

# Avon School District

## 4-1

### 2021 – 2022

**Mr. Tom Culver, Superintendent**

**Mrs. Kathryn Blaha, K-12 Principal**

**Mrs. Sara Hento, Business Manager**

Board of Education

Jeff Tolsma, Chairman  
Joe Sees, Vice-Chairman  
Branden Baade  
Bridgette Muller  
Craig Vanderlei

Please read information thoroughly and file for future reference.

**All Parents/Guardians must complete and sign page 73.**

**RETURN to the school by August 31, 2021.**

If any questions, please contact the school.



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## MISSION

The mission of Avon School District is to ensure that all students successfully reach their potential.

## VISION

The Avon School District will provide a clean, well-kept and functional facility that supports the needs of the curriculum and is available for appropriate community use. The Avon School District will encourage and foster a safe, caring atmosphere which values mutual respect between students and staff.

The Avon School District will provide a challenging and relevant curriculum with high expectations to prepare students to succeed in a global society. Students will be unlimited by their selected post-high options, including military, workforce, technical or university options. The school district will cultivate an environment where technology is a part of the academic culture and empowering students to meet state academic standards in all content areas using traditional and innovative technologies. The School District will establish community partnerships for work-based student learning opportunities.

The Avon School District is committed to developing independent life-long thinkers and learners who can communicate effectively, work collaboratively, and resolve problems efficiently. Students have the right to an education of the highest quality where their learning styles are appreciated and their diversity is valued. Students will be encouraged to appreciate and value education as well as recognize their responsibility for learning. Learning is the shared responsibility of the student, family, and school district.

The Avon School District will ensure students are provided with highly qualified teachers. The School District will provide appropriate professional development through administrative policy and available educational agencies. The School District will provide opportunities for staff to communicate and collaborate for the benefit of the students and instruction.

## SCHOOL WIDE POLICIES

### GRADING SYSTEM

Teachers will inform students of Avon School's mandatory grading scale which will be used for all classes in all grades 1-12 and will be included in the plans of study. Semester tests (grades 9-12) will count as 1/5 of the final grade. The grading scale is as follows:

<u>Letter Grade</u>	<u>Percentage</u>	<u>Classification</u>	<u>GPA Points</u>
A+	100	Superior	4.00
A	95 - 99	Superior	4.00
A-	93 - 94	Superior	3.67
B+	91 - 92	Above Average	3.33
B	88 - 90	Above Average	3.00
B-	86 - 87	Above Average	2.67
C+	83 - 85	Average	2.33
C	78 - 82	Average	2.00
C-	75 - 77	Average	1.67
D+	72 - 74	Passing, Below Average	1.33
D	63 - 71	Passing, Below Average	1.00
D-	60 - 62	Passing, Below Average.	.67
F	59 & Below	Failing	0.00

Honor Rolls are calculated based upon the following criteria:

- A. 7th/8th grades all classes are averaged.
- B. 9-12 grades all classes are averaged; if a student is in band, the band grade is included in the average because band has the same seat time requirement as a regular class.
- C. Plus and minus marks on grades are used in averaging.
- D. Merit Honor Roll is straight A's--4.00 GPA.

- E. A Honor Roll is a GPA of 3.50-3.99.
- F. B Honor Roll is a GPA of 3.00-3.49.

Cumulative GPA (Grade Point Average) and Class Rank are calculated after each semester grading period for Juniors and Seniors and at the end of each school year for grades 9-12. The following is the criteria used:

- A. GPA does not include Driver's Ed or Chorus grades.
- B. Band is included if the student is in band.
- C. Plus and minus marks are used in calculating GPA.
- D. Grade marks are assigned the following values:  
A=4.0, B=3.0, C=2.0, D=1.0, F=0.0

### REPORT CARDS AND PARENT/TEACHER CONFERENCES

Report cards will be handed out at the end of the first, second, third and fourth quarters. Mid-quarter grades will be given to each student at the middle of each quarter. For any student who has a "D" or a failing mark at mid-term, a report of all marks will be mailed to the parents.

### STUDENT ACTIVITY FEE

Students, grades K-12, may purchase an activity ticket at the cost of \$25.00. Family activity tickets are available for \$85.00 and adult activity tickets for \$35.00. Printed activity tickets will be distributed via the office to purchasers. Students/parents/family passes must be shown at the activity gate in order to receive credit for the pass. This entitles students to attend all of the home football, volleyball, basketball, wrestling, and track matches, games, or meets with the exception of tournaments or special doubleheaders. The activity ticket also applies to assembly programs sponsored by the school. A student must purchase an activity ticket or pay admission to athletic events. Students in grades 5 and up may attend an event with an activity pass but are required to sit in the student section if their parents are not present at the event. Children in grades 4 and lower are required to have a parent present at the event. If a child in grades 4 and lower has an accident of misbehavior, the child will receive one warning before being required to sit by a parent.

The cost of the yearbook, the Pirate Log, will be decided from year to year.

### USE OF TELEPHONE

Students should not ask to use the telephone during school hours except in case of extreme emergency. Parents, please do not call unless absolutely necessary. Students will not be called out of class to answer the telephone. A message will be taken and students may return the call after school or during their lunch break. Students must get permission from their teacher to use phones in the school and gym at any time.

### MISCELLANEOUS REGULATIONS

Care of the building. The school buildings are the home of approximately 300 persons for six to eight hours per day. Treat them as your own home or even more carefully. School property belongs to all of us. Let's take pride in our school so visitors as well as students and teachers can be proud of its appearance. Let's keep our school as neat as possible. Please use trash receptacles which are placed inside and outside of school buildings. Every effort helps! At dismissal time see that your desk is free from books and other materials and that all paper is off the floor.

Care of the grounds. Please do not throw papers and sacks on the floor, lawn, playground areas, or parking lot. Use the sidewalks.

Bicycles. Students who ride bikes to school MUST place them in the bike rack located on the northwest side of the main gym. Bikes must be in the rack and not on the sidewalk.

Caution to the student. Students are urged not to leave money, jewelry, or anything of value in their coat or jacket pockets. Nor is it advisable to leave valuables in your locker or desks at any time. If you do so, you do it at your own risk, and the school cannot be responsible if such things disappear.

Lunchroom. Good behavior, proper eating habits, and good manners will be maintained in our lunchroom. Our cooks and kitchen help take pride in the meals they prepare and in turn our respect and consideration is a must.

Students are expected to walk to and enter the lunch line in an orderly fashion. At lunch time, all students who eat at school will eat in the lunch room even if they bring their own lunch. No eating in study hall, class rooms, or gym. NO FOOD WILL LEAVE THE LUNCHROOM. Failure to follow lunchroom rules will result in the student not being allowed to eat in the lunchroom.

Lunch Accounts: All lunch accounts must be prepaid. Notices will be mailed home when the account balance runs low. As of July 2012, the board has set a limit of \$-150.00 (negative) on delinquent lunch accounts. Students will be denied meals when the balance due equals or exceeds this amount (\$-150.00). Please keep accounts up-to-date.

No School Announcements. The cancellation of school for any reason (i.e. bad weather, broken water main, etc.) will be announced over the school's messenger delivery system, local news and radio stations.

Dress. Students should dress as neatly as possible. Students need not dress lavishly, but clothes should be clean and appropriate at all times. Clothing with obscene or questionable material, alcohol or tobacco advertisements, alcohol establishments or manufacturers advertisements, or dress that is disruptive or a distraction to the classroom will not be permitted. Skirts, dresses, and shorts must reach to the end of the fingertips of the student. Spaghetti straps are not allowed. Students will be sent home if they do not abide by these rules and will be counted absent during their time gone. Shoes must be worn at all times.

Elementary students as well as secondary students should be prepared for wet and cold weather. All elementary students are expected to attend recess outdoors daily, and overshoes or boots and caps, mittens, scarves, etc., are to be worn at these times. During the wet seasons, it may be helpful to send extra socks and pants with students.

No possession or eating of sunflower seeds at any time in either building.

Gum chewing is allowed if it is done in a proper manner. HOWEVER, individual teachers may ask students not to eat candy or chew gum in their classrooms or study hall. There will be NO POP OR FOOD allowed in classrooms without prior approval from the administration.

Gambling and profanity will not be permitted.

Snowball throwing is not permitted at any time because of the dangers involved.

Stay out of the teachers' or students' desks, lockers, and teacher's lounge. Stealing is stealing, whether you "take" a pencil from someone's desk, cheat on a test, or copy someone's paper.

Lockers. Each 5-12 student will have a locker assigned. Each student is responsible for keeping his or her locker clean, both inside and out. Damages caused by misuse of tape, stickers, pens, etc. will be charged to the student. Avon Public School reserves the right to open and inspect school lockers at any time.

Bags. Bags (back packs, book bags, athletic bags, etc.) are not allowed in 7-12 classrooms. No bags are to be left on the floor in the hallway. They are to remain in student or athletic lockers. Only bring what is needed to class.

Cell Phones. Students can use devices during lunch and in between class times. All phones must be kept in lockers and not on the person. Cell phones are not allowed in the locker rooms during the school day due to the camera function on the cell phone. If caught with phone, it will be kept in the secondary principal's office for 7 days.

1. First Offense: the student will be required to bring their cell phone to the principal's office before the first class and will be able to pick up their phone after the last class of the day has concluded. This will be done for 7 consecutive school days.
2. Second Offense: The above will be followed for 14 consecutive days.
3. Third Offense: A meeting will be held with the student, parents, and the principal.

IPods, MP3 Players, and Similar Devices: These electronic devices will not be allowed in the classrooms. If students are caught with one of these devices in the classroom, it will be confiscated and the student may pick it up at the end of the day. On the second offense, the parent will have to come in and pick up the device. The classroom teachers may allow the use of these devices on special occasions or during special circumstances.

### Highly Qualified Teachers

To be highly qualified, teachers need to meet one category in each of the three components for each of their teaching assignments. The three components are: Bachelor's Degree, Full State Certification, and Competency. All teachers at Avon meet the criteria for highly qualified teachers. To meet the regulation of ESSA, all parents have the right to request information regarding the qualifications, degrees, endorsements, and where the degrees were obtained about each of their child's teachers. In order to receive this information, the parents must ask at the school office. Any parent wishing to review a teacher's certification may request it at the district office.

### Avon School District 4-1 Security/Entrance Policy

The Southwest entrance on Pine Street is the MAIN ENTRANCE to Avon School. It will remain open from 7:30 am - 4:00 pm during regular school days. Students will remain in the foyer until 7:50 am and are not to be roaming in any part of the school building prior to 7:50 am. All other entrances will remain locked during regular school hours. Students who wait for a ride after school, may remain in the southwest foyer during inclement weather. Students are not to be roaming any part of the school building after school is dismissed.

All parents and visitors to the Avon School are REQUIRED to check in and out at the business office. Parents & visitors must sign in and obtain a badge prior to entering any area of the buildings. All parents and visitors must also sign out and leave the badge at the business office when exiting the building. These rules are for the safety of our students and staff as well as the person entering the building. Parents who come during the school day to pick up their child, must check in and remain in the business office. Office personnel will contact the classroom, and the student will be sent to the office.

Parents who bring items to the school or need to leave a message for their child may leave the item or message at the business office. Students will be contacted by office personnel to stop and pick up the item or the message. Parents will only be allowed in the main school building during school-time hours by appointment only.

### MEDICATION AND ILLNESS

When a child is to receive medication during school hours, the District requires the following forms on file:

1. Signed consent by parent/guardian to assist with medication; and
2. Signed medication record.

**Forms are available at the District's office and must be completed prior to self-assistance with medication.**

Because the school provides assistance with self-medication, all medications will be kept in the school's office in a locked cabinet. Medications should be delivered in a pharmacy or manufacturer-labeled container by the parents or a responsible adult designated by the parents. No more than a 30-day supply will be kept on hand. Any liquid medication should be pre-measured and sent in separate containers. Any pills needing to be halved should be done before delivery to the school.

When a child needs medication during school time, please act quickly to follow these policies so we may begin medication as soon as possible. The school will not furnish any medication for students.

Please use good judgment before sending children to school in the morning if there is any question about physical illness. If a child is not feeling well, it will lessen the student's ability to focus on learning activities and may interrupt the rest of the classroom as well. If a student becomes ill during school hours, we will contact the parent/guardian to bring the child home.

## AVON SCHOOL DISTRICT MEAL CHARGE POLICY Adopted June 12, 2017

### I. PURPOSE OF POLICY:

The purpose of this policy is to establish consistent meal account procedures throughout the Avon School District (“The District”). Unpaid charges place a financial strain on the food service department. The goals of this standard of practice are:

- To treat all students with dignity in the serving line regarding meal accounts;
- To support positive situations with district staff, district business policies, students, and parents/guardians to the maximum extent possible;
- To establish policies that are age appropriate;
- To encourage parents/guardians to assume the responsibility of meal payments and to promote self-responsibility of the student; and
- To establish a consistent district policy regarding charges and collection of charges.

### II. SCOPE OF RESPONSIBILITY:

- The food service department, Business Manager, Administrative Assistant: Responsible for maintaining charge records and notifying the student’s parent/guardian.
- The Parent/Guardian: Immediate payment.

### III. ADMINISTRATION:

1. Families are encouraged to apply for free and reduced price meal benefit. Any family that falls into a negative balance will receive a written notification to encourage them to apply for free or reduced price meal benefits.
2. Families are encouraged to pre-pay for meals, and money is accepted in the school office daily for payments on the day of service and also in the lunch room prior to service. Written notification of prepayment options occurs at the beginning of each school year, is given to each new transfer student, and is included in the student handbook.
3. Families will be notified of the District’s Unpaid Meal Charge Policy in writing before the school year begins and with each new transfer student. This policy will also be posted in the student handbook.
4. The District may limit the amount of funds that a student can use daily for a la carte purchases. Any family which would prefer their student(s) opt out of the ability to purchase a la carte items may contact the Administrative Assistant at any time. Students who receive free and reduced lunches may only purchase a la carte items upon prepayment into the students’ lunch accounts.
5. Elementary, Middle School, and High School Students:
  - a. Lunch accounts must be prepaid.
  - b. Delinquent lunch accounts may accrue up to a \$-150.00 balance.
  - c. Once a student’s lunch balance is below \$20.00, the parent/guardian will begin to receive a low balance email notice regarding the student’s lunch balance. If the parent/guardian does not have email access, letters will be mailed out weekly by the Administrative Assistant to the parent/guardian regarding the low balance. The same procedure applies once a student’s account has a negative balance.
  - d. If nonpayment continues and the parent/guardian does not contact the District regarding the balance, the Administrative Assistant will notify the parent/guardian via telephone regarding the balance.
6. Denying Meals: The Avon School District retains the right to deny a student a meal if the student has a lunch balance that is greater than \$-150.00. Prior to lunch, the Administrative Assistant will contact the parent/guardian via telephone to inform the parent/guardian that the student will be denied a meal at the subsequent school lunch as a result of nonpayment.
7. Long-Term Payment Plans. Unpaid meal charges will be carried over at the end of the school year as delinquent debt. The District will work with families who have negative balances to establish a repayment plan. When local officials determine further collection efforts for delinquent debt are useless or too costly, the debt must be reclassified as “bad debt.”

