

West/Mountain View Elementary Schools

Student/Parent Handbook 2016-2017

**Spearfish School District
525 East Illinois
Spearfish, SD 57783**

***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: Kirk Easton

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, Danya Foote, Laurie Johnson, Monique Keck, Jennifer McBurnett, Jill Reede, Natasha Robbins, Megan Weaver, Tammie Wood

1st Grade: Dacia Fischer, Luke Connally, Nadene Harr, Leesa Haugland, Michelle Meirose, Elizabeth Mentele, Pam Ruhnnow, Brandy Vavruska, Laura West

2nd Grade: Michelle Abbott, Roxanne Dobesh, Darcey Fleming, Tricia Gainey, Debbie Neiman, Brianna Schmidt, Diane Wendt, Ashleigh Hoff

Art: Julianne Zoller

Computer: Brooke McLellan

Counselor: Mandi Scott, Erin Stephan

Library: Rena Case, Tina Wolterstorff

Music: Kathy Ewing

Physical Education: Joel Martin

Special Education: Roxanne Gray-Hartl, Betsy Koistinen, Betty Lenner, Amy Olness, Patti Schladweiler, Reva Sigle, Ashley Custis

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

ESL: Cecilia Estes

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: Gretchen Boe, Ben Cerwinski, Kristin Cooney, Sandy Eixenberger, Shannon Ellingsen, Renee Fender, Lindsay Fiorello, Jody Fox, Mary Harmon, Holly Hanson, Nicole Harris, Chelsea Hotchkiss, Mary Kilber-Flesner, Julie Lingscheit, Loann Oyen, Amber Schweigert, Dixie Varns, Sandra Wojton

School Nurses: Karen Moye, Barb Graslie

Secretarial Personnel: Calley Davis, Debra Parsons, Nicole Valentine

WELCOME PARENTS AND STUDENTS,

It is my pleasure to serve you in what is sure to be another great year in the Spearfish School District. I am looking forward to an exciting and successful year with you and your child. We believe that parents/guardians are partners with us in the education of our children, and that through open communication and shared beliefs we can “empower all students to succeed in a changing world.” Please take time to read the information in this handbook thoroughly and share important points with your child.

On behalf of the faculty and staff, I invite you to visit our school, partner with our teachers, attend your child's programs, and be an active participant in your child's education. I am very happy to have you and your child join us at West and Mountain View Elementary Schools this school year.

Sincerely,

Nick Gottlob
Principal

Carole Schaffan
Assistant Principal/District Curriculum Director

ACCIDENTS AND ILLNESSES

If your child is seriously injured or becomes sick at school, we will make every effort to call you immediately. If you cannot be reached, we will attempt to contact the emergency number that you listed on the registration form. If the information on the registration forms changes, please be sure to notify the office.

ACTIVITY TICKETS

An activity card is a student's identification as a member of the student body. It entitles the holder to free admission to all home high school athletic events, certain plays/concerts. Activity tickets are offered for sale at the beginning of the school year at the High School only. Ticket Prices are:

Students	(Grades K-12)	\$25 for the year
	Adults	\$75 for the year
	Adults (2)	\$125 for the year
	Family	\$175 for the year
	Senior Citizens	\$5 for the year

ANIMALS AT SCHOOL

For student protection, please keep animals at home. No dogs, cats, nor other pets will be permitted in the West/Mt. View schools 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.

ARRIVAL-DISMISSAL

Building schedules are:

West.....Grades 1-2.....8:15 a.m. (1st Bell) 8:20 (tardy bell) to 2:55 p.m.
Mt. View.....Grade K.....8:15 a.m. (1st Bell) 8:20 (tardy bell) to 2:45 p.m.

For those students who ride with parents, we ask that they arrive at school no earlier than 7:50 a.m. Students should not be in the building prior to the beginning of school unless attending an authorized activity. Breakfast is served between 7:45 A.M. and 8:10 A.M. Adult outside supervision begins at 7:50 A.M. Once students have arrived on school grounds in the morning, they are not to leave.

We encourage you to try and schedule your child's doctor and dental appointments around school hours. If this is not possible, you must come to the main office first to check your child out. If someone other than a family member is going to pick your child up, please inform the school.

ATTENDANCE

Regular attendance is essential to success in school. Frequent absences disrupt the flow of the instructional process. Therefore, it is very important that students attend on a regular basis.

In addition, the South Dakota Department of Education expects that all students attend school at a minimum rate of 94%, which translates to 163 days on the Spearfish School District calendar. Parents can expect frequent communication via phone call or letter updating parents with attendance records when there is concern regarding the academic impact of absenteeism or excessive days absent.

Furthermore, state law requires consistent school attendance. If a student misses 20 or more school days per year, grade level promotion may be jeopardized. A student with frequent absences may be reported to our School Resource Officer or other legal authorities. Please remember that a written note or a phone call explaining the absence is required when a student is absent.

We realize that there will be times when your child may be tardy, but please avoid these times whenever possible. Tardiness interrupts your child's instructional time. A note to the office explaining the reason for his/her tardiness is encouraged. If a student is tardy, he/she must stop at the main office with a parent before reporting to the classroom. The principal may send a letter home if your child is excessively tardy and involve the SRO if necessary.

