk to, in and from lunchroom. Stay in seats and raise hand for help.

- Restroom Expectations
 1. **Be Respectful:** Use a whisper voice. Respect privacy of others. Keep hands and feet to self.
 2. **Be Responsible:** Flush toilets. Wash hands. Keep area clean.
 3. **Be Safe:** Use equipment properly.

- Assembly Expectations
 1. **Be Respectful:** Participate properly. Keep hands and feet to self.
 2. **Be Responsible:** Listen to speaker(s).
 3. **Be Safe:** Wait to be dismissed.

- Playground Expectations
 1. **Be Respectful:** Respect supervisors and other students.
 2. **Be Responsible:** Use equipment properly. Line up when bell rings or whistle blows.
 3. **Be Safe:** Stay on playground. Play games that will not hurt others.

Only in unresolved differences or major rule infractions, should the Principal be involved. Here are some examples of major rule infractions:

1. Flagrant disregard for teacher authority; disrespectful attitude/actions
2. Marring or destruction of school property
3. Possession or use of a weapon

4. Violation of any school rule regarding use of alcohol, tobacco products, or illegal drugs
5. Continued willful disobedience or continued violation of school rules
6. Offensive language
7. Stealing
8. Fighting or other physical altercation
9. Any other major offense.

Be friendly, fair, firm, and consistent. A good beginning helps to make discipline easy throughout the year. Rarely should a pupil be sent into the corridors as a disciplinary measure. If you do this, you must supervise the pupil closely.

Use of ridicule, sarcasm, and humiliation can have a damaging effect on the child's emotional state, especially true when done in the presence of other children. Please avoid this type of unprofessional behavior.

Teachers shall exercise the general control over the conduct of ALL pupils during school hours. Legal steps can be taken against the parents of unruly children if it becomes necessary, or the student can be suspended from school. Please anticipate potential serious problems and discuss methods of handling the situation before it becomes a crisis at school.

Other Playground Guidelines:

1. Only soft and approved game balls are allowed.
2. Piggyback riding and tackle games are not allowed.
3. Leave snow, rocks, sand, etc. on the ground.
4. Leave toy guns as well as sharp objects at home.
5. When swinging, always stay in the seats. No twirling, flipping, bailing out, etc.
6. No playing/standing between swings.
7. Rough games that knock people down, trip them or push them are not allowed.
8. No one is allowed past the large blacktop area on the West side of the building.
9. Keep balls, toys, backpacks, etc. off of playground equipment.
10. Pupils who ride bicycles to school are to park them upon arrival. It is a good idea to lock bikes in the racks.
11. No play is allowed on streets, near parked cars, near bicycles, nor behind the hills.
12. No riding skateboards, rollerblades, scooters, etc. on school property. No motorized student transportation.
13. Extra caution is to be used when playing on the slide. Always slide down feet first and on bottoms. Do not walk up the slide surface. The steps are to be used when approaching the slide. Stay off the chains.
14. To avoid having playground balls landing on the school building roof, do not kick or throw balls near the building.
15. No food is allowed at recess unless approved.
16. Three short blasts on the whistle by the playground supervisor means recess is over.
17. Follow the directions for safe play given by the supervisor.
18. All playground equipment is to be used in a safe manner.
19. All markers, pens, and pencils should be left in the classroom unless sitting quietly outside.
20. No electronic games, remote control toys, etc. are allowed at recess.

21. Play safely on the bars. Sitting on the bars is permitted, but allow others to use the equipment also.
22. Snow pants and snow boots are required when playing in the snow. Footwear must always be worn.
23. When the weather is cold, coats are required outside. If they are removed, they must be placed in the line-up area.
24. USE COMMON SENSE AT ALL TIMES.

BULLYING

Bullying is any repeated mean word, look, sign, or act that hurts another person's body or feelings. No one is entitled to bully. **BULLYING IS NOT TOLERATED IN OUR SCHOOLS.**

RECESS DETENTION

The purpose of keeping children in during recess is to address minor behavior concerns. Students will do school work during this time.