## TOBACCO FREE SCHOOLS

The negative effects of tobacco use and persons occupying smoking areas are well documented. The Avon School District is committed to encouraging healthful living styles and healthful working environments. Because of this commitment, the following policy will apply to Avon School District Schools.

All K-12 Avon School District facilities and grounds are tobacco and smoke free in all areas. Smoking or tobacco use is prohibited in all K-12 Schools and vehicles. This policy includes the parking lots, lawn, playground, and buildings. Smoking on the school grounds not only jeopardizes the health of our students and staff but also funding for programs.

This “tobacco-free policy” refers to all uses of tobacco, including cigars, chewing tobacco, cigarettes, pipes, e-cigarettes, vaping, and other similar products.

## ASBESTOS POLICY

In accordance with the Asbestos Hazard Emergency Response Act (AHERA) of 1986, school facilities have been inspected in order to identify any asbestos-containing materials which may be present. Steps have or will be taken to assure that any asbestos-containing material does not cause a significant health hazard to those who work within the building or attend classes there. In addition, an Operation and Maintenance Plan is being formulated which provides for Periodic (semi-annual) surveillance and the use of procedures which will continue to assure a safe environment within the school for students and staff. A copy of the inspection and the Operations and Maintenance Plan is available for public view in the Superintendent's office. Any special questions or concerns should be directed to South Central Cooperative, Box 430, Tyndall, SD 57066, the office designated responsible for compliance with existing laws and regulations.

## AVON SCHOOL DISTRICT 4-1 GRIEVANCE POLICY

Definition: A grievance is defined as a complaint lodged by a student with a member of the staff or administration alleging one or more of the following unfair practices: (1) that a school rule is unfair; (2) that a school rule or regulation discriminates between students; (3) that an unfair procedure has been used in arriving at a punishment.

Grievances are processed through three steps: (A) to the counselor (B) to the principal (3) to the superintendent, in that order. On all three levels, an informal conference is to be held within five days of the date of the filing of the complaint so that no student's complaint shall consume more than 15 days' time in all. The burden of proof is upon the student to show that the rule is unfair, is discriminating, or that an unfair procedure (lack of due process) has been perpetrated. The final resolution of the grievance is to be written at the principal level and designed to provide the student with the basis for resolution of his/her problem as originally stated in his/her complaint. Please note if a school counselor is not employed by the District, the student should skip level 1 and proceed to level 2.

Student Procedure: If a student has a grievance, he/she should present it in writing to:

Level 1: The school counselor should be scheduled for an informal discussion of said grievance. It is expected that many grievances may be resolved at this level. The counselor must hold a conference within five days' time of the date of filing. If a school counselor is not employed by the District, student shall proceed to level two (2).

Level 2: If a student is not satisfied with the resolution made at level one, he/she may appeal to the principal for an informal conference and discussion of said grievance.

Level 3: If a student is not satisfied with the resolution made at level two, he/she may appeal to the superintendent for an informal conference and discussion of said grievance. The decision at this level is binding and cannot be appealed unless the superintendent so indicates.

Student grievance forms are available in the offices of the school counselor or superintendent.

## FEDERAL PROGRAM POLICY PROHIBITING DISCRIMINATION AND GRIEVANCE PROCEDURE

**POLICY:** The Avon school District will not discriminate in any of its policies and programs, on the basis of age, race, color, creed, national origin, ancestry, religion, sex, or disability and will not violate any of the provisions of applicable federal programs, statutes, or regulations (e.g. Title IX, Title I Rehabilitation Act Section 504, Americans with Disabilities Act).

In Compliance with applicable federal laws and regulations, the Avon School District has appointed the Superintendent of Schools to coordinate District programs and compliance with federal mandated laws prohibiting discrimination. The superintendent can be reached at PO Box 407, Avon, South Dakota, 57315, or by calling 605-286-3291 x112.

### **GRIEVANCE PROCEDURE:**

#### Definitions:

1. A grievance is a complaint by a student, parent, or other patron of the District, employee, employee representatives, or other concerned groups or advisory organization based upon or concerning all alleged violation, misinterpretation, or inequitable application of any existing policy, rule, regulation or program or the school district, state or federal statutes/regulations, regarding discrimination or concerning violations relating to federal programs.
2. An employee is considered to apply to all persons employed by the school district.
3. A student is considered to apply to all persons enrolled in the school district.
4. The aggrieved person is the individual making the claim.
5. The board means the Board of Education of the Avon School District.
6. Days shall mean calendar days. Time frames may be extended upon written mutual agreement.

#### Informal Procedure

1. Any Person wishing to pursue the filing of a grievance should first utilize normal channels of communication involving the teacher, administrator, or board in an attempt to seek clarification of areas of concern and resolve the problem. It is of utmost importance that students and employees first discuss areas of concern with their immediate supervisor to whom they are directly responsible prior to filing a grievance.

#### Formal Procedure

##### Level I

1. A grievance must be filed in writing within 90 days after the grievant knew, or should have known, of the act or condition on which the grievance is based and the specific remedy requested. The grievance shall be complete and specific as it relates to the facts from which the grievance arises.
2. The grievant shall file the formal grievance in writing with the designated federal programs coordinator.
3. Such coordinator or his designee shall respond in writing to said grievance within 15 days. If the grievant is not satisfied with this disposition of the complaint at this level, grievant may proceed to Level II.

##### Level II

1. If the aggrieved is not satisfied with the disposition at Level I, he or she may appeal that decision by filing in writing with the business manager an appeal within 10 days or the receipt of the decision at Level I.
2. The notice of appeal shall include a copy of the Level I decision and with specific statement(s) or reason(s) why the Level I decision is being appealed (i.e. how or why the Level I decision is wrong).
3. At its next regular meeting, the board or its designated agent shall consider the grievance and may (A) schedule a time for a hearing before the Board, or (B) may designate an individual or committee (1) to investigate the grievance and to report to the Board, (2) to hold a hearing on the grievance and recommend to the Board and for the Board's approval the appropriate disposition of the grievance.
4. At any hearing before the Board or the Board's designee, the complainant shall have the opportunity to present evidence, including an opportunity to question parties involved. The standard of the Due Process shall be adhered to and the Rules of Evidence shall be applicable to the degree necessary and appropriate for an orderly hearing and production of facts and evidence for the Board to make an informed decision.
5. The Board shall make a final decision thereon at the following regular or special board meeting, and the decision shall be in writing with a copy of the same provided to the complainant.

6. If the aggrieved is not satisfied with the disposition of the grievance by the Board, he/she may appeal the decision of the Board as provided for in the law.

First reading: April 10, 2007; Adoption: May 14, 2007

### COMPLIANCE WITH STATE AND FEDERAL LAW PROHIBITING DISCRIMINATION

It is the policy of the Board of Education of Avon School District 4-1 to comply with federal and state law prohibiting discrimination and all requirements imposed by or pursuant to regulations issued thereto, to the end that no person shall, on the grounds of race, color, national origin, creed, religion, sex, marital status, status with regard to public assistance, age or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any educational program or in employment, or recruitment, consideration or selection; therefore, whether full-time or part-time under any education program or activity operated by the district for which it receives federal financial assistance.

To effectuate the provisions of the policy the board of education directs the Superintendent of Schools to immediately take the following action steps:

1. Develop and implement a management system to comply with the provisions of Title VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972 and SDCL 20-13, South Dakota Human Relations Act.
2. Evaluate on a continuous basis the District's operation in terms of the requirements of federal and state law prohibiting discrimination. This evaluation will include policies, practices, and procedures currently in effect.
3. Modify those aspects of the District's operation which do not conform to federal and state law prohibiting discrimination.
4. Take remedial steps to eliminate the present effects of past discrimination.
5. Maintain data for three years following completion of the evaluation as recommended under paragraph two of this section and upon request, provide to the U.S. Education Department a description of any modification made pursuant to paragraph three above.
6. Assign responsibility for the implementation of provision of civil rights laws to the Title IX coordinator for the District, whose name is Tom Culver, Superintendent, and phone number 286-3291.
7. Design and implement a training program to acquaint the District's staff with its civil rights responsibilities.
8. Establish and publish a grievance procedure for students and staff as required under provisions of Title IX.
9. Disseminate the District's non-discriminatory policy to clients, the general public, and vendors. See section 86.9 of Title IX regulations.

### TITLE IX POLICY First Reading 5/10/21; Adopted 6/14/2021

#### **I. Policy Statement**

The District does not discriminate on the basis of sex in any education program or activity that it operates, including admission and employment. The District is required by Title IX of the Education Amendments of 1972 and the regulations promulgated through the U.S. Department of Education not to discriminate in such a manner. Inquiries about the application of Title IX to the District may be referred to the District's Title IX Coordinator, to the Assistant Secretary for Civil Rights of the Department of Education, or both. (34 CFR § 106(b)(1))

The District is committed to a school environment which is free from sexual harassment and conducive to all students' educational opportunities. Sexual harassment can inhibit a student's educational opportunities and an employee's work. Sexual harassment of students attending school in the District or students from other schools

who are at a District activity, and sexual harassment of school employees, school volunteers, parents, guests, visitors and vendors of the District shall also not be tolerated and is strictly prohibited.

All students, school employees, school volunteers, parents, guests, visitors and vendors shall conduct themselves in a civil and responsible manner and in a manner consistent with school policies. This policy prohibiting sexual harassment shall apply to all students, school employees, school volunteers, parents, guests, visitors and vendors while on school property, while attending or participating in school activities, on school-owned property or on non-school property, while in any school-owned or leased vehicle, while at a school bus stop, or when in a private vehicle located on school property during school or during school activities.

Federal law (34 CFR § 106.30) defines “sexual harassment” as conduct on the basis of sex that satisfies one or more of the following: (34 CFR § 106.30)

1. An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual’s participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient’s education program or activity; or
3. “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).

Any person may report sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator. (34 CFR § 106.8(a))

Any student who believes that he or she has been or is being subjected to sexual harassment or has reason to suspect another person has been or is being subjected to sexual harassment may also report it to a teacher, guidance counselor, or school administrator. The report may be made verbally or in writing.

The District’s response shall treat complainants and respondents equitably by offering supportive measures to a complainant, and by following a grievance process that complies with Title IX requirements before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. (34 CFR § 106.44(a))

## **II. Designation of Title IX Coordinator**

The Board has designated the following District employee to coordinate its efforts to comply with its responsibilities as set forth in 34 CFR Part 106, who shall be referred to as the “Title IX Coordinator.” (34 CFR § 106.8(a))

**Name or Title: Sara Hento, Business Manager**

**Office Address: 210 Pine Street, PO Box 407, Avon, SD 57315**

**Email Address: sara.hento@k12.sd.us**

**Telephone Number: 605-286-3291 x113**

The District shall notify applicants for employment, students, parents or legal guardians of elementary and secondary school students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the District, of the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator. (34 CFR § 106.8(a))

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. (34 CFR § 106.30(a))

### **III. Dissemination of Policy**

The District shall notify persons entitled to the notification under Section I. above that the District does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by Title IX and this policy not to discriminate in such a manner. Such notification must state that the requirement not to discriminate in the education program or activity extends to admission and employment, and that inquiries about the application of Title IX to the District may be referred to the District's Title IX Coordinator, to the U.S. Assistant Secretary of Education, or both.

The District shall prominently display the contact information required to be listed for the Title IX Coordinator on its website, and in each handbook or catalog that it makes available to persons entitled to a notification pursuant to Section I. above. (*34 CFR § 106.8(b)*)

### **IV. Adoption of Grievance Procedures**

The District has adopted and published grievance procedures (ACAA-R(1), Sexual Harassment – Regulations) that provide for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by Title IX and this policy. The District shall provide to persons entitled to a notification under Section I above notice of the District's grievance procedures and grievance process, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the District will respond. (*34 CFR § 106.8(c)*)

### **V. Definitions** (*34 CFR § 106.30(a), except when otherwise indicated*)

- a. "Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to the District's Title IX Coordinator or any official of the District who has authority to institute corrective measures on behalf of the District, or to any employee of an elementary and secondary school. Imputation of knowledge based solely on vicarious liability (when a person has a particular legal relationship to the person who acted negligently) or constructive notice (deeming notice of something to a person having been given, even though actual notice did not exist) is insufficient to constitute actual knowledge. This standard is not met when the only official of the recipient with actual knowledge is the respondent. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the District.
- b. "Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.
- c. "Dating violence" means violence committed by a person:
  1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
  2. where the existence of such a relationship shall be determined based on a consideration of the following factors:
    - i. the length of the relationship.
    - ii. the type of relationship.
    - iii. the frequency of interaction between the persons involved in the relationship. (*34 U.S.C. 12291(a)(10)*)
- d. "Decision-maker" means the school administrator who has primary responsibility and authority related to students, staff and attendance center where the alleged sexual harassment occurred, unless otherwise designated by the Board, and who has the authority to make a determination on the complaint as to responsibility of the respondent.
- e. "Domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is

cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. (34 U.S.C. 12291(a)(8))

- f. "Education program or activity" includes locations, events, or circumstances over which the District exercised substantial control over both the respondent and the context in which the sexual harassment occurs. (34 CFR § 106.44(a))
- g. "Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the District. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator, and by any additional method designated by the District.
- h. "Document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the District) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Should the Title IX Coordinator sign the formal complaint, the Title IX Coordinator is not a complainant or otherwise a party, and the Title IX Coordinator must comply with the Title IX requirements.
- i. "Notice" includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator.
- j. "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
- k. "Sexual assault" means any nonconsensual sexual act proscribed by Federal, Tribal, or State law, including when the victim lacks capacity to consent. (20 U.S.C. 1092(f)(6)(A)(v))
- l. "Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
  - 1. fear for his or her safety or the safety of others; or
  - 2. suffer substantial emotional distress. (34 U.S.C. 12291(a)(30))
- m. "Supportive measures" means no disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, escorting the complainant while on District property or while a District off-campus activity, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

## **VI. District's Response to Sexual Harassment (34 CFR § 106.44)**

- A. General response to sexual harassment. Regardless of whether or not a formal complaint is filed, should the District have actual knowledge of sexual harassment in a District educational program or activity against another person in the United States, the District shall respond promptly in a manner that is not deliberately indifferent (i.e., if the District's response to sexual harassment is clearly unreasonable in light of the known circumstances).

The Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

- B. Response to a formal complaint. In response to a formal complaint, the District shall follow the grievance process as set forth in the Sexual Harassment – Regulations.

- C. Time frames. The timeframes set forth in the regulations shall be considered as a maximum length of time within which the related step is to be completed, however, the time frames may be extended for good cause upon written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause includes, but is not limited to, utilization of the informal resolution process, availability of an investigator if not a school employee, complexity of the investigation, absence of a party, a party's advisor, a witness, or decision-maker (including a person necessary for addressing an appeal), concurrent law enforcement activity, or the need for language assistance or accommodation of disabilities.