If you know in advance that your child will be absent from school, please notify the teacher and office. We work with parents to have students make up the missed work; however, make-up work is no substitute for classroom instruction. Parents may pick up make up work at the end of the school day.

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

All bikes ridden to school should be stored immediately upon arrival at school in the designated bicycle racks on school grounds. Always walk your bike while on school grounds. 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. Student motorized transportation is not permitted at school.

BUS TRANSPORTATION

Discipline issues for students riding the school bus will be addressed by the building principal. Violation of these rules and regulations may result in temporary or permanent suspension of busing privileges. Students riding buses to school or students being dropped off by parents MUST remain on the school grounds. Students waiting for buses after school must remain behind the fences, white lines, etc. until they are given permission to board the bus by either a supervisor or the bus driver. If a student who rides the bus is held after school by a teacher, 24 hour notice will be given to the parent, so transportation arrangements can be made.

If there are questions about the rules and regulations, bus stops, and time schedules, the parent can call Dakota Bus Service (642-2353); Prairie Hills Transit (642-6668); or Spearfish School District (717-1201).

CANDY, GUM, ETC.

Although permitted at school, students are encouraged to limit candy and gum use to classrooms (with teacher permission) and not the lunchroom, hallways, playgrounds, etc.

CARE OF TEXTBOOKS AND EQUIPMENT

Students are responsible for all books, materials, and equipment issued to them during the school year. All lost or damaged books and equipment must be paid for by the family. Report cards will be issued when all fines are paid. If the lost school item is found, any money paid to the school will be refunded.

COMMUNICATION WITH SCHOOL

We are very interested in your ideas and suggestions to improve our schools. Concerns involving your child's education should first be discussed with your child's teacher, then the principal. The Parent Advisory Committee (PAC) will provide parents an opportunity to discuss ways to enhance educational opportunities for children at West and Mt. View.

CONFIDENTIAL FILES

Throughout the school year, we have the opportunity to host student teachers/interns in the Spearfish School District. The majority of these prospective teachers are current students at

Black Hills State University here in Spearfish. The purpose of the student teaching/internship experience is to provide authentic classroom teaching experience to these students who are required, as part of earning a teaching degree, to work alongside a certified, supervising teacher for a specific number of weeks. Included in this experience is being able to access a child's cumulative records file with parent/guardian permission (see Signature Page).

CHURCH NIGHT

There are no scheduled school activities on Wednesday night in the School District for West or Mountain View students. This allows the students to participate in the youth activity programs in their church.

DRESS CODE

We live in an area that typically has cold weather and weather conditions that can change quickly. Students are expected to be outside before school and during recesses and need to be dressed for the daily weather conditions. **The guideline for outdoor play is 0 degrees; please consider your child's safety, health, and comfort when dressing them for school.**

Students need to dress appropriately for the weather and activities in school. Clothes that do not fit the child or create a distraction from the education of our students will not be allowed. Examples of inappropriate dress or grooming include: underwear that is visible, see-through clothing or clothing that is not in good taste, extremely short skirts or shorts, bare feet, chains, pants that don't fit and are not worn at the waist, and clothes that display drug, alcohol, tobacco, gang affiliation/symbols, or inappropriate language. Hats/bandanas are not to be worn in the building.

EMERGENCY EVACUATION--CRISIS PROCEDURE

In the event that students are evacuated from the building and moved to an alternate site, parents will be notified via the School Reach phone system and through the media.

Students will remain at those locations until they can safely return to school, their parents pick them up, or they are dismissed at the regular time.

ENROLLMENT (IMMUNIZATIONS, BIRTH CERTIFICATES, ETC.)

South Dakota State Law (SDCL 13-28-7.1) requires that any pupil entering school in this state shall be required to present to school authorities certification from a licensed physician that they have received adequate immunization according to the recommendations of the State Department of Health.

In addition, South Dakota State Law (SDCL 13-27-3.1) requires that parents/guardians provide the school with a certified copy of the child's birth certificate. You will have 30 days to provide this to the school office.

Children entering kindergarten must be five (5) years of age on or before September 1 of the year in which they shall enter school. Kindergarten is mandatory in South Dakota.

FIELD TRIPS

From time to time your student will participate in a class field trip. His/her classroom teacher or the school will provide you with all necessary information. Parent permission must be granted prior to a student traveling in a vehicle in or out of town (see Signature Page).

FIRE, TORNADO, AND SAFETY DRILLS

Fire, tornado, and safety drills are held every year. Emergency information for these drills is posted and/or reviewed with students in each classroom throughout the school year.

FOOD SERVICE

The goal of our food service is to provide a nutritious breakfast and lunch program for students. Breakfast is served between 7:45 A.M. and 8:10 A.M. If a child is going to eat lunch at home, please notify the classroom teacher and check-out in the office.

Breakfast and lunch money is turned into the homeroom teacher at the beginning of the school day. We ask that money be deposited in the child's account in increments of 10 day blocks (NO individual lunches will be sold). The school will send payment reminders to parents when meal account balances are low or in arrears.