IN-SCHOOL SUSPENSION (ISS)

Sometimes it is necessary to remove a student from the regular class setting for a major rule infraction(s). The student is required to complete and turn in work assigned during the suspension, which can be for partial and/or multiple days. Suspension will be served in the office or other designated area. ISS is assigned only by the Principal or his designee.

OUT-OF-SCHOOL SUSPENSION (OSS)

Sometimes it is imperative to remove a student from the school setting for a major rule infraction(s). The student is required to complete and turn in work assigned during the suspension. OSS is assigned only by the principal or his designee.

STAFF DISCIPLINE RESPONSIBILITIES

When a child disobeys one of the playground, hall, or lunchroom rules, the following procedure is to be followed by faculty/staff on duty:

- **Warning/Redirection/Shadowing** - Many inappropriate student behaviors will cease simply by warning/redirecting the student, or having the student shadow (stay with) you. For minor infractions, these preliminary steps should be your first intervention strategies.
- **Time Out** - If Step #1 above does not produce the desired student behavior, he or she may be placed in "time out" for 5 minutes (the positive action here, is that the pupil is allowed to rejoin the group after the 5 minute time out). Please avoid placing a student in the hall unsupervised.
- **Detention/Recess Detention** - You can be flexible with this intervention. "Detaining" a student can happen before, during, or after school, and it can be for any length of time

(usually does not exceed 45minutes). Never leave a student unsupervised in your classroom at any time.

- **Principal/Office Visit** - Send the student to the principal for any of the following major violations.

10. Flagrant disregard for teacher authority; disrespectful attitude/actions
11. Marring or destruction of school property
12. Possession or use of a weapon
13. Violation of any school rule regarding use of alcohol, tobacco products, or illegal drugs
14. Continued willful disobedience or continued violation of school rules
15. Offensive language
16. Stealing
17. Fighting or other physical altercation
18. Any other major offense.

Note: Since student discipline situations vary somewhat in details, the Principal will have flexibility and latitude in determining the most appropriate consequences for the student(s) involved.

REMEMBER:

- **CONSISTENT SUPPORT OF STUDENT BEHAVIOR EXPECTATIONS BY ALL SUPERVISORS HELPS TO ENSURE SUCCESSFUL DISCIPLINARY INTERVENTIONS.**
- **POSITIVE REINFORCEMENTS SHOULD ALSO BE USED TO REWARD GOOD STUDENT CONDUCT.**
- **AT ALL TIMES USE YOUR BEST JUDGEMENT.**

49. STUDENT INTERNS

The student teaching experience should evolve into a co-teaching team effort with both the supervising teacher and the student teacher working together to give more individual help to students, improve instruction through supervision and a professional overview for the student mentor. The main objective in the program is a closer mentoring relationship between the student intern and the regular classroom teacher.

50. SUBSTITUTES

Please fill out the absence request form as early as possible and submit it to the Office/Principal for approval. After you have arranged for your substitute, please let the office know as soon as possible.

Deb Parsons (West Elementary secretary) and Nicole Valentine (Mt. View Elementary secretary), will be arranging substitutes for “Day Of” situations. All other substitutes will be contacted by the teacher requesting the substitute. In the event of a “Day Of” absence, you can contact Deb at (641-2653) and Nicole at (360-391-1012) outside of school hours. Or contact them at school (717-1205 – West; 717-1209 – Mt. View) after 7:30 A.M. Call your Principal if Deb/Nicole cannot be reached.

A list of all elementary substitutes is available on the shared drive (F:) at each school, and a hard copy is in the Staff Lounge.

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

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

51. SUPERVISION – CLASSROOM OR LEARNING AREA

Never leave student(s) unsupervised in a classroom or learning area for any reason. If you have to leave your room or area, please have another staff member supervise your kids. There is a liability issue if anything harmful or inappropriate happens to one of your students in your absence.

52. SUPERVISION DUTIES

All teachers will share in school duties. This includes supervisory duties of any nature deemed necessary by the Principal.