- D. Emergency removal. Nothing in Title IX regulations or this policy prohibits the District from removing a respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal, however, nothing in Title IX regulations or this policy may be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act. Additionally, nothing in the Title IX regulations or this policy prohibits the District from placing an employee respondent on administrative leave during the pendency of a grievance process, however, nothing in Title IX regulations or this policy may be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

## **VII. Informal Resolution (34 CFR § 106.45(b)(9))**

- A. The District may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this policy.
- B. The District may not require the parties to participate in an informal resolution process under this policy and may not offer an informal resolution process unless a formal complaint is filed.
- C. At any time prior to reaching a determination regarding responsibility the District may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the District:
1. provides to the parties a written notice disclosing the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint

arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;

2. obtains the parties' voluntary, written consent to the informal resolution process; and
3. does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

### **VIII. District's Grievance Process for Formal Complaints of Sexual Harassment (34 CFR § 106.45(b))**

- A. For the purpose of addressing formal complaints of sexual harassment, the District's grievance procedure as set forth in Sexual Harassment – Regulations, shall be followed. There must be compliance with the requirements of this section, and any provisions, rules, or practices other than those required by this section that the District adopts as part of its grievance process for handling formal complaints of sexual harassment must apply equally to both parties.
- B. Upon receipt of a formal complaint, the Title IX Coordinator shall provide the following written notice to the parties who are known (34 CFR § 106.45(b)(2))
  1. Notice of the District's grievance process, including any informal resolution process.
  2. Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined in this policy, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice must include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice shall inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence. The written notice shall inform the parties of any provision in the District's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.
- C. The District shall treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent. Remedies may be disciplinary in nature. Such remedies may include the same individualized services identified as supportive measures. Remedies must be designed to restore or preserve equal access to the District's education program or activity. (34 CFR § 106.45(b)(1)(i))
- D. The District shall follow the grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. (34 CFR § 106.44(a))
- E. Investigation of a formal complaint. When investigating a formal complaint and throughout the grievance process, the District:
  1. shall have the burden of proof and the burden of gathering evidence sufficient to reach a determination, and the parties shall not have either burden; (34 CFR § 106.45(b)(5)(i))
  2. cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and

maintained in connection with the provision of treatment to the party, unless the District obtains that party's voluntary, written consent to do so for a grievance process under this section. If a party is not an "eligible student," (i.e., student who has reached 18 years of age), the District must obtain the voluntary, written consent of a "parent," (i.e., natural parent, guardian, or an individual acting as a parent in the absence of a parent or a guardian; *34 CFR § 106.45(b)(5)(i)*)

3. shall provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence; *(34 CFR § 106.45(b)(5)(ii))*
4. shall not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence; provided, however, nothing in this provision prohibits the District from taking disciplinary action due to a party retaliating against any person due to that person having made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. *(34 CFR § 106.45(b)(5)(iii))*
5. shall provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties. *(34 CFR § 106.45(b)(5)(iv))*

F. There shall be an objective evaluation of all relevant evidence, and credibility determinations may not be based on a person's status as a complainant, respondent, or witness. *(34 CFR § 106.45(b)(1)(ii))*

G. No individual designated by a recipient as a Title IX Coordinator, investigator, decision-maker, or any person designated by the District to facilitate an informal resolution process, may have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. *(34 CFR § 106.45(b)(1)(iii))*

H. The Title IX Coordinator, investigators, decision-makers, and any person who facilitates an informal resolution process, shall receive training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. *(34 CFR § 106.45(b)(1)(iii))*

1. The decision-makers shall receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.
2. The investigators shall receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.
3. No materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, may rely on sex stereotypes, and training materials must promote impartial investigations and adjudications of formal complaints of sexual harassment.

I. Until a determination regarding responsibility is made at the conclusion of the grievance process, the respondent is presumed to not be responsible for the alleged conduct. *(34 CFR § 106.45(b)(1)(iv); 34 CFR § 106.45(b)(2)(i)(B))*

- J. The District's grievance procedure as set forth in ACAA-R(1), Sexual Harassment – Regulations, shall:
1. including reasonably prompt time frames for filing and resolving appeals and informal resolution processes if District offers informal resolution processes; *(34 CFR § 106.45(b)(1)(vi))*
  2. include a process that allows for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities; *(34 CFR § 106.45(b)(1)(v))*
  3. include the range of possible disciplinary sanctions and remedies or list the possible disciplinary sanctions and remedies that the District may implement following any determination of responsibility; *(34 CFR § 106.45(b)(1)(vi))*
  4. state that for all formal complaints of sexual harassment filed against students and employees, the standard of evidence to be used to determine responsibility is the preponderance of the evidence standard. *(34 CFR § 106.45(b)(1)(vii))*
  5. include the procedures and permissible bases for the complainant and respondent to appeal; *(34 CFR § 106.45(b)(1)(viii))*
  6. describe the range of supportive measures available to complainants and respondents; *(34 CFR § 1045(b)(1)(ix))* and
  7. not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege. *(34 CFR § 106.45(b)(1)(x))*
- K. If, in the course of an investigation, the District decides to investigate allegations about the complainant or respondent that are not included in the notice provided pursuant to provision B in this section, the District shall provide notice of the additional allegations to the parties whose identities are known. *(34 CFR § 106.45(b)(2)(ii))*
- L. Any party whose participation is invited or expected, shall be given written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate. *(34 CFR § 106.45(b)(5)(v))*
- M. All parties shall have equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. *(34 CFR § 106.45(b)(5)(vi))*
- N. Prior to completion of the investigative report, the District must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report. *(34 CFR § 106.45(b)(5)(vi))*
- O. The investigator shall create an investigative report that fairly summarizes relevant evidence and, at least 10 calendar days prior to a determination by a decision-maker regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response. *(34 CFR § 106.45(b)(5)(vii))*

- P. No adversarial hearing shall be held unless the determination of the Superintendent is appealed to the Board, or unless the Superintendent recommends the long term suspension or expulsion of a student, or the suspension without pay or termination of employment of an employee. *(34 CFR § 106.45(b)(6)(ii))*
- Q. The Superintendent may make a recommendation to the Board that a student determined to have sexually harassed another person be suspended long-term or expelled (ARSD 24:07:01:01). The Superintendent may also make a recommendation to the Board that an employee determined to having sexually harassed another person be suspended without pay or the person’s employment with the District be terminated. Should either recommendation be given by the Superintendent, a formal adversarial hearing shall be held before the Board as set forth in ACAA-R(1), Sexual Harassment – Regulations. *(34 CFR § 106.45(b)(8)(ii))*

### **IX. Appeal**

- A. Both parties have the right to appeal to the Board the Superintendent’s determination regarding responsibility, and also from a dismissal of a formal complaint or any allegations therein, on the following bases:
1. Procedural irregularity that affected the outcome of the matter; *(34 CFR § 106.45(b)(8)(i)(A))*
  2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; *(34 CFR § 106.45(b)(8)(i)(B))* and
  3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter. *(34 CFR § 106.45(b)(8)(i)(C))*
- B. As to all appeals, the Title IX Coordinator shall: *(34 CFR § 106.45(b)(8)(iii))*
1. notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
  2. ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
  3. ensure that the decision-maker(s) for the appeal complies with the standard of evidence as required in this policy;
  4. give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
  5. ensure that a written decision is issued describing the result of the appeal and the rationale for the result, and provide the written decision simultaneously to both parties.

### **X. Consolidation of Formal Complaints**

The District may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references in this section to the singular “party,” “complainant,” or “respondent” include the plural, as applicable. *(34 CFR § 106.45(b)(4))*

### **XI. Dismissal of a Formal Complaint.**

- A. The District must investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in this policy even if proved, did not occur in the District’s education program or activity, or did not occur against a person in the United States, then the District must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment, however the dismissal does not preclude action under another provision of the District’s code of conduct. *(34 CFR § 106.45(b)(3)(i))*
- B. The District may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing: *(34 CFR § 106.45(b)(3)(ii))*

1. a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
  2. the respondent is no longer enrolled in or employed by the District; or specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
- C. Upon a dismissal required or permitted pursuant to Section A. or B. above, the District shall promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties. *(34 CFR § 106.45(b)(3)(iii))*

**XII. Recordkeeping** *(34 CFR § 106.45(b)(10))*

- A. The District shall maintain for a period of seven years' records of:
1. each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the recipient's education program or activity;
  2. any appeal and the result therefrom;
  3. any informal resolution and the result therefrom; and
  4. all materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. A recipient must make these training materials publicly available on its website, or if the recipient does not maintain a website the recipient must make these materials available upon request for inspection by members of the public.
- B. For each response required under XII.A., the District shall create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the recipient's education program or activity. If the complainant is not provided with supportive measures, the District shall document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

**XIII. Retaliation Prohibited** *(34 CFR § 106.71)*

- A. Neither the District or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.
- B. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by title IX or this policy, constitutes retaliation.
- C. Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination pursuant to the District's Nondiscrimination Policy.
- D. The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by this provision.
- E. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy does not constitute retaliation prohibited by this policy,

provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

#### **XIV. Confidentiality**

- A. The District shall keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by Family Educational Rights and Privacy Act (FERPA), or as required by law, or to carry out the purposes of Title IX (34 CFR part 106), including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. (34 CFR § 106.71(a))
- B. The District shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures. (34 CFR § 106.30(a))

### **Sexual Harassment Regulations (Supplement to Above Policy)**

#### **SECTION 1 - Policy Statement**

The District is committed to a school environment which is free from sexual harassment and conducive to all students' educational opportunities. Sexual harassment can inhibit a student's educational opportunities and an employee's work. Sexual harassment of students attending school in the District or students from other schools who are at a District activity, and sexual harassment of school employees, school volunteers, parents, guests, visitors and vendors of the District shall also not be tolerated and is strictly prohibited.

All students, school employees, school volunteers, parents, guests, visitors and vendors shall conduct themselves in a civil and responsible manner and in a manner consistent with school policies. This policy prohibiting sexual harassment shall apply to all students, school employees, school volunteers, parents, guests, visitors and vendors while on school property, while attending or participating in school activities, on school-owned property or on non-school property, while in any school-owned or leased vehicle, while at a school bus stop, or when in a private vehicle located on school property during school or during school activities.

The District's policy prohibiting sexual harassment is ACAA. This regulation supplements that policy, and the policy and these regulations are consistent with the federal regulations set forth in 34 CFR Part 106.

Students who violate the policy prohibiting sexual harassment shall be subject to appropriate disciplinary action, up to and including expulsion. Employees who violate this policy shall be subject to appropriate disciplinary action, up to and including termination of employment. School volunteers, parents, guests, visitors, and vendors who violate this policy may be prohibited from being on school property.

*Complaints based on nondiscrimination in federal programs, complaint against school employees, and complaints related to bullying are addressed through other school district policies and not through the policy prohibiting sexual harassment and this regulation.*

#### **SECTION 2 - Definitions**

- A. Sexual Harassment. Federal law (34 CFR § 106.30) defines "sexual harassment" as conduct on the basis of sex that satisfies one or more of the following:
  - 1. An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
  - 2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or

3. “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).

Sexually oriented words and actions which tend to annoy, alarm or be physically or verbally abusive toward another person and which serve no legitimate or valid purpose regardless of the intent of the person accused of the sexually harassing conduct, constitutes sexual harassment. Not all harassment falls within the definition of sexual harassment (i.e., harassment that is of a sexual nature). Other laws, regulations and policies also prohibit inappropriate conduct and provide a means for addressing inappropriate conduct should it occur.

Sexual harassment is a specific type of harassment which is prohibited under this policy. Examples of sexual harassment include, but are not limited to:

- Unwelcome sexual flirtations, advances or propositions;
- Verbal comments, jokes, or abuse of a sexual nature;
- Graphic verbal comments about an individual's body;
- Sexually degrading words used to describe an individual;
- Displaying pornographic material;
- Physical contact or language of a sexually suggestive nature.

B. Other definitions. Other definitions applicable to these Regulations are the definitions as set forth in Sexual Harassment, Section V.

### **SECTION 3 - Sexual Harassment Reporting Procedure**

Any person may report sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

Any student who believes that he or she has been or is being subjected to sexual harassment or has reason to suspect another person has been or is being subjected to sexual harassment may also report it to a teacher, guidance counselor, or school administrator. The report may be made verbally or in writing.

The written complaint or Sexual Harassment - Complaint Report Form must include the following:

- the date the written Complaint was filed or the Sexual Harassment - Complaint Report Form was completed,
- the school employee receiving the Complaint (if applicable),
- the name of the person reporting the sexual harassment,
- the address/phone # of the person reporting the sexual harassment,
- the specific conduct or nature of the sexual harassment complaint including the person(s) alleged to have sexually harassed the complaining party or another person, the date(s) and location where the conduct occurred, witnesses, etc.,
- the date the school employee completed the form (if applicable),
- the date and signature of the person reporting the sexual harassment.

If the signed written complaint was given to a teacher, guidance counselor or administrator, or if the Sexual Harassment - Complaint Report Form was completed by a teacher, guidance counselor or administrator, the teacher, guidance counselor or administrator shall forward the complaint or Sexual Harassment - Complaint Report Form to the Title IX Coordinator.

Regardless of whether or not a formal complaint is filed, should the District have actual knowledge of sexual

harassment in a District educational program or activity against another person in the United States, the District shall respond promptly in a manner that is not deliberately indifferent (i.e., if the District's response to sexual harassment is clearly unreasonable in light of the known circumstances).

#### **SECTION 4 - Retaliation Prohibited**

- A. Neither the District or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.
- B. The prohibition against retaliation related to a sexual harassment complaint is set forth in full in Policy ACAA, Sexual Harassment, Section XIII, and by this reference incorporated herein as if set forth in full.

#### **SECTION 5 - Procedure for Addressing Sexual Harassment Complaints**

##### **A. General Provisions.**

- 1. The Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.
- 2. The timeframes set forth in these regulations shall be considered as a maximum length of time within which the related step is to be completed, however, the time frame may be within which the District is required to complete a step may be extended for good cause upon written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause includes, but is not limited to, utilization of the informal resolution process, availability of an investigator if not a school employee, complexity of the investigation, absence of a party, a party's advisor, a witness, or decision-maker (including a person necessary for addressing an appeal), concurrent law enforcement activity, or the need for language assistance or accommodation of disabilities;
- 3. Nothing in the policy or these regulations prohibit the District from removing a respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal, however, nothing in the policy or regulations may be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act. Additionally, nothing in the policy or regulations prohibits the District from placing an employee respondent on administrative leave during the pendency of a grievance process, however, nothing in the policy or regulations may be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

##### **B. Confidentiality**

- 1. The District shall keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by Family Educational Rights and Privacy Act (FERPA), or as required by law, or to carry out the purposes of Title IX (34 CFR part

106), including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

2. The District shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures.

C. Informal Resolution:

1. The District may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this policy, may not require the parties to participate in an informal resolution process under this policy, and may not offer an informal resolution process unless a formal complaint is filed.
2. Policy Sexual Harassment, Section VII, is the section explaining informal resolution and by this reference incorporated herein as if set forth in full.

D. Formal Complaint:

1. Upon receipt of a formal complaint, the Title IX Coordinator shall provide the following written notice to the parties who are known:
  - a. Notice of the District's grievance process, including any informal resolution process.
  - b. Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined in this policy, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice must include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice shall inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence. The written notice shall inform the parties of any provision in the District's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.
2. The District shall treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent. Remedies may be disciplinary in nature. Such remedies may include the same individualized services identified as supportive measures. Remedies must be designed to restore or preserve equal access to the District's education program or activity.
3. The District shall follow the grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.