Application forms and information regarding our **free and reduced** breakfast and lunch programs will be included in the "Back to School" packet and in the office throughout the school year. If a family qualifies for free or reduced lunch/breakfast prices, they need to reapply every year during the 1st month of school. Failure to reapply will place the child on full-pay status for both breakfast and lunch. Both breakfast and lunch are included if a child qualifies for free or reduced price meals.

(Updated August 1, 2016)

Child Breakfast Full - \$1.10/10 meals for \$11.00

Reduced - \$.30/10 meals for \$3.00

Adult breakfast - \$1.60

Child Lunch full - \$2.45/10 meals for \$24.50

Reduced - \$.40/10 meals for \$4.00

Adult Lunch - \$3.60

Extra Milk .45

LUNCHROOM RULES

1. Our lunchroom will be a pleasant place if everyone is polite to cooks, supervisors, students and visitors.
2. Messes will be kept to a minimum if food is handled carefully. Inappropriate behavior is never allowed.
3. It will be a healthy meal for everyone if you eat only the lunch you brought or purchased - not someone else's (exchanging food passes germs).
4. Soda and energy drinks are prohibited in the lunchroom.
5. Food may not be taken out of the lunchroom.
6. Lunchroom procedures may be modified as needed.

ILLNESS

If a student feels ill, the student needs to notify his/her teacher. Students can call their parents with the permission of the teacher. If a child is sent to school, he/she needs to be prepared to go to recess outside. If a child is too sick to be outside, they are probably too sick to be in school.

Notes excusing a child from going outside for recess need to be from a medical practitioner.

A student with head lice will be sent home for treatment. Upon returning to school, the student will be examined and cleared for school re-entry by the school nurse. Information on head lice, etc. can be obtained at school.

INSURANCE

School accident insurance policy is available at a minimum cost. More information is available at www.sas-mn.com and in the school office. Student dental insurance is also available; more information is available at www.deltadentalsd.com and in the school office.

INTERNET USAGE

In order for our students to access the Internet, the parent/guardian and student must agree to the district's "Technology Use Agreement." Parents and community members are invited to visit our school district web site at <http://www.spearfish.k12.sd.us>, where there is information about our school programs and classrooms.

LIBRARY/MEDIA CENTER

Our library/media program ensures that students and staff are effective users of ideas and information. The primary objective of the school library is to implement, enrich, and support the educational program of the school.

Books may be checked out for two weeks, plus one renewal of two weeks (exceptions may be made by the librarian). Kindergarten students may have one book checked out at a time; 1st grade students may have two books checked out; and 2nd grade students may all have three books checked out at one time. Special arrangements may be made for checkout of older issues of periodicals. Reference materials, such as encyclopedias, dictionaries, atlases, etc. are not to be checked out. Special permission may be obtained for their use in the classroom.

The replacement amount for lost or damaged items will be charged. Students may be deprived of library privileges because of undesirable conduct in the library or abuse of library materials.

LOCKERS/HALLWAY “CUBBIES”

Lockers and hallway cubicles belong to Spearfish School District and may be inspected by school officials at any time. Students may be assigned a hall locker for coats, boots, and personal items. Spearfish Schools are not responsible for lost or stolen items. No locks are permitted on any student lockers.

LOST AND FOUND

Have your child check the lost and found box regularly if he/she has lost an item. Please mark your child’s personal belongings (coats, jackets, boots, overshoes, caps, etc.) with his/her name or initials so the items can be identified. Parents are encouraged to check the “Lost and Found” box frequently throughout the year as it will be emptied periodically.

MEDICATION

All medications (prescription or non-prescription) must be brought to the office by a parent or guardian and a district medication form completed (District Policy 5320.2 FM). All medications need to be stored in the office, unless prior arrangements have been made between the doctor, parents and school. If the student is to carry an inhaler, we strongly suggest that a second inhaler be kept in the office. “Carry” is defined as keeping the inhaler on the child’s person, not in their backpack, locker, desk, etc.

Prescription medications must be in a pharmacist-labeled container that specifies the student's name, the prescribing physician's name, the date of the prescription and the directions for use. (Pharmacists will give you an extra labeled container for school use, if you ask for it.)

Non-prescription medications should be in an original bottle or container labeled with the student's name. **(This includes cough drops, cough syrup, aspirin, and so on).** If your child needs medication at school, please come to the office to fill out the proper forms. No medications will be dispensed without the proper forms being filled out (District Policy 5320.2 FM).

Again, all medications will be kept and administered in the office.

NEWS AND INFORMATION

The school maintains multiple measures to communicate with families – teacher/classroom newsletters, a website, School Reach parent messaging system, and regular school-wide newsletters can be expected. Important dates, monthly lunch menus, news from the Principal, teachers and staff, and student work are all examples of updates and information you may receive. In addition, parents should expect regular communication from their classroom teacher.

NUISANCE ITEMS

Items such as laser flashlights/pointers, matches, incendiary devices, etc. are not permitted at school and will be confiscated. Possession, use, or intent to use any of these items may result in suspension.