53. TEACHER ABSENCES

When teachers are unable to report to duty because of illness, they may contact Deb or Nicole to arrange a “Day Of” substitute. Absence for reasons other than illness or family emergency must be cleared by the Principal's office or the Superintendent's office.

54. TEACHER ACCIDENTS

If you are injured on a job-related activity, an Accident Report is to be filled out and cosigned by the Principal. This is necessary for adequate reporting, if you request workmen's compensation. Workmen's Compensation requests must be completed at Business Office immediately after an injury or accident.

55. TEACHER DAY

The minimum teacher day is 7 hours and 34 minutes in length. Teachers are encouraged to eat in the lunchroom occasionally with their pupils. Sign out in the office if you leave the building except for district/curriculum meetings.

56. TEACHER MAIL, EMAILS, AND CLASSROOM MESSAGES

Teachers are responsible for checking their mailboxes before noon and before leaving school daily. Email should also be checked often. The office will contact your room with any messages received from parents as needed.

57. TEACHER SIGN OUT

If you are leaving the school grounds during the day, except for District/curriculum meetings, **please sign out in the office.** Also if you are taking your students off of school grounds, notify the office as you leave.

58. TEACHERS' SCHOOL HOURS

The typical work day for teachers will be from 7:56 a.m. to 3:30 p.m. These times may vary due to meetings, duties, etc. Children of employees must be supervised by the employee when they are anywhere in the school buildings before or after regular school hours. Good judgment should be taken to assure that staff members can carry on with their work without disruption.

59. TEACHING POSITION REASSIGNMENT

The Principal will make all faculty/staff assignments.

60. TELEPHONE USE AND OFFICE AREA

Students are not to use school phones without permission. No long distance calls are to be made by faculty/staff members for other than official school business. If you have an emergency, see the office.

61. TRANSFER SHEETS

The "Out-of-District Transfer" form shall be made out for any child moving from your class to another school district. Please Get this form from the office. Complete the child's report card as accurately as possible and send it to the office if he/she has been in school three weeks or more; if he/she has been there less time than that, make a note on the transfer form.

Pertinent School Board Policies

Spearfish School District 40-2

4000 Personnel

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REPORTING CHILD ABUSE

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

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

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

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

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

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

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

The definition of an abused or neglected child is found in the following statute:

26-8A-2. Abused or neglected child defined. In this chapter and chapter 26-7A, the term, abused or neglected child, means a child:

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

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

Adopted February 13, 2012

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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

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4000 Personnel**

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Code: 4101/5130

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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;

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4000 Personnel**

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Code: 4101/5130

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- 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.

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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.

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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.

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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> |
| Reviewed | <u>April, 2008</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 _____

**Verification of Required Inservice of
Discrimination/Harassment Policy and Procedures
for School District Personnel**
(Including new employees, volunteers and substitutes)

I have read and received inservice on the Anti-Harassment Policy and Procedures of the Spearfish School District.

Signature

Position/School

Date

Please check correct status below:

_____ Currently Employed

_____ New Employee

_____ Substitute

_____ Volunteer

_____ Other

EMPLOYEE/VOLUNTEER DRUG AND ALCOHOL POLICY

PART ONE - INTRODUCTION

- a. The use of illegal drugs and the abuse of alcoholic beverages by school students on a national level is at an alarmingly high level.
- b. The use of illegal drugs and the abuse of alcoholic beverages by our students is a serious concern of the Board.
- c. The District places high emphasis upon prevention of illegal drug use and alcohol abuse through its educational programs.
- d. Spearfish school employees/volunteers are role models for our students, both during school hours and at school activities on district premises. In their positions they have an opportunity to be a positive influence and reinforce the District's drug and alcohol prevention programs. Likewise, employees/volunteers can have an adverse impact upon our students and the effect of District drug and alcohol prevention programs if they are in violation of criminal drug statutes or are under the influence of illegal drugs or alcohol on District premises.
- e. Federal statutes mandate that employees/volunteers of agencies receiving federal grants and financial assistance be provided with a copy of an anti-drug statement, including the potential penalties and sanctions that may be imposed upon employees for drug and alcohol abuse violations .
- f. A policy governing controlled substances, illicit drugs, and alcohol on or in District premises or as any part of its activities and their use by District employees/volunteers is necessary to the proper administration of the programs of the District in the best interest of the District's employees/volunteers and our students.
- g. All employees/volunteers of the Spearfish School District 40-2 shall receive a copy of this policy.
- h. This policy shall be reviewed biennially to determine the policy's effectiveness, to implement changes which may be necessary, if they are needed, and to insure the disciplinary sanctions provided for in the policy are consistently enforced.
- i. Board Policy 1312, Complaints Concerning School Personnel, may be used, as appropriate, in processing violations of this policy.

PART TWO - DRUG FREE WORKPLACE POLICY

1. The Board shall make a good faith effort to continue to maintain a drug-free workplace through implementation of this Policy.

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4000 Personnel**

Board Policy

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2. Statement of Standards of Conduct:

- A. All employees/volunteers of the Spearfish School District 40-2 are hereby notified that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or illicit drug is prohibited on or in the premises of the District, or as part of any of its activities. Under Section 5145 of the Drug Free Schools and Communities Act of 1988 and 1989 Amendments, compliance with the Standards of Conduct stated in paragraph 2 A. is mandatory.
- B. In addition to compliance with the Standards of Conduct stated in paragraph 2 A, employees/volunteers of the District shall not be under the influence of an illegal drug on or in the premises of the District or as part of any of its activities, regardless of where actual use occurred.

3. An employee/volunteer using prescription drugs under the authorization of a licensed physician does not violate this policy so long as the employee/volunteer conforms to the prescription and Board policies concerning prescription drugs.

4. Employees/volunteers who feel drug abuse is or may be a personal problem may voluntarily seek assistance through the administration.

5. All employees/volunteers are hereby notified under the Drug Free Workplace Act of 1988, as a condition of employment, the employees/volunteers shall (i) abide by the Standards of Conduct stated in paragraph 2 A above; and (ii) notify the superintendent of any criminal drug statute conviction for a violation occurring in the District premises no later than five days after such conviction.

6. Statement of Disciplinary Sanctions:

- A. Under the Drug Free Workplace Act of 1988: The superintendent and/or the Board shall, within 30 days after receiving notice from an employee/volunteer of a conviction pursuant to paragraph 6 (ii) above shall take appropriate personnel action against such employee/volunteer up to and including termination; or, require such employee/volunteer to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.
- B. Under the Drug Free Schools and Communities Act of 1988 and 1989 Amendments, Section 5145; Disciplinary sanctions (consistent with local, state and federal law) up to and including termination of employment and referral for prosecution will be imposed on employees/volunteers who violate the Standards of Conduct set forth in Part Two paragraph 2 A above. The disciplinary sanction may include the completion of an appropriate rehabilitation program.

- C. The same disciplinary sanctions provided under paragraph 7 B above shall be imposed on employees/volunteers who violate the Standards of Conduct set forth in Part two paragraph 2 B above.

7. The superintendent shall notify federal granting agencies pursuant to the Drug Free Workplace Act of 1988 within ten days of a conviction under subparagraph 6 of Part Two of this policy from an employee/volunteer or otherwise receiving actual notice of such conviction.