E. Investigation of a Formal Complaint

1. The District must investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in this policy even if proved, did not occur in the District's education program or activity, or did not occur against a person in the United States, then the

District must dismiss the formal complaint with regard to that does not preclude action under another provision of the District's code of conduct.

2. Unless the nature of the complaint and investigation dictate otherwise, the Investigation should be completed within sixty (60) calendar days of receipt of the complaint.
3. When investigating a formal complaint and throughout the grievance process, the District:
  - a. shall have the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility;
  - b. shall provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
  - c. shall not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence, provided, however, nothing in this provision prohibits the District from taking disciplinary action due to a party retaliating against any person due to that person having made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy;
  - d. shall provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
4. If, in the course of an investigation, the District decides to investigate allegations about the complainant or respondent that are not included in the notice provided pursuant to provision D.1., the District shall provide notice of the additional allegations to the parties whose identities are known.
5. Any party whose participation is invited or expected, shall be given written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
6. All parties shall have equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
7. Prior to completion of the investigative report, the District must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least ten (10) calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report. The District shall make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such

evidence during the hearing, including for purposes of cross-examination.

8. The investigator shall create an investigative report that fairly summarizes relevant evidence and, at least ten (10) calendar days prior to a determination by a decision-maker regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

F. Determination

1. The decision-maker shall not be the same person as the Title IX Coordinator or investigator(s).
2. After the Investigator has sent the investigative report to the parties, and before reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. All parties shall have ten (10) calendar days from the date the investigatory report was sent to the parties to submit written, relevant questions to the decision-maker, who shall forward the questions to the other party following the ten (10) period, unless all parties submitted questions prior to the end of the ten (10) day period and in such case the decision-maker shall forward the questions upon receipt of questions by all parties. All parties shall have (5) calendar days to submit to the decision-maker and the other parties any written responses to the questions.
3. The decision-maker shall have fourteen (14) calendar days, after the expiration of time frame set forth in E.8. above, to issue a written determination as to the complaint.
4. The decision-maker shall not conduct an adversarial hearing unless the Board conducts a hearing following an appeal of the Superintendent's decision to the Board, or following the Superintendent's recommendation to the Board that a student determined to have sexually harassed another person be suspended long-term or expelled or recommend to the Board that an employee determined to having sexually harassed another person be suspended without pay or the person's employment with the District be terminated.
5. Standard of evidence. For all formal complaints of sexual harassment filed against students and employees, the standard of evidence to be used to determine responsibility is the preponderance of the evidence standard.
6. Upon recommendation of a decision-maker, on following an appeal of the decision-maker's determination, the Superintendent may make a recommendation to the Board that a student determined to have sexually harassed another person be suspended long-term or expelled (ARSD 24:07:01:01). The Superintendent may also make a recommendation to the Board that an employee determined to having sexually harassed another person be suspended without pay or the person's employment with the District be terminated. Should either recommendation be given by the Superintendent, a formal adversarial hearing shall be held before the Board.
7. Disciplinary sanctions. Following any determination of responsibility, the District may implement disciplinary sanctions and remedies that include, but are not limited to:
  - a. if a student:
    - i. loss of privileges;
    - ii. detention;

- iii. in-school suspension;
  - iv. long-term suspension;
  - v. expulsion.
- b. if an employee
    - i. written reprimand;
    - ii. written plan of improvement, which may include directive to obtain training related sexual harassment and the prohibition against sexual harassment;
    - iii. suspension without pay;
    - iv. termination of employment.
  - c. if a guest or vendor
    - i. restrict access to school property;
    - ii. deny access to school property.
8. The decision-maker must issue a written determination regarding responsibility. To reach this determination, the decision-maker shall apply the preponderance of evidence standard of evidence.
9. The written determination shall include:
- a. identification of the allegations potentially constituting sexual harassment;
  - b. a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
  - c. findings of fact supporting the determination;
  - d. conclusions regarding the application of the District's code of conduct to the facts;
  - e. a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the District to the complainant; and
  - f. the District's procedures and permissible bases for the complainant and respondent to appeal.
10. The District shall provide the written determination to the parties simultaneously.
11. The determination regarding responsibility becomes final either on the date that the recipient provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

G. Appeal

- 1. Both parties have the right to appeal to the Board the Superintendent's determination regarding responsibility, and from a dismissal of a formal complaint or any allegations therein, on the following bases:
  - a. Procedural irregularity that affected the outcome of the matter;
  - b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
  - c. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

2. As to all appeals, the Title IX Coordinator shall:
  - a. notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
  - b. ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
  - c. ensure that the decision-maker(s) for the appeal complies with the standard of evidence as required in this policy;
  - d. give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
  - e. ensure that a written decision is issued describing the result of the appeal and the rationale for the result, and provide the written decision simultaneously to both parties.
3. Appeal to the Superintendent. The following procedure shall be used to address an appeal of the decision-maker's determination to the Superintendent:
  - a. If a party is not satisfied with the decision-maker's determination, or if the decision-maker's determination does not without good cause render a written decision within fourteen (14) calendar days of the expiration of time frame set forth in E.8., that party may appeal to the Superintendent by filing form Sexual Harassment - Complaint Appeal to the Superintendent. The appeal must be filed within ten (10) calendar days of receipt of the decision-makers written decision, or ten (10) days of the deadline for the decision-makers written decision, whichever comes first. The appealing party must attach the decision-makers written determination.
  - b. Within fourteen (14) calendar days from the date the appeal was filed, the Superintendent shall render a decision in writing. All parties shall receive copies of the decision. The Superintendent shall uphold, reverse, modify the decision-maker's decision, or the Superintendent may refer the matter back to the decision-maker for further investigation and supplemental decision which decision may restate, modify or reverse the decision-maker's initial decision. A supplemental decision by the decision-maker after a referral back to the decision-maker may be appealed to the Superintendent.
4. Appeal to the School Board. If a party is not satisfied with the Superintendent's decision, or if the Superintendent does not without good cause render a written decision within fourteen (14) calendar days of the receipt of the appeal, that party may appeal to the School Board by filing with the Business Manager using Form Sexual Harassment – Complaint Appeal to the School Board, within ten (10) calendar days of receipt of the Superintendent's written decision, or ten (10) days of the deadline for the Superintendent's written decision, whichever comes first. The appeal shall be in writing and the appealing party must attach to the appeal the decision-makers written decision, the appeal to the Superintendent, and the Superintendent's written decision or notice of the Superintendent's failure to render a written decision.

The following procedure shall be used by the Board to address an appeal of the Superintendent's decision on the merits related to a sexual harassment complaint:

1. Upon receipt by the Board President/Chairperson of an appeal by the Complainant, a copy of the appeal shall be given to the person alleged to have violated the sexual harassment policy;
2. Upon receipt of an appeal, the Board shall at its next meeting schedule a date, time and location for the appeal hearing.
3. The following procedure shall be applicable at the appeal hearing before the Board:
  - A. The Board shall appoint a board member or a person who is not an employee of the school district as the hearing officer;
  - B. Within thirty (30) calendar days of an appeal being filed with the Board, the Board shall conduct a hearing in executive session;
  - C. The Complainant, person alleged to have violated the sexual harassment policy, and Superintendent each have the right to be represented at the hearing;
  - D. The Board shall make a verbatim record of the hearing by means of an electronic or mechanical device or by court reporter. This record and any exhibits must be sealed and must remain with the hearing officer until the appeal process has been completed;
  - E. The issue on appeal is whether the Superintendent's decision should be upheld, reversed or modified;
  - F. All parties shall be given the opportunity to make an opening statement, with the appealing party being given the first opportunity, followed by the other party, and then the Superintendent;
  - G. The appealing party shall present his or her case first, and the other party shall then present his or her case. Both parties shall have the opportunity to ask questions of the other's witnesses. The hearing officer and board members may ask questions of any witness;
  - H. The Superintendent shall present the basis of his/her decision which led to the appeal. Both parties shall have the opportunity to ask the Superintendent questions. The hearing officer and board members may also ask questions of the Superintendent;
  - I. Unless a witness is a party to the appeal, witnesses may be present only when testifying unless the hearing officer rules otherwise. All witnesses must take an oath or affirmation administered by the School Board president, hearing officer or other person authorized by law to take oaths and affirmations;
  - J. The hearing officer shall admit all relevant evidence. The hearing officer may limit unproductive or repetitious evidence. The strict rules of evidence do not apply. *Moran v. Rapid City Area School Dist.*, 281 N.W.2d 595. 602 (S.D. 1979).
  - K. All parties shall be given the opportunity to make a closing statement, with the appealing party having the first opportunity, followed by the other party, and then the

Superintendent. The appealing party shall be given the opportunity for a brief rebuttal;

- L. After the evidentiary hearing, the Board shall continue to meet in executive session for deliberations. No one other than the hearing officer may meet with the Board during deliberations. 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 both parties and Superintendent are present. The Board may, in its sole discretion, continue the proceedings and make a final decision on the appeal at a later date. Within twenty (20) calendar days of the hearing, the Board shall render its decision and issue its written Findings of Fact, Conclusions of Law and Decision. The time frame for rendering a decision may be extended by the Board President for good cause and upon written notification to both parties and the Superintendent, and the notification shall identify the reason for the extension and the date on or before which the decision shall be rendered;
- M. The decision of the School Board must be based solely on the evidence presented at the hearing and must be formalized by a motion made in open meeting. The Board will convene in open session and a motion to uphold, reverse, or modify the Superintendent's decision shall be made and voted upon. Findings of Fact, Conclusions of Law and Decision, consistent with the Board motion shall be in writing and approved by the Board. Both parties, the decision-maker and the Superintendent will receive copies after the Findings of Fact, Conclusions of Law and Decision are approved by the Board.
- N. Following the Board hearing, should the Board determine there has been a violation of this policy prohibiting sexual harassment, Board action may include but is not limited to the following: (1) suspend or expel a student from any or all school programs, including but not limited to classes, extracurricular activities, or attendance at school activities; (2) pursuant to statute, reprimand, suspend without pay, or terminate the contract of an employee, or (3) prohibit a third person from being on school property or at school activities for such time as may be determined by the Board.
- O. If either party is dissatisfied with the Board's decision, that party may appeal the decision by filing an appeal pursuant to law.

#### **SECTION 6 - Miscellaneous**

- A. Consolidation of formal complaints. The District may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references in this section to the singular "party," "complainant," or "respondent" include the plural, as applicable.
- B. Dismissal of Complaint:
  - 1. The District may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing:

- a. a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
  - b. the respondent is no longer enrolled in or employed by the District; or specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
2. Upon a dismissal required or permitted pursuant to B.1. above, the District shall promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties.
  3. Any party whose participation is invited or expected, shall be given written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
  4. Both parties shall have equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

**SEXUAL HARASSMENT/TITLE IX COMPLAINT REPORT FORMS AND NOTICE OF APPEAL FORMS AVAILABLE AT THE SCHOOL'S BUSINESS OFFICE.**

ANTI-BULLYING POLICY/HARASSMENT OF STUDENTS Adopted Fall 2009

Bullying and harassment of students is not tolerated by the Avon School District. The school district is committed to providing all students with a safe and civil school environment in which all members of the school community are treated with dignity and respect. Therefore, the school district prohibits harassment or bullying.

Bullying and harassment are repeated instances of intentional harmful behavior initiated by one or more students and directed toward another student or students which creates an objectively hostile school environment including, but not limited to the following:

1. Physical-Harmful action or threat of harmful action against another person;
2. Verbal, Written or Electronic-threatening, unkind, abusive or hurtful communication to a person or about a person;
3. Emotional-taunting or other conduct intended to upset, exclude, or embarrass a person;
4. Sexual-conduct or communication based on actual or perceived trait or characteristic of a person because of gender and/or initiation of unwarranted or unwelcome sexual advances;
5. Racial-rejection, exclusion, isolation, or embarrassment of a person because of ethnicity.

This policy applies while students are on school property, while in school-owned or school-operated vehicles, while attending or engaged in school-sponsored activities, or while using school equipment.

If, after an investigation, a student is found to be in violation of this policy, the student shall be disciplined by appropriate measures up to, and including, suspension and expulsion.

Retaliation against a person, because the person has filed a bullying or harassment complaint or assisted or participated in a harassment investigation or proceeding, is prohibited. An individual who knowingly files a false harassment complaint and a person who gives false statements in an investigation shall be subject to discipline by appropriate measures, as shall a person who is found to have retaliated against another in violation of this policy. A student found to have retaliated or filed a false complaint in violation of this policy shall be subject to measures up to, and including, suspension and expulsion.

The building principal, school counselor or principal's designee will be responsible for investigating all complaints by students alleging bullying or harassment. All documentation associated with a complaint shall be maintained by the building principal.

### **Bullying/Harassment Investigation Procedures**

Students who feel that they have been bullied or harassed should:

1. Communicate to the perpetrator that the individual expects the behavior to stop, if the individual is comfortable doing so. If the individual wants assistance communicating with the perpetrator, the individual should ask a teacher, counselor, bus driver, dean of students, or principal to help.
2. If the bullying or harassment does not stop, or the individual does not feel comfortable confronting the perpetrator, the individual should:
  - a. tell a teacher, counselor, bus driver, or principal; and
  - b. write down exactly what happened, keep a copy and give another copy to the teacher, counselor, or principal including:
    - i. what, when, and where it happened;
    - ii. who was involved;
    - iii. exactly what was said or what the perpetrator did;
    - iv. witnesses to the bullying or harassment;
    - v. what the student said or did, either at the time or later;
    - vi. how the student felt; and
    - vii. how the perpetrator responded.
3. Teachers, counselors, bus drivers, or dean of students receiving a report, or who witness bullying or harassment, must report the incident to the building principal by the end of the school day in which the event occurred, but in no case later than the morning of the next school day.

### **Formal Complaint Procedure**

An individual who believes that he/she has been harassed or bullied will notify the principal or dean of students who is the designated investigator. The alternate investigator is the school counselor. The investigator may request that the individual complete the Harassment/Bullying Formal Complaint form (available at the superintendent's or principal's office) and turn over evidence of the incident, including, but not limited to, letters, tapes, or pictures. Information received during the investigation is kept confidential to the extent possible.

The principal, dean of students, or the alternate investigator, with permission from the principal, has the authority to initiate an investigation in the absence of a written complaint.

### **Investigation Procedure**

The investigator will reasonably and promptly commence the investigation upon receipt of the complaint. The length of the investigation is governed by the facts and complexity of each individual case but should be completed within 30 days of the complaint. The superintendent may approve an extension in special circumstances. The investigator will interview the complainant and the alleged perpetrator. The alleged perpetrator may file a written statement in response to the complaint. The investigator may also interview witnesses as deemed appropriate.

Upon completion of the investigation, the investigator will make written findings and conclusions as to each allegation of bullying or harassment and produce written findings and conclusions. An alternate investigator will provide a copy of the written finds of the investigation to the principal or dean of students.

### **Resolution of the Complaint**

following the completion of the alternate investigator's report, the principal may investigate further, if deemed necessary and make a determination of any appropriate additional steps which may include discipline.