PARENTAL ENGAGEMENT

Our schools are a reflection of our community. We also believe that a child's first teacher is their parent; therefore, parental engagement is critical to the success of our students and school system. To that end, there are multiple opportunities for parental engagement ranging from classroom volunteer to crossing guard, or serving on one of our formal committees. Two prominent committees help drive change and communication in our schools; they are:

PARENT ADVISORY COMMITTEE

The focus of the group is to help parents be informed about our school and provide parent input on ways that we might improve. We will be looking for classroom parent representatives to serve on this committee. If you are interested in coming to our meetings, please contact your child's teacher or the office. Notices about the meeting time and location will be in our school newsletters and posted on our school marquee outside. Any parent is invited to attend; we hope you will be able to find the time to come to our meetings.

PROJECT ADVISORY COMMITTEE (PAC)

The Project Advisory Committee (PAC) meets quarterly during the school year. Comprised of parents and teachers, the PAC identifies projects outside the regular school day or curriculum that support the success of students. The focus of parental engagement, increased academic achievement, and teacher support drive the decisions of the PAC. Fundraisers and correlating projects to support the school are the work of the PAC; parents who are willing to help identify need and opportunity, in addition to organization events and projects are encouraged to participate.

PROMOTION, RETENTION, GRADE SKIPPING

A student's grade placement is based on a number of factors including academic progress, age and maturity. If retention or grade skipping is considered, the parents and school staff will meet to determine the proper course of action. If the parents and school cannot agree on the best grade placement for the child, the school principal will determine grade placement. Parents may appeal the principal's decision to the Superintendent and the Board of Education.

PUPIL TRANSPORTATION – PRIVATE VEHICLES

The use of passenger vehicles to transport students to and from school-sponsored and approved activities will only be permitted if the driver (employee or other) is qualified and that adequate insurance coverage is in force. See form in Appendix A.

REPORT CARDS (PROGRESS REPORTS)

West and Mt. View use a progress report card that is based on the Common Core State Standards. Many schools in South Dakota currently use this type of report card. Teachers will thoroughly explain this report card to you during Parent/Teacher Conferences in October.

RESPECT FOR PROPERTY

Damage to school/personal property through carelessness or malicious acts will be considered a serious offense, and the offenders shall be called upon to bear the expense of repairs and replacements.

STORM POLICY

In the event of inclement weather when buses cannot run, school closure information will be given by the following radio stations: KBFS (1450 AM, 103.1 FM); KBHB (810 AM); KDSJ (980 AM); KBHU (FM) and television stations: KOTA and KEVN. Also the School District's School Reach automated phone message system will notify all households within minutes of an emergency or unplanned event that causes early dismissal, school cancellation or late start.

Use your judgment about sending your child to school on these days. If the buses do not run, the children will be allowed excused absences. In the event that school is called off for the day or that there will be a school dismissal prior to normal time, information will be available on the aforementioned radio and TV stations.

When school is in session and the weather is inclement, teachers may shorten or eliminate recess time. When the weather is harsh (heavy rain, lightning, wind chill of 0 degrees or lower, etc.), children will remain inside the building during recesses. Since South Dakota has such variable weather, please dress your child accordingly.

STUDENT BEHAVIOR EXPECTATIONS

CHARACTER COUNTS

Character Counts is a program to strengthen the character of today's young people. It is built on the consensus that no matter how diverse our opinions, personalities and backgrounds, there are ethical principles that clearly define us at our best. These principles are important because they are the very foundation of a free, democratic society. The fundamental principles in Character Counts are called the Pillars of Character:

TRUSTWORTHINESS	(Honesty, Integrity, Reliability, Loyalty)
RESPECT	(Golden Rule, Tolerance, Nonviolence, Courtesy)
RESPONSIBILITY	(Duty, Accountability, Pursue Excellence, Self Control)
FAIRNESS	(Justice, Openness)
CARING	(Concern for Others, Charity)
CITIZENSHIP	(Do Your Share, Respect Authority and the Law)

The 3 B's

West and Mt. View Elementary Schools focus on the “**3 B's**” (**Be Respectful, Be Responsible, Be Safe**). Please go over the following Expectations with your child at the beginning of the school year and as necessary throughout the year.

- 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.
 3. **Be Safe:** Use Spartan Walk.
- Lunchroom Expectations
 1. **Be Respectful:** Use whisper voice. Keep hands and feet to self.
 2. **Be Responsible:** Keep tables and floor clean.
 3. **Be Safe:** Walk to 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.

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.

Not all negative behavior from one student towards another student are bullying. The principal and counselor can provide strategies to assist with students who are either the aggressor or victim of bullying.

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 allows the student to remain in school, work on their schoolwork in a supervised environment, receive credit for their work, and demonstrate that they are ready to follow the rules. The Principal will decide when ISS is necessary for major rule violations and will inform the student and teacher of his decision. The parent will be contacted by the teacher and/or office.