PART THREE - ALCOHOL FREE WORKPLACE POLICY

1. Statement of Standards of Conduct:

- A. All employees/volunteers of the Spearfish School District 40-2 are hereby notified that the manufacture, distribution, dispensation, possession, or use of alcoholic beverages is prohibited on or in the premises of the District or as part of any of its activities. Under Section 5145 of the Drug Free Schools and Communities Act of 1988 and 1989 Amendments, compliance with the Standards of Conduct states in paragraph 1 A. is mandatory.
- B. In addition to compliance with the Standards of Conduct stated in paragraph 1 A, employees/volunteers of the District shall not possess or be under the influence of an alcoholic beverage on or in the premises of the District or as part of any of its activities, regardless of where the alcoholic beverage was consumed. The term “under the influence of an alcoholic beverage” covers not only all well known and easily recognized conditions and degrees of intoxication, but any abnormal mental or physical condition which is the result of indulging in an alcoholic beverage to any degree and which tends to deprive the employee/volunteer of that clearness of intellect and control of himself or herself which the employee/volunteer would otherwise possess. The following characteristics shall be relevant, among others, concerning determination that an employee/volunteer is “under the influence of an alcoholic beverage”: the employee’s/volunteer’s appearance, actions or conduct; the kind and amount of alcoholic beverage consumed; and, if the odor of an alcoholic beverage is evident on the employee’s breath.

2. Employees/volunteers who feel alcohol abuse is or may be a personal problem may voluntarily seek assistance through the administration.

3. Statement of Disciplinary Sanctions

- A. Disciplinary Sanctions under the Drug Free Schools and Communities Act of 1988 and 1989 Amendments, Section 5145: Disciplinary sanctions (consistent with local, state and federal law) up to and including termination of employment and referral for prosecution will be imposed on employees who violate the Standards of Conduct set forth in Part Three paragraph 1 A above. The disciplinary sanction may include the completion of an appropriate rehabilitation program.

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- B. The same disciplinary sanctions provided under paragraph 3 A above shall be imposed on employees/volunteers who violate the Standards of Conduct set forth in Part Three paragraph 1 B above.
4. The Drug-Free awareness program established in Part Two of this policy shall include information on any alcohol counseling, rehabilitation, and re-entry programs that are available to employees/volunteers.

| | |
|----------|--------------------------|
| Approved | <u>November 13, 1995</u> |
| Reviewed | <u>December 14, 1998</u> |
| Revised | <u>January 12, 2004</u> |
| Revised | <u>December 11, 2006</u> |
| Reviewed | <u>April, 2008</u> |
| Reviewed | <u>January 11, 2010</u> |

Received by _____ Date _____
Employee/Volunteer

Legal Authority: Drug Free Workplace Act of 1988 codified at 40 U.S.C. Sec. 701, et. seq.; Drug Free Schools and Communities Act of 1988 and 1989 Amendments, specifically Section 5145 codified at 20 U.S.C. 3224a and 34 C.F.R. Part 86, specifically 86.201.

pol4202

**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

1. The building administration will notify the parent/s or guardian/s of the violation and the administrative disciplinary action taken.

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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> |

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

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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.

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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.

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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

BULLYING

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

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

Approved January 11, 2010

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
Reviewed

December 10, 2007
January, 2009

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.

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

PART THREE: SHORT-TERM SUSPENSION PROCEDURE

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

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

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

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

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

PART FOUR: LONG-TERM SUSPENSION OR EXPULSION PROCEDURE

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

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

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

4. In the case of a student in need of special education or related services, the principal must file a written report with the superintendent by the end of the school day following the day of discovery of the alleged violation. The superintendent must send a copy of the report to the student's parent or to the student who is 18 years of age or older or an emancipated minor when it is filed with the board secretary or business manager. The report must remain in the possession of the board secretary or business manager, sealed and unavailable for review by Board members, until the time set for hearing.

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

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

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

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

- a. The Board shall appoint a board member or a person who is not an employee of the District as the hearing officer;
- b. Each party may make an opening statement;
- c. Each party may introduce evidence, present witnesses, and examine and cross-examine witnesses;
- d. Parties may be represented by an attorney, at their own expense;
- e. The school administration shall present its case first;
- f. The hearing is closed to the public. A verbatim record of the hearing will be made and will be sealed pending court order;
- g. Witnesses may be present only when testifying. All witnesses must take an oath or affirmation administered by the board president or business manager: "Do you solemnly swear or affirm to tell the truth, the whole truth and nothing but the truth so help you God?"