The principal or dean of students will file a written report documenting a disciplinary action taken or any other action taken in response to the complaint. The remedial actions taken by the principal or dean of students, including disciplinary action where appropriate, should be designed to prevent further bullying or harassment. The principal, or designee, will monitor the effectiveness of the remedial actions taken by contacting the complainant at least twice during the month following the investigation resolution. These contacts should be included in the documentation. If

further remedial actions are necessary, the case shall remain open with ongoing monitoring and documentation. The complainant, the alleged perpetrator, and the investigator will receive notice as to the conclusion of the investigation. The principal will maintain a log of all complaints, findings, and actions taken and will maintain all documentation related to a complaint investigation for the duration of school years.

### **Points to Remember in the Investigation**

1. Evidence uncovered in the investigation is confidential.
2. Complaints must be taken seriously and promptly investigated.
3. No retaliation will be taken against complainant/individuals involved in the investigation process.
4. Retaliator will be disciplined up to and including suspension and expulsion.
5. The Bullying/Harassment Formal Complaint forms are available in the offices of the superintendent and principal.

## **SECLUSION AND RESTRAINT POLICY**

### **I. Policy Rationale and Philosophy:**

Reasonable efforts should be made to prevent the use of restraint and the use of seclusion. A non-aversive effective behavioral system such as Positive Behavioral Intervention and Supports (PBIS) should be used to create a learning environment that promotes the use of evidence-based behavioral interventions, thus enhancing academic and social behavioral outcomes for all students.

The District believes that the school environment should be one in which the care, safety, and welfare of all students and staff members are priorities. Efforts to promote positive interactions and solutions to potential conflict should be extensive. In the event that an individual's behavior presents a threat of imminent harm to self or others, the use of approved physical intervention or seclusion strategies to maintain a safe environment may be used as a last resort.

### **II. Definitions:**

- a. Positive Behavior Interventions and Support:
  - i. A school-wide systematic approach to embed evidence-based practices and data driven decision making to improve school climate and culture in order to achieve improved academic and social outcomes and increase learning for all students, and
  - ii. Encompasses a wide range of systemic and individualized positive strategies to reinforce desired behaviors, diminish reoccurrences of challenging behaviors, and teach appropriate behavior to students.
- b. Physical Restraint:
  - i. The use of physical contact that immobilizes or reduces the ability of a student to move their arms, legs, body, or head freely. Such term does not include a physical escort, mechanical restraint, or chemical restraint.
  - ii. Physical escort can include hand or wrist holding, as well as hand on back, elbow, or shoulder for assistance and/or guidance of the student.
  - iii. Physical restraint does not include brief but necessary physical contact for the following or similar purposes:
    1. To break up a fight;
    2. To knock a weapon away from a student's possession;
    3. To calm or comfort;
    4. To assist a student in completing a task/response if the student does not resist the contact;
    5. To prevent an impulsive behavior that threatens the student's immediate safety (i.e. running in front of a car).
- c. Seclusion:

The involuntary isolation of a student in a room, enclosure, or space from which the student is

prevented from leaving by physical restraint or by a closed door or other physical barrier. It does not include a timeout.

d. **Time Out:**

A behavioral intervention in which a student, for a limited and specified time, is separated from the class within the classroom or in a non-locked setting for the purpose of self-regulating and controlling his or her own behavior. In a timeout, the student is not physically restrained or prevented from leaving the area by physical barriers.

III. **Requirements for the use of Physical Restraint:**

Physical restraint may be used only when there is an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible. If physical restraint is applied the staff member must:

- a. implement in a manner that is age and developmentally appropriate;
- b. ensure safety of other students and protect the dignity and respect of the student involved. Combine use with other approaches (non-physical interventions are always preferred) that will diminish the need for physical intervention in the future;
- c. use the least amount of force necessary for the least amount of time necessary;
- d. be appropriately-trained;
- e. continually observe the student in restraint for indications of physical or mental distress;
- f. contact appropriate emergency entities according to district crisis policy if at any point the staff assesses that the intervention is insufficient to maintain safety of all involved;
- g. remove the student from physical restraint immediately when the immediate risk of physical harm to self or others has dissipated; following the use of physical restraint, the individual should be assessed for injury or psychological distress and monitored as needed following the incident.

IV. **Prohibited Practices for Use of Restraints:**

Staff members are not to use any physical restraints for which they have not been trained by the district. Staff members are not to use any unauthorized physical restraints. This includes but is not limited to:

- a. Prone restraint, which is physical pressure applied to any part of the student's body to keep the student in a face down position on the floor or other surface, except when the use is necessary and reasonable in manner and moderate in degree;
- b. Any form of physical restraint that involves the intentional, knowing, or reckless use of any technique that involves the use of pinning down a student by placing knees to the torso, head, and or neck of the student;
- c. Using any method that is capable of causing loss of consciousness or harm to the neck or restricting respiration in any way;
- d. Uses pressure point, pain compliance, or joint manipulation techniques;
- e. Corporal punishment;
- f. Dragging or lifting of the student by the hair or ear or by any type of mechanical restraint;
- g. Deprivation of basic needs;
- h. Chemical restraint;
- i. Mechanical restraint (that does not include devices used by trained school personnel, or by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed);
- j. Using other students or untrained staff to assist with the hold or restraint;
- k. Securing a student to another student or fixed object;
- l. Aversive behavioral interventions; or
- m. Seclusion in a locked room or area.

V. **Requirement for Use of Seclusion:**

Given a threat of immediate risk of physical harm to the student or others, the following principles must always be applied:

- a. A room or area used for seclusion must:

- i. provide for adequate space, lighting, ventilation, clear visibility, and the safety of the student; and
  - ii. not be locked.
- b. Staff must:
  - i. implement in a manner that is age and developmentally appropriate;
  - ii. ensure safety of other students and protect the dignity and respect of the student involved;
  - iii. the least amount of time necessary;
  - iv. be appropriately-trained;
- c. staff must continually observe the student for the duration of the seclusion;
- d. if at any point the staff assesses that the intervention is insufficient to maintain safety of all involved, emergency personnel will be contacted;
- e. seclusion ceases when the immediate risk of physical harm to self or others has dissipated;
- f. upon each use of seclusion, the student shall be assessed for injury or psychological distress and monitored as needed following the incident.

**VI. Prohibited for Use of Seclusion:**

- a. Use of seclusion in any environment that does not meet the above criteria;
- b. Deprivation of basic needs;
- c. Seclusion shall not be used;
  - i. As a form of discipline/punishment;
  - ii. As a means to coerce, retaliate or in a manner that endangers a student;
  - iii. For the convenience of staff;
  - iv. As a substitute for an educational program;
  - v. As a substitute for less restrictive alternatives;
  - vi. As a substitute for inadequate staff; and/or
  - vii. As a substitute for positive behavior supports or other crisis prevention.

**VII. Reporting and De-Briefing Requirements after the use of Physical Restraint or Seclusion:**

- a. The staff member(s) using physical restraint or seclusion shall complete all district required reports and document staff's observations of the student.
  - i. As soon as possible under the circumstances the staff member(s) using physical restraint or seclusion shall inform the appropriate school administrator of the use of physical restraint or seclusion.
  - ii. The District's Incident Report shall be completed upon occurrences of physical restraint or seclusion.
  - iii. Completion of the form and submission of the Incident Report to the appropriate administrator must be done the same day the staff member(s) used physical restraint or seclusion.
  - iv. An administrator or SPED staff member shall attempt to contact the parent/guardian during the same day of incident.
  - v. A copy of the Incident Report must be made available to parent/guardian by the administrator or SPED staff within 24 hours after receipt of the Incident Report.
  - vi. If the intervention(s) are documented within the BIP and/or IEP, then completion of the associated documents and debriefing meeting will be waived.
- b. The administration and/or SPED staff shall conduct a debriefing with all involved staff and parents and, if appropriate, the student;
  - i. Debrief utilizing the District's Debriefing Form.
  - ii. Evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs;
  - iii. During the debrief, if the behavior is noted as a pattern of dangerous behavior that leads to the use of restraint and/or seclusion, a Functional Behavior Assessment, and/or a Behavior Intervention Plan must be completed.

VIII. **Training and professional development:**

- a. The district will ensure that an appropriate number of personnel in each building are trained in crisis management and de-escalation techniques.
- b. The school district will maintain written or electronic documentation on training provided and lists of participants in each training.

IX. **District Monitoring:**

- a. The school board and superintendent shall monitor the implementation of this policy.
- b. This policy shall be accessible in the district's handbook.

X. **Complaint:**

- a. A parent/guardian who feels that a school employee violated this policy may file a complaint with the District.
- b. If the student is a student with a disability, the parent/guardian of the student with a disability may file a complaint with the South Dakota Department of Education, Office of Special Education instead of filing a complaint with the District.

AVON SCHOOL DISTRICT POLICY STATEMENT

Adopted December 1992

No partisan political activity shall be permitted on the part of any Avon School employee at any time during regular school hours.

Furthermore, no federal funds shall be used for partisan political purposes of any kind by any person or organization involved in the administration of federally assisted programs.

LAPTOP POLICY

1. **Receiving Your Laptop (4-12 Grade)**

Laptops will be distributed by the technology coordinator during the first week of school to students in grades 7-12. Classroom teachers in grades 4-6 will handle the distribution to their students during the first week of school.

**Parents and students must sign and return the Laptop Computer Protection and Student Pledge documents before the laptop can be issued to their child. This form is separate from the school handbook. Forms should be returned to respective teachers in grades 4-5-6 and students in grades 7-12 must return forms to Mr. Poppe.**

Laptops will be collected at the end of each school year for maintenance, cleaning, and software installations. Students will retain their original laptop each year while enrolled at the Avon School District. Students who withdraw or terminate enrollment at the Avon School District for any reason will be asked to return their individual school laptop computer on the last date of enrollment.

If a student fails to return the computer at the end of the school year or upon termination of enrollment at the Avon School District, that student will be subject to criminal prosecution or civil liability. The student will also pay the replacement cost of the computer. Failure to return the computer will result in a police report being filed with the Avon Police Department and/or the Bon Homme County Sheriff's Department.

2. **Taking Care of Your Laptop**

Students are responsible for the general care of the laptop they have been issued by the District. Laptops that are broken or fail to work properly must be taken to the technology coordinator.

**2.1 General Precautions**

- No food or drink is allowed next to your laptop when it is in use.
- Cords, cables, and removable storage devices must be inserted carefully into your laptop.
- Students should never carry their laptops while the screen is open, unless directed to do so by a teacher.

- Laptops should be shut down before moving them to conserve battery life.
- Laptops must remain free of any writing, drawing, stickers, or labels that are not the property of the Avon School District.
- Laptops must never be left in a car or any unsupervised area.
- Students are responsible for keeping their laptop's battery charged for school each day.

## **2.2 Carrying Laptops**

- The backpacks can hold other objects, but these must be kept to a minimum to avoid placing too much pressure and weight on the laptop screen.
- Students are encouraged to purchase a laptop case or sleeve for carrying their laptop.
- The laptop must be turned off before placing it in the backpack or carrying case to avoid overheating.

## **2.3 Screen Care**

The laptops screens can be damaged if subject to rough treatment. The screens are particularly sensitive to damage from excessive pressure to the screen.

- Do not lean on the top of the laptop when it is closed.
- Do not place anything near the laptop that could put pressure on the screen.
- Do not place anything in the backpack that will press against the cover.
- Do not poke the screen.
- Do not place anything on the keyboard before closing the lid.
- Clean the screen with a soft, dry cloth.

## **3. Using Your Laptop at School**

Laptops are intended for use at school each day. In addition to teacher expectations for laptop use, school messages, announcements, calendars, and schedules can be accessed using the laptop. Students must be responsible to bring their laptop to all classes, unless specifically advised not to do so by their teacher.

### **3.1 Laptops Left at Home**

If students leave their laptop at home, they will be asked to phone their parents to bring them to school. Repeat violations of this policy will result in disciplinary action.

### **3.2 Laptop Undergoing Repair**

Loaner laptops may be issued to students when they leave their laptops for repair with the technology coordinator.

### **3.3 Charging Your Laptop's Battery**

Laptops must be brought to school in a fully charged condition. Students need to charge their laptops regularly.

### **3.4 Screensavers**

- Inappropriate media may not be used as a screensaver.
- Presence of guns, weapons, pornographic materials, inappropriate language, alcohol, drugs, and gang related symbols or pictures will result in disciplinary actions.
- Passwords on screensavers are not to be used.
- Hard drive passwords are forbidden. If used, students may be responsible for the cost of replacement hardware.

### **3.5 Sound**

Sound must be muted at all times unless permission is obtained from the teacher for instructional purposes.

### **3.6 Printing**

Students may use printers in computer labs with teachers' permission during class or breaks. Students who want to print on a home computer must ask the technology coordinator to add the printer software to the laptop computer.

## **4. Managing Your Files**

### **4.1 Saving to the Network and Removable Storage Devices**

Students will be logging onto the Avon network in order to back up work. It is the student's responsibility to ensure that work is not lost due to a mechanical failure or accidental deletion. Computer malfunctions are not an acceptable excuse for not submitting work.

## **5. Originally Installed Software and Applications**

### **5.1 Originally Installed Software and Applications**

The software and applications originally installed by the Avon School District must remain on the laptop in usable condition and be easily accessible always. From time to time, the school may add applications for use in a particular course.

### **5.2 Additional Extensions or Applications**

It is the responsibility of individual students to be aware of additional extensions, applications, and files loaded onto their laptop.

- Any additional extensions or applications should not be installed without consent of the technology coordinator and must be appropriate for the school environment and may not infringe on the productivity of the classroom setting.
- Students are responsible for ensuring that only extensions and applications that are licensed to their laptop is loaded onto their computers.
- Violent games and computer images containing obscene or pornographic material are banned.

### **5.3 Inspection and Monitoring**

Students may be selected at random to provide their laptops for inspection.

### **5.4 Software Upgrades**

Upgraded versions of licensed software are available from time to time. Students will be instructed to upgrade their own software or turn in their systems for upgrades to the technology coordinator.

## **6. Acceptable Use**

The Avon School's network facilities and/or laptops are to be used in a responsible, efficient, and ethical manner in accordance with all laws and policies of the Avon School District. Access to the District's computer systems is a privilege, not a right. Laptops will be subject to random inspections and will be turned over to district personnel upon request. Students must acknowledge their understanding of this policy as well as the following guidelines. Failure to adhere to these standards may result in suspension or revocation of the offender's laptop and/or network privileges.