OUT-OF-SCHOOL SUSPENSION

OSS is appropriate only in extreme major rules violations and when the school does not have the resources to control the behavior of a student. The Principal has the authority to suspend a student from school for up to 10 days. He will inform the student, teacher, and parent of his decision. A long term suspension requires Board approval and may be up to 12 months in length. See Board Policy 5210 for more information.

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.

DISCIPLINE DECISIONS

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

STUDENT PLACEMENT

Class lists are developed in the Spring for student placement in the Fall. The classroom teachers and counselor work closely together to group children in classrooms to insure the success of the children and teachers. Philosophically the school believes that student needs can best be met in a classroom where there is a balance of student abilities, personalities and learning styles.

As a result **we are not able to honor parent requests** for students to be placed with specific teachers and maintain the classroom balance we strive for. If a parent has a concern about their child's upcoming placement, they may submit a "Request for a Specific Learning Environment" form in the spring to the office. Learning environment request forms are due April 15th for the following school year. If a parent requests that a child not be placed with a specific teacher, we will work with the parent to honor that request.

Students who enroll during the summer or during the school year will be placed by the building Principal and counselor.

TELEPHONE AND CELL PHONE USE

Students must have permission from their teacher to make calls from school. Students and teachers will not be called to the telephone during class time unless it is absolutely necessary. The secretary will get a message to your child or the teacher. If a parent wishes their child to have a cell phone at school, permission must be granted by the Principal. Student cell phones must be turned off during the school day.

TESTING

West and Mt. View administer reading and math assessments throughout the school year to measure student progress and to guide instruction. Please consult your classroom teacher for an explanation of the different tests, timelines, and how data is collected and analyzed to monitor progress meeting the needs of your child.

TRIMESTERS

Trimesters are used at the elementary level. Our school year is divided into 3 twelve week progress reporting periods. **They will end on November 23, March 3, and May 26.** The Trimester system allows our teachers more time to get to know your children, gives them more time to assess their needs, and matches our Fall, Winter, and Spring assessment schedule.

VALUABLES

Students are NOT to bring inappropriate or valuable items or large amounts of money to school. Students are allowed to bring marbles, balls and jump ropes (labeled with their name) to be used on the playground, but students are not allowed to trade or sell items at school without the permission of the principal. We discourage the use of Walkmans, video arcade games, Ipods, or other valuable items, but they may be allowed by the classroom teacher. The school will not be responsible for any lost, stolen, or damaged items.

VIDEOS, DVD'S, ETC.

These media may be shown to students throughout the school year. A maximum of 4 “reward or fun” movies may be shown during a school year. Teachers will inform parents prior to the showing of any PG-Rated movies or films.

VISITING CLASSROOMS

We encourage parent participation in our schools. We ask that parents prearrange their visits with individual classroom teachers and that they come through the front doors of the school, check in at the office, and obtain a Visitor’s Badge. If parents wish to visit the playground areas, for other than dropping off a child, they must also obtain a Visitor’s Badge from the office. Students are asked not to bring school-aged visitors to school with them. Although it may be interesting for visitors to see another school besides their own, it is a distraction for the students and the teacher in the classroom.

As a classroom guest, we appreciate your refrain from taking pictures of students other than your child and advise that posting photos/names via social media or other means of distribution is not permitted. Thank you for your understanding.

VOLUNTEERS

We welcome and encourage persons to join our staff to help in the education, supervision, and recreation of our students. Please check with the Principal if you would like to lend a helping hand. A volunteer request form will be completed by all volunteers; in some circumstances, a background check is required before you can become a volunteer.

As a volunteer, we appreciate your refrain from taking pictures of students other than your child and advise that posting photos/names via social media or other means of distribution is not permitted. Thank you for your understanding.

WITHDRAWAL OF STUDENTS

If you are moving and are withdrawing your child from school, please notify the school by stopping in or phoning as soon in advance as possible. This will give ample time to complete the student check-out sheet. Your cooperation is always greatly appreciated.

PROGRAMS PROVIDED AT ELEMENTARY SCHOOLS

ACCELERATED READING PROGRAM and STAR are online reading software to make reading practice more effective for students and to build a lifelong love of reading and learning.

ART promotes creative thinking skills and problem solving abilities. Elementary students are introduced to art history, drawing, painting, print-making and sculpture for 18 weeks at each elementary school during the school year.

CHARACTER COUNTS consists of the Pillars of Character that are stressed at school: Trustworthiness, Respect, Responsibility, Fairness, Caring, Decision-Making, Citizenship, etc.

COMPUTER lab time is scheduled for each classroom during the week. Students have the opportunity to learn skills related to the use of computer technology such as: keyboarding; research skills; communication skills; internet usage for classroom projects; and a variety of other applications supporting all areas of our curriculum.

COUNSELING: The school counselor works with children individually, in small groups, and in the classroom. The counselor is interested in helping with any student problems or concerns involving school, peers and/or family. The goal is to be a supportive resource to help families through the various stages of their children's lives.

LIBRARY: The primary objective of the school library is to implement, enrich, and support the educational program of the school.

MUSIC provides an opportunity for all students to explore and experience many facets of music and how to utilize its intellectual and emotional benefits.