- h. Each party may raise objections; however, objections are limited to relevancy and scope of the question;
- i. All relevant evidence must be admitted; however, unproductive or repetitious evidence may be limited by the hearing officer;
- j. The hearing officer may ask questions of witnesses and may allow other school board members to interrogate witnesses;
- k. Each party may make a closing statement;
- 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.

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5000 Students

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

11. In filing a suit under the Individual 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> |
| Revised | <u>April 14, 2008</u> |

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

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:

BY REGISTERED MAIL,
RETURN RECEIPT REQUESTED

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:

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

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

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

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

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

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

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

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

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

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

The District does not guarantee that the District's Computer Systems or District's Networks will be uninterrupted or error-free; nor does it make any warranty as to the results to be obtained from use of the service or the accuracy or quality of the information obtained on or by them. **Access to the District's Computer Systems or District's Network is provided on an "as is" basis without warranties of any kind, express or implied, and all implied warranties including those of merchantability or fitness for a particular purpose are excluded. Neither the District nor any of its agents or employees shall be liable for any direct, indirect, incidental, special, or consequential damages arising out of the use of or inability to use the District's Computer Systems or District's Network or out of any breach of any warranty, express or implied.**

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

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

Proper Use of District Network and Computer Systems

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

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

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

Educational Use of District Technology Resources

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

Ethical Use of District, Public, or Private Technology Resources

Ethical behavior requires that District staff and students show consideration and respect whenever using computers or electronic communication/technology/devices/resources. When

interacting with each other, District staff and students shall:

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

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

Adopted January 10, 2011

TECHNOLOGY USE AGREEMENT--STAFF SPEARFISH SCHOOL DISTRICT

Internet access is available to authorized users through the Spearfish School District. Internet is a global electronic information infrastructure; a network of global networks. Because the Internet is a constantly changing electronic environment, the information available to users is constantly changing. Therefore, it is impossible to predict with certainty what information users might locate. This networking environment requires that the user be responsible for the appropriate use of this service. Availability of some materials on the Internet does not indicate endorsement of their content by the Spearfish School District. All users are required to sign this agreement before they may access this service. To access the Internet services users must agree to the following:

- ✓ Be polite and use appropriate language in your messages to others. Obscene, abusive, sexually explicit, or threatening language will not be tolerated. Access is a privilege, not a right.
- ✓ Never reveal your password or anyone else's password.
- ✓ Recognize that electronic mail is not guaranteed to be private and may be accessed by the school officials.
- ✓ Use only your own account. You cannot access any other person's materials, information or files without their permission.
- ✓ Use the network in ways that do not disrupt the use of the network for other users.
- ✓ Do not harm or destroy in any way the data of another user, including the uploading of, or the creation of computer viruses to any computer.
- ✓ Do not send "chain letters" or "broadcast" messages to lists of individuals that would result in congestion of the network or otherwise interfere with the work of others.
- ✓ Do not place unlawful information on the network.
- ✓ Abide by all copyright and license agreements, including obtaining the approval for the use of another person's intellectual property.
- ✓ You are prohibited from accessing, uploading, downloading, distributing, viewing or possessing any pornographic, obscene or sexually explicit material or language.
- ✓ You, not the District, are responsible for possession of any and all materials and for your actions with the use of the account.
- ✓ You must abide by any and all local, state and federal rules and regulations.
- ✓ No personal financial transactions of any kind will be allowed.
- ✓ Any violation of District policy or rules may result in loss of District provided access to the Internet. Additional disciplinary action may be imposed and will be determined on an individual basis in keeping with existing practices and procedures regarding inappropriate language or behavior. When applicable, law enforcement agencies may become involved.
- ✓ Internet use will be monitored by the Spearfish School District.

The Spearfish School District makes no warranties of any kind, expressed or implied, for the Internet access it is providing. The District will not be responsible for any unauthorized financial obligations resulting from the use of this account.

I have read this agreement and agree to adhere to the principles and procedures detailed within.

STAFF MEMBER _____ DATE _____

Refusal to sign this document will result in loss of computer privileges.

November 22, 2000