## 6.1 General Guidelines

- Students will have access to all available forms of electronic media and communication which is in support of education and research and in support of the educational goals and objectives of the Avon School District.
- Students are responsible for their ethical and educational use of the technology resources.
- Access to the Avon School District technology resources is a privilege and not a right. Each employee, student and/or parent will be required to follow all technology related policies.
- Transmission of any material that is in violation of any federal or state law is prohibited. This includes, but is not limited to the following: confidential information, copyrighted material, threatening or obscene material, and computer viruses.
- Any attempt to alter data, the configuration of a computer, or the files of another user, without the consent of the individual, administrator, or technology administrator, will be considered an act of vandalism and subject to disciplinary action in accordance with the Student Handbook.
- The School's Internet is to be used for research and as a means of obtaining academically relevant information. Material obtained through research on the Internet and then used in academic work is to be properly documented. Students may not access Web sites, newsgroups, or "chat" areas that contain material that is obscene or that promotes illegal activity. If a student does accidentally access this type of information, he or she should immediately notify a teacher or the principal.
- E-mail and all other forms of electronic communication are to be used in a responsible manner. Students may not use vulgar, derogatory, or obscene language. Students may not engage in personal attacks or harass others.
- Use of the computer (including "Instant Messaging") for anything other than a teacher-directed or approved activity is prohibited during the school day.
- When accessing the school district's internet network, internet computer games or any computer games are prohibited in classes, lobby, hallways, etc.
- Computers may not be used to make sound recordings without the consent of all those being recorded.
- Installation of peer-to-peer file-sharing programs is strictly forbidden. Copyright laws must be respected. If you have any questions about what constitutes a copyright violation, please contact an administrator, teacher or the tech coordinator.
- Music will only be allowed on the laptop if it is being used for a teacher-directed or approved activity.
- Files stored within the school computer systems should be limited to those relating to formal school courses or activities. Graphic files or pictures that are not for a school project or activity should not be stored on the school computer systems.
- Students may access only those files that belong to them or for which they are certain they have permission to use.
- Deliberate attempts to degrade the network or to disrupt system performance will result in disciplinary action.
- School administrator's reserve the right to remove student accounts on the network to prevent unauthorized activity.

The Avon School District reserves the right to define inappropriate use of technology. These inappropriate uses include, but are not limited to:

- The user shall not erase, change, rename, or make unusable anyone's computer files, programs, or disks.
- The user shall not use or try to discover another's password or another person's email or other files.
- The user shall not use a computer for unlawful purposes, such as illegal copying or installation of software.
- The user shall not let other persons use his/her name, logon, password, or files for any reason.

- The user shall not deliberately use the computer to annoy or harass others with language, images, innuendoes, or threats. The user shall not deliberately access or create any obscene or objectionable information, language or images.

## **6.2 Privacy and Safety**

- Do not go into chat rooms or send chain letters without permission.
- Do not open, use, or change computer files that do not belong to you.
- Do not reveal your full name, phone number, home address, social security number, credit card numbers, password or passwords of other people.
- Remember that storage is not guaranteed to be private or confidential.
- If you inadvertently access a web site that contains obscene, pornographic or otherwise offensive material, notify a teacher or a principal immediately so that such sites can be blocked from further access. This is not merely a request; it is a responsibility.

## **6.3 Legal Propriety**

- Comply with trademark and copyright laws and all license agreements. Ignorance of the law is not immunity. If you are unsure, ask a teacher or parent.
- Plagiarism is a violation of the Student Handbook. Give credit to all sources used, whether quoted or summarized. This includes all forms of media on the Internet, such as graphics, movies, music, and text.
- Use or possession of hacking software is strictly prohibited and violators will be subject consequences. Violation of applicable state or federal law will result in criminal prosecution or disciplinary action by the District.

## **6.4 Consequences**

The student in whose name a system account and/or computer hardware is issued will be responsible at all times for its appropriate use. Non-compliance with the policies and Acceptable Use Policy will result in disciplinary action as outlined in the Student Handbook. Electronic mail, network usage, and all stored files shall not be considered confidential and may be monitored at any time by designated District staff to ensure appropriate use. The District cooperates fully with local, state or federal officials in any investigation concerning or relating to violations of computer crime laws.

### **Computer Laptop Violations:**

- Sending, accessing, uploading, downloading, or distributing offensive, profane, threatening, pornographic, obscene, or sexually explicit materials.
- Downloading or transmitting multi-player game, music, or video files using the school network.
- Vandalizing, damaging, or disabling property of the school or another individual or organization.
- Accessing another individual's materials, information, or files without permission.
- Using the network or Internet for commercial, political campaign, or financial gain purposes.
- Releasing files, home address, personal phone numbers, passwords, or other vital accessing information to others.
- Promoting or soliciting for illegal activities.
- Attempting to repair, remove or install hardware components reserved for an authorized service technician.
- Violating copyright or other protected material laws.
- Subscribing to mailing lists, mass e-mail messages, games, or other services that generate several messages that can slow the system and waste other users' time and access.
- Intentionally wasting school resources.

Consequences: Up to and including suspension or expulsion.

Computer Network Violations:

- Attempting to log on to the Internet or network (servers, routers, switches, printers, firewall) as a system administrator.
- Sending, accessing, uploading, downloading, or distributing pornographic or sexually explicit materials.
- Installing, enabling, launching, or creating programs that interfere with the performance of the network, internet, or hardware technology resources.
- Creating, uploading, or transmitting computer viruses.
- Attempting to defeat computer or network security.

Consequences: Suspension of laptop computer, referral to law enforcement authorities, and possible long term suspension or recommended expulsion from school.

## 7. Protecting and Storing Your Laptop Computer

### 7.1 Laptop Identification

Student laptops will be labeled in the manner specified by the school. A record of the laptops and power cords will be kept by administration. Laptops can be identified in the following ways:

- Record of serial number and school asset tag
- Individual User account name and password

### 7.2 Password Protection

Students are expected to password protect their laptops by setting a start-up password and keeping that password confidential.

### 7.3 Storing Your Laptop

When students are not monitoring laptops, they should be stored in their lockers. Nothing should be placed on top of the laptop, when stored in the locker. Students are encouraged to take their laptops home every day after school, regardless of whether or not they are needed. Laptops should not be stored in a student's vehicle at school or at home. Extreme hot or cold temperatures will ruin the laptop and its battery.

### 7.4 Laptops Left in Unsupervised Areas

Under no circumstances should laptops be left in unsupervised areas. Unsupervised areas include the school grounds, the cafeteria, locker rooms, library, unlocked classrooms, and hallways. Any computer left in these areas is in danger of being stolen. Unsupervised laptops will be confiscated by staff and taken to the Principal's Office. Disciplinary action may be taken for leaving your laptop in an unsupervised location.

## 8. Laptop Repair

All laptops issues and concerns must be reported to the tech coordinator. **Students will be responsible to pay for any damage they have to their laptops.** An itemized list of possible repairs is below:

- Total damage to laptop - \$250.00
- Power cord - \$45.00

## INTERNET ACCESS INFORMATION for Parents, Students and Faculty

Please read the following terms and conditions for use of Internet carefully before signing the Parent & Student Acknowledgment Form (attachment). This document is intended to be binding upon those signing.

Internet access is available to students and teachers within the Avon School District. We are very pleased to bring this access to Avon and believe the Internet offers vast diverse and unique resources to both students and teachers. Our goal in providing this service to teachers and students is to promote educational excellence in Avon Public School by facilitating resource sharing, innovation, and communication.

The Internet is an electronic highway connecting thousands of computers all over the world and millions of individual subscribers. Students and teachers have access to: 1. electronic mail communication with people all over the world; 2. information and news; 3. public domain and shareware of all types; 4. discussion groups on a vast range of topics; 5. access to many university catalogs. With access to computers and people all over the world, also comes availability of material that may not be considered to be of educational value in the context of the school setting. Avon Public School has taken available precautions to restrict access to controversial materials. However, on a global network it is impossible to control all materials and an industrious user may discover controversial information. We firmly believe that the valuable information and interaction available on this worldwide network far outweighs the possibility that users may procure material that is not consistent with our educational goals.

Internet access is coordinated through a complex association of government agencies and regional and state networks. In addition, the smooth operation of the network relies upon the proper conduct of the end users who must adhere to strict guidelines. These guidelines are provided here so that you are aware of the responsibilities you are about to acquire. In general, this requires efficient, ethical, and legal utilization of the network resources. If an Avon Public School user violates any of these provisions his or her access will be terminated and future access could possibly be denied. The signature(s) at the end of this document is (are) legally binding and indicates the party(ies) who signed has (have) read the terms and conditions carefully and understand(s) the significance.

### AVON SCHOOL DISTRICT INTERNET ACCEPTABLE USE POLICY (Terms and Conditions)

1. **Acceptable User:** The purpose of NSFNET, which is the backbone to the Internet, is to support research and education in and among academic institutions in the U.S. by work. School use must be in support of education and research and consistent with educational objectives. Use of other organizations' network and computing resources must comply with the rules appropriate for that network. Transmissions of any material in violation of an U.S. or state regulation is prohibited. This includes, but is not limited to, copyrighted material, threatening or obscene material, or material protected by trade secret. Use of product advertisement or political lobbying is also prohibited. Use for commercial activities is generally not acceptable.
2. **Privileges:** The use of the Internet is a privilege, not a right, and inappropriate use will result in a cancellation of those privileges. Each student who receives access will participate in a discussion with the Avon Public School faculty member pertaining to the proper use of the network. The system administrator and teachers will deem what is inappropriate use and their decision is final. The district may deny, revoke, or suspend specific user access.
3. **Netiquette:** You are expected to abide by the general accepted rules or network etiquette. These include, but are not limited to, the following:
  - a. Be polite. Your messages should not be abusive to others.
  - b. User appropriate language. Do not swear, use vulgarities, or any language deemed inappropriate.
  - c. Do not reveal your personal address or phone number. Do not reveal the personal addresses and/or phone numbers of fellow students or colleagues.
  - d. Illegal activities are strictly forbidden.
  - e. Note that electronic mail (e-mail) is not guaranteed to be private. People who operate the system have access to all mail.
  - f. Messages relating to or in support of illegal activities may be reported to the authorities.
  - g. Do not use the network in any way that you would disrupt network services for other users.
    - i. All communications and information accessible via the network should be assumed to be private property.

- h. Plagiarism. Anyone caught plagiarizing for use in assignments or school-related use will be disciplined by the classroom teacher or principal.
4. Software: Software cannot be downloaded from the Internet without written permission from the network administrator.
5. Non-Liability: Avon Public School makes no warranties of any kind, whether expressed or implied, for the service it is providing. Avon Public School will not be responsible for any damages suffered. This includes loss of data resulting from delays, non-deliveries, miss-deliveries, or service interruptions caused by negligence, errors or omissions. Use of any information obtained via Avon Public School is at the user's own risk. Avon Public School is not responsible for the accuracy or quality of information obtained.
6. Security: Security on any computer system is a high priority, especially when the system involves many users. If you feel you can identify a security problem on the Internet, you must notify a teacher who will in turn notify a system administrator. Do not use another individual's account without written permission from that individual. Attempts to login to Internet as a system administrator will result in cancellation of user privileges. Any user identified as a security risk or having a history or problems with other computer systems may be denied access to Internet.
7. Vandalism: Vandalism will result in cancellation of privileges. Vandalism is defined as any malicious attempt to harm or destroy hardware, data of another user, Internet, or any agencies or other networks that are connected to the NSFNET Internet backbone. This includes, but is not limited to, the uploading or creation of computer viruses.
8. Exception of Terms and Conditions: All terms and conditions as stated in this document are applicable to Avon Public School, in addition to NSFNET. These terms and conditions reflect the entire agreement of the parties and supersedes all prior oral and written agreements and understandings of the parties.

**PARENT & STUDENT ACKNOWLEDGMENT FORM LOCATED ON THE LAST PAGE MUST BE SIGNED BY ALL STUDENTS AND PARENTS AND RETURNED TO THE SCHOOL BY THE LAST SCHOOL DAY IN AUGUST.**

### SCHOOL ACTIVITIES

School activities are publicized through our local newspaper; posters/informational sheets are placed throughout the school building and the community. Our parents are strongly encouraged to volunteer in our classrooms at any time. The preschool and kindergarten teachers hold formal conferences twice a year to assist parents in understanding how their child is progressing in the kindergarten program. Parents are provided assistance in interpreting test results. Teachers provide parents information in knowing what they can do to support their child's learning and development. We have different hours available for parents to attend during the parent-teacher conferences held twice yearly. The school provides parenting handbooks, pamphlets, and materials to assist in student success. The district offers a Kindergarten Round-up in May. The kindergarten staff discuss expectations, daily schedules, needed supplies, and activities to help prepare the children for school. Time is scheduled for questions. A classroom visit and tour of the school takes place at this time. Parents are given leadership and input opportunities into various activities.

### LIMITED ENGLISH (LEP) STUDENTS

The Avon Public School 4-1 has established these guide lines to ensure that the teachers of Limited English proficient students are setting high expectations and challenging performance standards. (1) Limited English proficient students are held to the same high expectations of learning established for all students; (2) Limited English proficient students develop full receptive and productive proficiencies in English in the domains of listening, speaking, reading, and writing, consistent with expectations for all students; (3) Limited English proficient students are taught challenging content to enable them to meet performance standards in all content areas, including reading and language arts, mathematics, social studies, science, the fine arts, health and physical education, consistent with those for all students; (4) Limited English proficient students receive instruction that builds on their previous education and cognitive abilities and that reflects their language proficiency levels; (5) Limited English proficient students are evaluated with appropriate and valid assessments that are aligned with state and local standards and that take into account the language acquisition, state and cultural background of the students; (6) The academic success of limited English proficient students is a responsibility shared by all educators, the family, and the community.

## FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT - FERPA

The Avon School District provides the following annual notification to be in compliance with the Family Educational Rights and Privacy Act:

The Family Educational Rights and privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records maintained by the Avon School District. These rights are:

1. The right to inspect and review the student's educational records within 45 days of the day the District receives a request for access. Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of student's education records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask the School to amend a record that they believe is inaccurate or misleading. They should write the school principal (or appropriate official), clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure with consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the District will also disclose education records without consent to officials of another school district in which a student seeks or intends to enroll.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office, U.S. Department of Education,  
400 Maryland Avenue, S.W., Washington, DC 20202-4605

The *Family Education Rights and Privacy Act (FERPA)*, a Federal law, requires that the Avon School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the Avon School District may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the Avon School District to include this type of information from your child's education records in certain school publications.

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

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act of 1965* (ESEA) to provide military recruiters, upon request, with three directory information categories - names, addresses and telephone listings - unless parents have advised the School District that they do not want their student's information disclosed without their prior written consent.

If you do not want the Avon School District to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing **by the last school day of August of the current year**. The Avon School District has designated the following information as directory information:

- Student's Name
- Dates of attendance
- Address
- Grade level
- Telephone listing
- Participation in officially recognized activities and sports
- Electronic mail address
- Weight and height of member of athletic teams
- Photograph
- Degrees, honors, and awards received
- Date and place of birth
- The most recent educational agency or institution attended
- Major field of study
- Student images and likenesses
- Student work
- Social media handles

For more information visit: <http://familypolicy.ed.gov/>  
GEPA-General Education Provisions Act, Section 427

The Avon School District implements policies and procedures to ensure equitable access or participation of students, teachers, and others in the Title I, II, IV, and VI programs. These include nondiscrimination (District Codes (DC AC, AC\*1, ACA\*, ACB\*)), educational philosophy (DC AD, ADA\*), and school district goals and objectives (DC AE, AEA), as well as defined processes and procedures for compliance with Section 504 of the Rehabilitation Act of 1973 and the IDEA Amendments of 1997. For example, Braille materials are provided for the blind; interpreters for those who have limited English proficiency; accessible facilities for those who have physical handicaps, and individual education plans as required.