PHYSICAL EDUCATION is an integral part of the total educational process; provides movement-centered and knowledge-based activities that focus on the intellectual, social, emotional and physical needs of students; and enables them to realize their full potential.

REFOCUS PROGRAM is a student behavioral support program that helps students to be successful at school through interventions like: Check-in/Checkout procedures; Sensory Room access; and a Social Skills curriculum.

SCHOOL NURSES: The District has one full-time and one part-time nurse on staff. If you have any special health concerns or questions regarding your child, our nurses can be contacted through the office or the classroom teacher.

SPECIAL EDUCATION: A full continuum of special education services is available to students who have special needs. For more information, parents should contact their child's classroom teacher.

TITLE I provides supplemental help to students in the areas of reading and math for children who qualify for the program. Services are provided in and out of the classroom, depending on the needs of the student. Parent permission is required for student participation.

APPENDIX A

Pupil Transportation – Private Vehicles

ESEA Parent Rights Forms

PUPIL TRANSPORTATION - PRIVATE VEHICLES

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



- No vehicle may be used that is designed to carry less than three or more than nine passengers.
- Insurance coverage: The vehicle must be insured to at least the minimum level required by law. **Please attach a copy of the insurance certificate/card to this form.**
- Private passenger vehicles are covered primarily by the owner's insurance, and secondarily by the school's insurance. School coverage is for liability only and does not cover damage to private vehicles.
- The school Principal (or designee) will determine that each driver of a private vehicle to be used for pupil transportation is properly licensed to drive (**attach a copy of the Driver License to this application**), that the vehicle to be used is insured as described previously, and that the passenger vehicles have a seat and seat belt inside the vehicle for each rider.
- The driver provides the following assurances: driver will not participate in distracted driving practices, including texting and driving; the driver will follow all rules and laws of safe vehicle operation; the driver will not use a cell phone while actively operating a motor vehicle transporting children.

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

Driver Signature

Date

Please complete the following information:

Date of Trip: _____

Time(s): _____
(Approximate) Departure

_____ Return

Location: _____

Teacher Name: _____

Administrator Approval

Spearfish School District 40-2
Annual Parent Notice
Right to Request Teacher Qualifications

School: West Elementary

Date: August 11, 2014

Dear Parent or Guardian:

Our school system receives federal funds for Title I programs that are part of the ESEA (No Child Left Behind) legislation of 2001. Throughout the school year, we will continue to provide you with important information about this law and your child's education.

You have the right to request information regarding the professional qualifications of your child's classroom teacher(s). If you request this information, the district or school will provide you with the following as soon as possible:

- a. if the teacher has met state licensing requirements for the grade level and subjects in which the teacher is providing instruction;
- b. if state licensing requirements have been waived for the teacher on a temporary basis;
- c. the type of college degree major of the teacher and the field of discipline for any graduate degree or certificate; and
- d. if your child is receiving Title I services from paraprofessionals and, if so, his/her qualifications.

If you would like to request this information, please contact your child's school.

Thank you for your interest and involvement in your child's education.

Sincerely,

Nick Gottlob, Principal

Phone: 605-717-1205

Email: ngottlob@spearfish.k12.sd.us

Spearfish School District 40-2
Protection of Pupil Rights Amendment (PPRA)
Annual Notice to Parents

Dear Parent/Guardian:

It is very important to us to let you know of your rights regarding district surveys, collection and use of student information for marketing purposes, and certain physical examinations. These rights include:

1. *Consent* before students are required to complete a survey that concerns one or more of the following protected areas if the survey is funded in whole or in part by a program of the U.S. Department of Education.
 - Political affiliations or beliefs of the student or student's parent;
 - Mental or psychological problems of the student or student's family;
 - Sex behavior or attitudes;
 - Illegal, anti-social, self-incriminating or demeaning behavior;
 - Critical appraisals of others with whom respondents have close family relationships;
 - Legally recognized privileged relationships, such as with lawyers, doctors or ministers;
 - Religious practices, affiliations or beliefs of the student or parents; or
 - Income, other than is required by law to determine program eligibility.
2. *Receive notice and an opportunity to opt a student out of –*
 - Any other protected information survey, regardless of funding;
 - Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
 - Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
3. *Inspect*, upon request and before administration or use –
 - Protected information surveys of students;
 - Instruments used to collect personal information from students for any of the above marketing, sales or other distribution purposes; and
 - Instructional material used as part of the educational curriculum.

When a student reaches the age of 18 or is an emancipated minor under State law, the parent's rights transfer to the student.

The district has adopted policies, in consultation with parents, regarding these rights as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales or other distribution purposes. Parents will be notified of these policies at least annually at the start of each school year and after any substantive changes. The district will also inform parents at the beginning of the school year if the district has identified the specific or approximate dates of activities or surveys and will provide an opportunity for the parent to opt his or her child out of participating in a specific activity or survey.

For activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys and will be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. The following are specific activities and surveys covered under this requirement:

- collection, disclosure or use of personal information for marketing, sales or other distribution;
- administration of any protected information survey non funded by the U.S. Department of Education; and
- any non-emergency, invasive physical examination or screening as described above.