The Avon School District has policies set forth in the District handbook for Parent Involvement in Title I and Parent Compact for Title I.

### **NOTIFICATION LETTER**

TO: PARENTS, TEACHERS, AND EMPLOYEES OF THE AVON SCHOOL DISTRICT 4-1  
RE: AHERA ASBESTOS MANAGEMENT PLAN

On 7/9/89 the Avon School District began implementation of its asbestos Management Plan. This plan details the steps which will be taken to deal with asbestos-containing building materials found in school facilities.

In the short-term, these steps include repair on any damaged materials and cleaning of any areas which may have been, in any way, contaminated. In the long-term, they include an Operations and Maintenance Plan detailing procedures which will be used to assure that all materials are maintained in a condition which minimizes any possible health threat to building occupants. In addition, the plan allows the eventual removal of the material when an opportunity to do so presents itself.

The plan also requires that every six months the situation in each building be reviewed to make sure the original assessment remains accurate and no new problems have arisen. Lastly, it is specified that every three years each building be given a complete re-inspection.

A copy of the plan will be kept on file in the superintendent's office and will be made available for review to any interested parties. In addition, at least annually, the school will provide updated information on the Management Plan to those concerned.

If there are any special questions or concerns, they should be directed to South Central Cooperative, Box 430, Tyndall, SD 57066, phone 605-589-3134

## ELEMENTARY SCHOOL POLCIES

### ELEMENTARY RETENTION

A conference with the parents will be arranged when there is a possibility that a child should be retained in the present grade. After the conference, the parents, teacher(s), and the administration will make a decision concerning the retention or promotion of the child. In all cases, the welfare of the child should be the main consideration.

### ATTENDANCE REGULATIONS FOR ELEMENTARY SCHOOL

Please use good judgment before sending children to school in the morning if there is any question about physical illness. **Students are expected to stay home or will be sent home if they have a fever of 100 degrees F or higher.** If a child is not feeling well, it will lessen the student's ability to focus on learning activities and may interrupt the rest of the classroom as well. If a student becomes ill during school hours, we will contact the parent/guardian to bring the child home.

In grades K-4 after 5 absences during a semester, parents will be sent a letter by the principal stressing the importance of regular attendance for their child's academic performance. When a student reaches 8 absences during a semester, a letter will be sent to the parents informing them of the number of absences and consequences of the absences with a follow-up contact occurring with the principal via telephone call or parent meeting. The student will be reported to the County State's Attorney Office as truant when the student reaches 12 absences during a semester. The administration will take into account extenuating circumstances or documented medical conditions before reporting a student truant.

In grades K-4, if a student is late for the first ten minutes in the morning, the student will be considered tardy. If the student accumulates seven tardies during a semester, the seven tardies will be counted as one full day of absence from school. The school's regulations on absences will then apply, and a student will be reported to the County State's Attorney office as truant when the student reaches twelve absences during a semester.

### ELEMENTARY DISCIPLINE

Avon K-4 Disciplinary Grid				
	Consequences	Consequences	Consequences	Consequences
Class 1 (per quarter)	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense	Habitual Offender
Disruptive or Poor behavior, Insubordination, Improper Language	Think Time	Think Time, Restricted Recess	Think Time, Recess Detention, Parent Contact	Recess Detention, Parent Contact, Saturday Detention
Class 2 (per year)	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense	Habitual Offender
Violence, Physical Contact (pushing, shoving, biting, spitting, throwing objects)	Office Referral, Parent Contact, Restricted recess	Office Referral, Parent Contact, Recess Detention, After-School Detention	Office Referral, Parent Contact, Recess Detention, Saturday Detention	Office Referral, Parent Contact, Recess Detention, OSS 2-4 days
Class 3 (per year)	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense/Habitual		
Bullying, Harassment, Vandalism, Theft, Inappropriate Physical Contact, Physical Fighting	Officer Referral, Parent Contact, Recess Detention, Saturday Detention	Office Referral, Parent Contact, Recess Detention, OSS 2-10 days		

The K-4 Disciplinary Grid is used in conjunction with Avon Pirate Think Sheets.

**\*Avon Elementary School reserves the right to evaluate incidents on a case-by-case basis and modify consequences as needed.**

### ELEMENTARY CONSEQUENCES - DEFINITIONS

**Pirate Think Sheet:** Pirate Think Sheet will be filled out and go home with parents.

**Restricted Recess:** Students will go out for recess and walk laps on the designated walking line.

**Recess Detention:** Students will either stay in from recess or go outside and stand by auxiliary gym wall/fence area.

**Office Referral:** Written report or email filled out by the reporting staff member, student, and administration for parent communication and tracking.

**OSS:** Out of School Suspension

### LUNCHROOM REGULATIONS

1. Students must take at least three food groups. Required components are fruit and/or vegetable and milk.
2. Students must eat the food they take from these three groups.
3. Students may go back to the salad bar when they have eaten what is on their tray.
4. Trading of food is not allowed.
5. Students must drink all of their milk unless the teacher excuses them from drinking it.
6. It is the responsibility of the lunchroom supervisor to enforce these rules while students are eating.
7. No pop, sport drinks, or fruit drinks are allowed in the lunchroom. ONLY milk, water, or 100% fruit/vegetable juice is allowed.
8. No food is to be taken out of the lunchroom.

### ELEMENTARY PLAYGROUND RULES

1. The swings are to be used only in a north/south direction. One person on one swing. No standing on swings. No running under swings when someone is swinging. Do not wrap swings around the top pole.
2. Students are not to play on the north or south sides of the school buildings.
3. The parking lots are not part of the school playground. Keep out.
4. Tackle football is not allowed. Only touch or flag.
5. NO wrestling, pushing, shoving, kicking or tripping.
6. NO snowballs and keep off the ice!
7. The use of baseballs is not allowed.
8. During inclement weather when students are to remain in the main gym, students are to sit quietly on the sidelines and play with games provided. No running and no balls.
9. Do not walk up the slide. No pushing or shoving going up the steps of the slide.
10. NO obstructions in front of the fire exit doors (i.e. rocks, sticks, etc.).
11. Leave any janitor equipment where it is. Do not move it onto the playground.
12. DO not beat on the down spouts with sticks or rocks or kick the down spouts to remove ice.
13. STAY OFF fire exits and handicap ramp.
14. Do not bounce balls on the sides of the gym or school building.
15. Each grade is allotted their own balls and misc. equipment. Each grade should use their own.
16. Students should wear overshoes and boots in cold and wet weather.
17. If not worn on the playground, students will be required to stay on the sidewalk.
18. Walk on the sidewalks. Not on the lawn or mud.
19. Students are to remain on the playground at all times during recess. Students should ask permission from the supervising teacher if the need arises to leave the playground. Emergency trips to the bathroom during recess and noon are permitted, but if at all possible, notify the supervising teacher that you are leaving the playground.
20. Cell phones are not allowed on the playground during elementary recess. Please note the school's cell phone policy which applies to all students.
21. When returning to the school after recess, students will use the South main school entrance.
22. Students should use level zero voices while traveling to and from recess.

23. Do not pick at or pull the tar sealant on the playground.
24. No outside toys or equipment may be brought from home. Only school purchased and approved items may be used at recess.

### REPORTING INJURIES

Any injuries/accidents occurring during school time should be reported to the district's office the same day the accident occurred. The classroom teacher should complete an accident report kept on file at the superintendent's office. A copy will be sent home with the student at the end of the day. Any type of incident, minor or major, should be recorded.

### SCHOOL DISMISSAL

Elementary (K-4) students will be dismissed 4 minutes (3:25) earlier than middle and high school students to alleviate traffic and confusion.

All students should leave the school building immediately following dismissal. If weather is bad, students may wait in the south foyer for their ride.

### PARENTAL INVOLVEMENT IN TITLE I

The Avon School District feels that the role of parents in their child's education is most critical. The Avon School will encourage parents to communicate with teachers, share parenting information with them, keep them informed of not only how their child is performing in school, but also the performance of the school. Parental Involvement activities will include Parent/Teacher Conferences, CTA (Community-Teacher Association), and TIPS (Teachers Involved with Parents & Students).

District staff shall ensure that information and reports provided to parents are in an understandable format and, to the extent practicable, in a language the parents can understand. An annual meeting will be held to explain the Title I program and activities and to receive parent suggestions in the planning, development, and operation of the program. Parents shall be given the opportunity to participate in the evaluation of the program. In addition to the required annual meeting, additional parent meetings and/or parent teacher conferences may be held at various times of the day and evening as well as at different locations within the community. At these meetings, parents shall be provided:

- Information about programs provided under Title I.
- Description and explanation of the curriculum in use, the forms of academic assessments used to measure student progress, and the proficiency levels students are expected to meet.
- Individual student reports detailing the performance of their child on the State assessment in math, reading, and science.
- Opportunities to participate, as appropriate, in decisions relating to the education of their children.
- Resources available through the South Dakota Parent Information and Resource
- Network website <http://www.sdpirc.org/content/default.htm>

Parents of Title I students will be asked annually to complete a survey on parental involvement and the planning, review, and improvements of programs under Title I, including the parent involvement policy and school parent compact. The district will, to the extent feasible and appropriate, coordinate and integrate Title I parent involvement programs and activities with Head Start, local preschools and 21st Century Programs

The district will build the schools' and parents' capacity for parent involvement by offering programs to strengthen the school/family partnership by providing materials and training to school staff and parents. Provide staff development for teachers, families, administrators, staff, and others on how to increase the level and quality of family involvement.

- Provide information and, if needed, assistance to schools and parents in understanding state academic content and performance standards; state and local assessments; requirements of Title I and how parents can assist in their child's education.
- Identify barriers to greater participation by parents in parental involvement activities with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background.

- Use findings of annual evaluations to design strategies for more effective parent involvement.

For further information, contact the K-12 Principal.

### **Avon School Title One Parent Involvement Policy**

The Avon School Board recognizes the importance of parental involvement with the Title I program and operations of the public school. By working together, the quality of the educational programs will improve.

Avon School will:

- Convene an annual meeting each fall at Avon School to which all parents of participating children shall be invited and encouraged to attend, to inform parents of their school's participation in Title I and to explain the requirements of Title I, and the right of the parent to be involved.
- Offer a flexible number of meetings, such as meetings in the morning or evening, and to the extent possible offer meetings in different locations.
- Conduct a survey each spring to assess parent involvement and use that information to design strategies for school improvement and revise, if necessary, the parent involvement policy.
- Respond to parental requests for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any suggestions as soon as practically possible.
- Provide each parent timely information about the Avon School Title I School-wide program. Convene an annual meeting each spring at Avon School to provide parents the opportunity to submit comments and to evaluate and revise as necessary the goals, objectives, and instructional strategies of the school wide plan.
- Provide parents a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet.
- Report on the progress of each child to the parent at parent-teacher conferences, quarterly, or as needed or requested by the parent.
- Consult with the classroom teacher regarding the skills to be reinforced in Title I.
- Provide materials, training, and workshops to help parents work with their children to improve their children's academic achievement.

As a component of the school-level parental involvement policy, each school shall jointly develop with parents for all children served under this part a School Parent Compact that outlines how parents, the entire school staff, and students will share the responsibility for improved student academic achievement.

### **Avon School Parent Compact**

Avon School and the parents of the students participating in activities, services, and programs funded by Title I, Part A of the Elementary and Secondary Education Act (ESEA), agree that this compact outlines how the parents, the entire school staff, and the students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership that will help children achieve the State's high standards. In order to increase the academic gains of all students in the Avon School, the work done in our classrooms will require a team effort. This team is made up of teachers, parents, and students, each of who has their own separate responsibilities.

### **Avon School will:**

1. Provide a high-quality curriculum and proven instructional strategies in a supportive and effective learning environment that enables Avon School students to meet the State's student academic achievement standards.
2. Provide parents frequent reports on their child's progress through quarterly report cards, parent-teacher conferences each semester, and individual student results from the Dakota STEP. In addition, parents are notified either by note, phone, email, or face-to-face meetings if their child is struggling in an academic subject. Parents are provided information on what they can do to help their child.
3. Provide parents reasonable access to staff. Staff will be available for consultation with parents during the regular school day and to the extent possible after school when arranged ahead of time with the staff member.
4. Encourage parents to volunteer and participate in their child's class, and to observe classroom activities.
5. Provide parents with information and resources available through the South Dakota Parent Information and Resource Network website at <http://www.sdpirc.org/content/default.htm>

### ***Student's Agreement***

I will work to the best of my ability. Therefore, I will strive to do the following:

- Attend classes as scheduled according to the school calendar.
- Come to classes ready to learn.
- Conform to the rules of student behavior during the school day and at school activities.
- Participate in all classroom activities.
- Participate in all classroom take-home activities.
- Complete assignment notebooks. (If applicable)

### ***Parent's/Guardian's Agreement***

As a parent or guardian, you are an important part of the Educational Team. Your responsibilities are to support and encourage the Avon School District by:

- Seeing that your child is punctual and attends school regularly.
- Supporting the school in its efforts to maintain proper discipline.
- Establishing a time for homework and reviewing it regularly.
- Providing a quiet, well-lit place for study.
- Encouraging your child's efforts and being available for questions.
- Participating in educational activities at the school.
- Encouraging and helping your child to read and complete all academic work.
- Corresponding with classroom teachers via assignment notebooks (if applicable), parent portal, e-mails, and phone calls.

### ***Teacher's Agreement***

As a teacher I am an important part of the Educational Team. I will support your child's academic gains by:

- Providing individual attention when needed.
- Providing opportunities to read, write, and problem solve.
- Encourage participation in take-home activities.
- Maintain an on-going communication practice with parents through letters, e-mails, and phone calls.
- Providing a safe, positive atmosphere where children can learn and be successful.
- Provide parents with quarterly progress reports – through parent teacher conferences and sent home reports.

### ***Principal's Agreement***

As the Principal, I am an important part of the Educational Team and I am representing the Avon School. It is our belief that the educational programs adopted by the Avon School District are important in academic success. I will support and encourage the students, parents, and staff by:

- Following all adopted policies and procedures in the Student and Title I Handbooks.
- Continue to provide updated and high-quality educational resources for staff and students for an effective learning environment through in-services held at the school.
- Being available for parents', students', and staffs' concerns and needs.
- Providing parent-teacher conferences twice a year where the teachers can use the compact as a tool for guiding their conference.
- Provide parents with opportunities to visit and volunteer in the classrooms.
- Provide at home activities for parents to become actively involved in their child's education.
- Inviting parents to join field trips with their child's class.

## **MIDDLE SCHOOL/HIGH SCHOOL POLICIES**

### **ATTENDANCE REGULATIONS IN HIGH SCHOOL AND MIDDLE SCHOOL**

Students are expected to be in school every day except for reasons of illness, death in the family, or parental consent. If a student is going to be absent, parents should call the school between 8:00 a.m. and 9:30 a.m. If no call is received by 9:30 a.m., the school may call the home to verify the absence.” **Students are expected to stay home or will be sent home if they have a fever of 100 degrees F or higher.**

Students are not permitted to leave the school grounds during school hours unless there is a written request or a telephone call from the parents.

All absences for school sponsored activities are considered excused, and the student not counted absent.