Attached, if scheduled at this time, is a "Scheduled Activities and Surveys" notice. For your convenience, we have also attached a "Parent Consent and Opt-Out Response" form that must be returned to the office.

To file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of PPRA, contact:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202-5901

00NCLB-16 (Rev. 09/04 US)

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Spearfish School District 40-2
 Family Educational Rights and Privacy Act (FERPA)
 Annual Notice for Disclosure of School Directory Information

Federal law requires that the school district, with certain exceptions, obtain written consent from a student’s parent or guardian prior to the disclosure of personally identifiable information from a student’s education records. However, the district may disclose appropriately designated “directory information” without written consent, unless a student’s parent or guardian have advised the district to the contrary in accordance with district procedures. Examples include:

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

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

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

If a student’s parent or guardian **does not** want the Spearfish School District to disclose directory information from his or her child’s education record without prior written consent, he or she must notify the District in writing by **September 9, 2016**.

The district has designated the following information as directory information:

Student’s Name	Grade Level
Participation in officially recognized activities and sports	Weight and Height of members of athletic teams
Official School Photograph	

If you have any questions, concerns, or DO NOT want directory information published, please contact your school principal.

West Elementary Nick Gottlob 717-1205
Middle School Don Lyons 717-1215
Mt. View Elementary Nick Gottlob 717-1209

Creekside Elementary Dan Olson 717-1210
High School Steve Morford 717-1212

APPENDIX B

Pertinent School Board Policies

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.

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

Board Policy Code 4050
Page 2 of 2

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

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

Board Policy Code: 4101/5130
Page: 1 of 6

Anti-Harassment Policy

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

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

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

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

Legal References:

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

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4000 Personnel**

Board Policy Code: 4101/5130
Page: 2 of 6

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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- 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.

Spearfish School District 40-2 4000 Personnel

Board Policy Code: 4101/5130
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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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4000 Personnel**

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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 May 27, 1997

Reviewed December 14, 1998

Revised August 9, 1999

Revised December 11, 2006

Revised February 12, 2007

Reviewed April, 2008

Reviewed January, 2012

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

Board Policy

Code: 4250/5115
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**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.
2. The building administration will notify the law enforcement agency.
1. 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

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

	Approved	<u>May 8,</u>
		<u>1995</u>
Revised		<u>December 14, 1998</u>
Revised		<u>April 26, 1999</u>
Revised		<u>December 11, 2000</u>
Revised		<u>December 11, 2006</u>
Revised		<u>April 14, 2008</u>

STUDENT ALCOHOL, TOBACCO, AND OTHER DRUG ABUSE POLICY

Part 1 - Policy Definition

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

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

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

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

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

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

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

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

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

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

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

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

Board Policy

Code: 5105
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- b. Upon proof of compliance with a certified alcohol/drug diversion program, the suspension may be reduced, at the discretion of the building administrator, to no less than six days of out-of-school suspension.
 - c. Without proof of enrollment in the diversion program or if a student withdraws from diversion program, original suspension will take effect.
 - d. The school will support the continuation of educational efforts in any alternative educational setting.
 - e. Student activity rules, as outlined in Board Policy 5430/6315, will be followed. Students participating in extra-curricular activities will not be allowed to attend the next four scheduled events.
3. A third violation of this policy will result in an out-of-school suspension until the next regular school board meeting at which time the building administrator will make a recommendation for expulsion.
 4. Supplying/distributing or selling (bartering) chemicals (alcohol and other drugs) or material represented to be a controlled substance will result in the number two sanction, even though it may be the first violation of this policy.

PART III - Disciplinary Sanction for Tobacco and Implementation Procedures

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

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

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

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

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

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

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

PART IV - Parent/Guardian and/or Self Referral

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

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

**Spearfish School District 40-2
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2. Student activity rules, as outlined in Board Policy 5430/6315, will be followed as a first violation in all cases.
3. Any academic penalty will be waived.

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

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

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

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

Approved April 3, 1995
Revised May 27, 1997
Revised June 15, 1998
Reviewed December 14, 1998
Revised April 12, 1999
Revised August 9, 1999
Revised March 13, 2000
Revised April 9, 2001
Reviewed January 12, 2004
Revised February 12, 2007
Revised April 14, 2008
Reviewed January 11, 2010
Revised July11, 2011

SEARCH AND SEIZURE

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

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

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

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

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

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

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

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

B. Searches of Student Property by School Authorities.

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

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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 December 10, 2007
Reviewed 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.

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.

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3. A student in need of special education and/or related services may not be suspended more than 10 days without board action.
4. In the case of a student in need of special education or related services, the principal must file a written report with the superintendent by the end of the school day following the day of discovery of the alleged violation. The superintendent must send a copy of the report to the student=s parent or to the student who is 18 years of age or older or an emancipated minor when it is filed with the board secretary or business manager. The report must remain in the possession of the board secretary or business manager, sealed and unavailable for review by Board members, until the time set for hearing.
5. The superintendent shall give notice of the necessity for a Board hearing to each board member. A written notice (5210.2FM) of hearing shall be given to the student=s parent or to the student who is 18 years of age or older or an emancipated minor, to contain the following minimum information:
 - a. The policy allegedly violated;
 - b. The date, time and place for the hearing;
 - c. A description of the hearing procedure;
 - d. The reason for the disciplinary proceedings;
 - e. Notice of the right to request a hearing or waive the right to a hearing;
 - f. A statement that the student=s records are available at the school for examination by the student=s parent(s) or the parent(s)= authorized representative;
 - g. A statement that the student may present witnesses; and
 - h. A statement that the student may be represented by an attorney.
6. The student, if 18 years of age or older or emancipated, or the student=s parent, may waive the right to a hearing in writing to the superintendent (5210.3FM). If the hearing is not waived, the hearing shall be held on the date, time and place set in the notice unless a different date, time and place are agreed to by the parties.
7. The Board is the hearing board and shall conduct the hearing in the following manner:
 - a. The Board shall appoint a board member or a person who is not an employee of the District as the hearing officer;
 - b. Each party may make an opening statement;
 - c. Each party may introduce evidence, present witnesses, and examine and cross-examine witnesses;
 - d. Parties may be represented by an attorney, at their own expense;
 - e. The school administration shall present its case first;
 - f. The hearing is closed to the public. A verbatim record of the hearing will be made and will be sealed pending court order;
 - g. Witnesses may be present only when testifying. All witnesses must take an oath or affirmation administered by the board president or business manager: ADo you solemnly swear or affirm to tell the truth, the whole truth and nothing but the truth so help you God?@

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- h. Each party may raise objections; however, objections are limited to relevancy and scope of the question;
 - i. All relevant evidence must be admitted; however, unproductive or repetitious evidence may be limited by the hearing officer;
 - j. The hearing officer may ask questions of witnesses and may allow other school board members to interrogate witnesses;
 - k. Each party may make a closing statement;
 - l. After the hearing, the Board will continue to meet in executive session for deliberation. No one other than the hearing officer may meet with the Board during deliberation. The Board may seek advice during deliberation from an attorney who has not represented any of the parties to the hearing. Consultation with any other person during deliberation may occur only if a representative of the student is present; and
 - m. The decision of the Board must be based solely on the evidence presented at the hearing and must be formalized by a motion made in open meeting. The motion must omit the name of the student and state the reason for the Board's action. The Board shall notify the student or the student's parent(s) in writing of the decision. The decision notice must state the length of the suspension or expulsion.
8. The student may appeal a decision by the Board to the circuit court.

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

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

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

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

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

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

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

Date _____

NOTICE OF SUSPENSION

Dear _____

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

Beginning Date _____

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

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

Sincerely,

cc: cumulative folder

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

IN THE MATTER OF:

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

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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

SPEARFISH SCHOOL DISTRICT TECHNOLOGY USE AGREEMENT- STUDENTS

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.

SIGNATURE PAGE

As parent/guardian, I have read and understand all of the guidelines, procedures, and policies set forth in the 2015-2016 Mountain View Elementary/West Elementary Student/Parent Handbook.* I have also reviewed the Handbook with my child. I acknowledge the special expectations and requirements contained in both Appendix A and Appendix B. Please respond to the following:

- 1. My child may attend field trips planned and supervised by the school during the school year. I understand that private automobiles with parent drivers may sometimes be used (see Appendix A). Yes ___ No ___
- 2. My child may use the internet while at school according to the rules outlined in the Technology Use Agreement (see Appendix A). Yes ___ No ___
- 3. I understand that the school may publish examples of student projects, photographs of students, and other work on the School District web site. West Elementary School only allows first names to be published with the student photos.
 - a. My child's photo may be published on the District web site. Yes ___ No ___
 - b. My child's first name may be published on the District web site. Yes ___ No ___
- 4. I understand that the news media will sometimes be at school to cover school activities and that they place their information on the internet. I give permission for my child's photo and full name to be included in these news media publications/broadcasts. Yes ___ No ___
- 5. Each year the Title I staff does some individual academic assessments to assist in selecting children for Title I services and to plan appropriate programs for them. I grant permission for my child to participate in the assessments and will be notified if my child is selected for the Title I program. Yes ___ No ___
- 6. Student teachers/interns have my permission to access my child's cumulative educational records file for educational purposes. Yes ___ No ___
- 7. I have read over the NCLB forms in Appendix A and know that I may complete any of these forms and submit them to the school. Yes ___ No ___
- 8. My child may view PG rated (parental guidance) videos, DVD's, etc. with prior notification. Yes ___ No ___
- 9. Throughout the school year, my child may be asked to participate in a variety of surveys. I give permission for my child to participate in these surveys. Yes ___ No ___

*The Mountain View/West Elementary Student/Parent Handbook can be accessed from the link on the School District website (www.spearfish.k12.sd.us).

I may contact West Elementary School to discuss any portions of the Student/Parent Handbook. The Signature Page must be signed and returned to my child's teacher by the end of the school day on September 5, 2015.

My Child's Name: _____ Child's Teacher: _____
(Print)

Parent/Guardian Signature: _____ Date: _____

Phone #: _____ Email Address: _____