For State sponsored rodeo activities, 1 day of excused attendance is allowed for the 4H State Fair final rodeo. Students may not miss more than seven periods in any one subject (exclusive of school sponsored activities) during a semester. A student who misses more than seven periods in any one subject during a semester will not receive credit for that course taken during that semester. The School Board has the right to waive the loss of credit if the Board feels the absences were of worthwhile educational value or a hardship case.

Once a 5-12 grade student exceeds the seven period absence limit in a class, the student is required to attend Saturday detention. A student will be required to attend 6 hours of Saturday detention to make up for one day's absence. Attending Saturday detention to make up for absences will **NOT** change a student's status for semester tests.

In grades 5-12 after four absences during a semester, parents will be sent a letter by the principal stressing the importance of regular attendance for their child's academic performance. When a student reaches eight absences during a semester, a letter will be sent to the parents informing them of the number of absences and consequences of the absences with a follow-up contact occurring with the principal via telephone call or parent meeting. The student will be reported to the County State's Attorney Office as truant when the student reaches twelve absences during a semester. Once the student is reported truant to the State's Attorney Office, a meeting will be held with the student and the parent(s) discussing the risk of losing credit for the course(s) in which the student has accumulated the absences. The administration will take into account extenuating circumstances or documented medical conditions before reporting a student truant.

Students leaving classes without written permission will receive an automatic Saturday detention.

Makeup work will be required for all absences. The amount and nature of makeup work will be determined by the teacher. The amount of time given to complete makeup work will be without exception one school day for each day missed.

It is the student/parent responsibility to supply excuses of absences. It is the student's responsibility to pick up his or her makeup slip on the day he or she returns to school. **Failure to return the completed and signed makeup slip to the principal will result in a one hour Saturday detention.**

**TARDINESS IS A BAD HABIT.** Students will be allowed one tardy per class per nine weeks. Any tardies after that, regardless of reason, will result in an after-school detention of 10 minutes. Tardies will be permitted for the first 10 minutes of a class; after 10 minutes, the student will be counted absent for that period. When a student arrives tardy, they are to go directly to the classroom, and the teacher will notify the detention supervisor and the principal. A student will receive one hour of Saturday detention for the fourth tardy. All Saturday detention rules will be followed for the fifth and sixth tardy. On the seventh and each successive tardy, a student will receive one day of in-school suspension. Additionally, if a student accumulates seven tardies during a semester, the seven tardies will be counted as one full day of absence from school for the purposes of semester tests.

All absences and tardiness from school will be reported on the student's permanent record. Students ought to bear in mind that poor attendance records with reference to both absenteeism and tardiness will assuredly lessen their opportunity to obtain employment while in high school or after graduation.

#### **THINGS TO DO WITH A MAKE UP SLIP**

1. Present it to each teacher for re-admission to class.
2. Have teachers indicate make up work on the slip.
3. Have teachers sign the slip when you turn the work in.
4. Return completed and signed makeup slip to the Principal.

Any school activity which requires loss of school time must be made up before the student leaves the school premises. The same procedure will be used as above. **The completed makeup slip needs to be returned no later than the due date to the principal.**

**AT NO TIME SHOULD A STUDENT LEAVE THE SCHOOL PREMISES WITHOUT THE PERMISSION OF THE PRINCIPAL OR SUPERINTENDENT IN THE FORM OF WRITTEN PERMIT SLIP ISSUED BY ONE OF THESE PERSONS.**

### CLASSROOM AND STUDY HALL BEHAVIOR

Students are expected to conduct themselves as ladies and gentlemen at all times. Without discipline and order, no profitable class work can be carried on. Students are to walk at all times when going through the halls and classroom areas. There is to be no loud talking, whistling, loitering, and scuffling in the halls. When students are in the school building, students will be expected to be in their assigned study hall seat or desk in the classroom.

The library study area exists to serve the students and faculty. It is the resource center for curriculum enrichment. This is not possible without the cooperation of students and staff. The library is a place of study and seeking information. It is important that it be a quiet place for students to prepare lessons. Your behavior must reflect this atmosphere. The library and study hall area supervisor will be completely in charge and will announce special rules as needed.

### STUDY HALL RULES

1. Every student assigned to study hall should be accounted for.
2. Everyone should be quiet and seated before the bell rings.
3. There should be no calling or talking out loud at any time.
4. Each student is to bring at least one book and enough work to last during the period.
5. Magazines and newspapers should be read at your desk and returned to the library before the end of the period.
6. The room should be picked up and arranged at the end of each period.
7. Sign outs to bathrooms and lockers only. **ONLY 2** students signed out at any one time.
8. Students must have a pass to be anywhere other than study hall including library (for extended research or work). Passes may only be obtained **BEFORE** study hall begins. Students will not be excused from the area to obtain a pass.
9. Students may study or do homework in groups of 3 or less by special permission from the supervising teacher. (Groups will be moved to the front of the room for close supervision.)
10. The library and study hall supervisor will assign desks.
11. If a student is on the deficiency list, said student will lose study hall checkout privileges until the next grading period. The student's privileges will be reinstated once they are off the deficiency list.
12. The student will be allowed to leave study hall only to get help from a teacher if the teacher is available, and if the student has secured a pass from the teacher before they arrive to study hall.

In summary, the library and study hall area should have an orderly and quiet learning environment at all times.

### DETENTION RULES

Students may receive up to 3 after-school detentions every 9 weeks. On the 4th detention in any given 9-week period, the student will serve a 1 hour Saturday detention. On the 5th detention in any 9-week period, the student will serve a 2 hour Saturday detention. On the 6th and consecutive detentions in a 9-week period, the student will serve a 3 hour Saturday detention. The administration may adjust scheduled detention times.

Saturday detentions will be served on the nearest Saturday to the violation unless changed by the administration. If a student fails to show up for their detention or does not follow the detention rules, the student's time will double. If the student again fails to show up or does not follow the rules, the student will receive a one day in-school suspension.

### SATURDAY DETENTION RULES

1. No gum, candy, pop, etc.
2. Students must have school work or a book to read.

3. No sleeping.
4. Students will not be allowed to leave detention room desks or speak at any time.

Students who are assigned a Saturday detention must be on time. If Saturday detention is scheduled to start at 8:00 a.m., students are expected to be on time. If a student shows up late, the student will be sent home, and one hour will be added to their time which will be made up the following Saturday. A student that knows he or she is late should still check in with the supervisor to make sure they are not counted as skipping the detention.

### MIDDLE SCHOOL AND HIGH SCHOOL DISCIPLINE

\*Reference MS/HS Discipline Grid

\* If a student already has a Saturday detention and receives an additional one, the student will have to make up the two Saturday detentions within a three-week time period. If the two Saturday detentions are not made up within the three-week time period, the student will serve ISS or OSS.

\*\*This time could be cut in half if student seeks a dependency assessment and treatment from a certified chemical dependency counselor within those five days at the cost of the student.

\*\*\*Without restitution, student may be referred to the School Board for further action.

\*\*\*\*Referral for a long-term suspension will be made if student seeks a dependency assessment and treatment from a certified chemical dependency counselor within 10 days at the student's cost.

Class 1 is recorded quarterly. Classes 2 and 3 are recorded by the semester. Classes 4-8 are recorded by the year.

**Any action that requires discipline that is not on the discipline grid will be handled on an individual basis by the administration.**

<b>Avon MS/HS Disciplinary Grid</b>					
<b>Offenses</b>	<b>Consequences</b>	<b>Consequences</b>	<b>Consequences</b>	<b>Consequences</b>	
<b>Class 1</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>	<b>4th Offense</b>	<b>Habitual</b>
Tardies	Verbal Warning	After School Detention	After School Detention and Parent Contact	Saturday Detention* and Parent Contact	Saturday Detention* and Parent Contact
<b>Class 2</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>	<b>4th Offense</b>	<b>Habitual</b>
Insubordination, Poor Behavior, Disruptive Behavior	After School Detention	Saturday Detention* and Parent Contact	ISS-1 Day and Parent Contact	OSS-3 Days and Parent Contact	OSS-6 Days and Parent Contact
<b>Class 3</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>	<b>4th Offense</b>	<b>Habitual</b>
Unexcused Absence, Inappropriate Language, Skipping Class, Leaving Without Permission, Matches/Lighters	Saturday Detention* and Parent Contact	ISS-1 Day and Parent Contact	OSS-2 Days and Parent Contact	OSS-4 Days and Parent Contact	OSS-6 Days and Parent Contact
<b>Class 4</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>	<b>4th Offense</b>	<b>Habitual</b>
Academic Dishonesty	ISS-1 Day, Parent Contact, Saturday Detention*, and Mandatory Semester Tests	ISS-2 Days, Parent Contact, 3-Hour Saturday Detention*, and Not Eligible for Honor Roll	OSS-3 Days, Parent Contact and Loss of Class Credit		

<b>Class 5</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>	<b>4th Offense</b>	<b>Habitual</b>
Stealing-Under \$50	Saturday Detention* with Restitution***	OSS-4 Days with Restitution***	OSS-6 Days with Restitution***	OSS-8 Days with Restitution***	OSS-10 Days with Restitution***
Stealing-Over \$50	OSS-5 Days with Restitution***	OSS-10 Days with Restitution***	OSS-10 Days with Restitution***, referral for long term suspension or expulsion		
<b>Class 6</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>	<b>4th Offense</b>	<b>Habitual</b>
Violence, Fighting, Intimidation, Destruction of Property, Bullying, Harassment, Blatant Disrespect for Staff, Tobacco Use or Possession	OSS-2-4 Days, Parent Contact, Restitution***	OSS-10 Days, Counselor Referral, Parent Contact, and Restitution***	OSS-10 Days, Parent Contact, Restitution, and Referral for Long Term Suspension or Expulsion		
<b>Class 7</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>	<b>4th Offense</b>	<b>Habitual</b>
Alcohol, Use or Possession	OSS-10 Days**, Contact Police	OSS-10 Days, Contact Police, Referral for Expulsion			
<b>Class 8</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>	<b>4th Offense</b>	<b>Habitual</b>
Drugs, Use or Possession	OSS-10 Days, Contact Police, Referral for Expulsion****	OSS-10 Days, Contact Police, Referral for Expulsion			
<b>Class 9</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>3rd Offense</b>	<b>4th Offense</b>	<b>Habitual</b>
Selling or Distribution of Drugs, Bomb Threat, Threat of Violence, Weapons, Assaulting Staff	OSS-10 Days, Parent Contact, Contact Police, Referral for Expulsion				
<b>Cellular Phones:</b>	*****See Policy*****				

## GRADUATION REQUIREMENTS

To graduate from Avon High School, students must have 24 credits. A credit is the successful completion of a subject for one full school year. If classes are held only for a semester, one-half unit of credit is earned. The 24 credit requirement may be adjusted by the Board of Education under special circumstances.

Seniors should check their schedules to be sure that they fulfill the requirements for graduation. Check with the principal if in doubt.

Required courses are as follows:

<u>Course</u>	<u>Credits</u>
English I, II, III, IV	4 credits
Algebra I	1 credit

Algebra II	1 credit
Geometry	1 credit
World Geography	½ credit
World History	½ credit
US Government	1 credit
Computer	1 credit
Accounting I	1 credit
Physical Science	1 credit
Conceptual Chemistry	1 credit
Biology	1 credit
US History	1 credit
Fine Arts	1 credit
PE	½ credit
Health	½ credit
TOTAL	17 credit

Students are required to carry at least six regular courses while in school. Chorus may not be counted as one of the six; however, band can be included as one of the six. Any student wanting more courses must have permission from the principal.

It is required that students planning to attend a state college or university must take the following courses: 4 credits of English, 3 credits of social science, ½ credit computer science, 3 mathematic credits, and 3 science credits.

### GRADUATION HONORS

Policy Adopted: July 2015

Amended:

Reviewed:

The “Cum Laude with Honors” recognition program now replaces the concept of designating a valedictorian and salutatorian at graduation. The rationale for this change is to adopt a form of recognition that will provide recognition to more of the outstanding seniors than the valedictorian/salutatorian concept allows. Additionally, more colleges and universities use this recognition to acknowledge their most successful students at graduation. The senior class will vote on two representatives to speak during the commencement celebration.

Based on the Avon High School 4.0-point grading scale without rounding:

Cum Laude “with honors”	Bronze GPA 3.50 - 3.69
Magna Cum Laude “with great honors”	Silver GPA 3.70 - 3.89
Summa Cum Laude “with highest honors”	Gold GPA 3.90 - 4.00

\* Medals will be given to honor students. All students with a GPA of 3.5 or higher will also be given a gold cord for recognition.

### GRADUATION CEREMONY

All seniors and 8<sup>th</sup> graders participating in the graduation ceremony must be dressed in appropriate dress clothes and the unaltered graduation cap and gown. Each year the administration will inform the graduates and their parents as to what is acceptable attire. Only school adornments/accessories will be worn outside or on the cap and gown. To participate in the graduation ceremony, students must meet the graduation requirements.

### ELECTIVE COURSES

Courses not required are called electives. Each student should try to select courses by considering the field in which he or she wants preparation and the area in which his or her greatest interest lies.

**COURSE OFFERINGS**

Course	Grade	Credits	Elective
*English I/Speech	9	1	
*English II	10	1	
*English III	11	1	
*English IV	12	1	
HSDC English	12	1	X
*Physical Science	9	1	
*Conceptual Chemistry	10	1	
*Biology	11	1	
~Physics	11-12	1	X
~Chemistry	11-12	1	X
Anatomy & Physiology	11-12	1	X
*Algebra I	9	1	
*Informal Geometry	10	1	
*Geometry/Trigonometry	10	1	
*Algebra II	11-12	1	
Pre-Calculus//Calculus	11-12	1	X
HSDC Algebra	12	1	X
*World History	9	.50	
*World Geography	9	.50	
*US History	11	1	
*US Government	12	1	
Psychology	11-12	.50	X
Sociology	11-12	.50	X
HSDC Psychology/Sociology	11-12	1	X
HSDC History	11-12	1	X
Spanish I (DDN)	10-12	1	X
Spanish II (DDN)	11-12	1	X
*Multi-Media Design	9	1	
Creative English	11-12	1	X
*Accounting I	10	1	
Accounting II	11-12	1	X
*Personal Finance	12	1	
Welding	10-12	.5	X
Advanced Welding	11-12	.5	X
Cabinetry	11-12	.5	X
Advanced Cabinetry	12	.5	X
Intro Building Trades	11-12	.5	X
Comprehensive Creative Art	11-12	1	X
Boys & Girls Chorus	9-12	.40	X
Band***	9-12	1	X
*9 <sup>th</sup> PE	9	.50	
Fitness & Conditioning	10-12	1	X
Health	9	.5	X
#Driver's Education	9-12	.25	X

\*Required course #Summer only ~Rotates every other year HSDC – High School Dual Credit Course

\*\*\**Note*: Band students are required to perform at all concerts, athletic events, contests, and marching band events when assigned by the instructor and the administration. Cheerleaders and statisticians are required to perform with the band at scheduled events.

### COLLEGE/DUAL-CREDIT CLASSES

Students are allowed to take college classes and receive high school credit. Students are responsible for the cost of the dual credit class. A student who takes a college class is responsible to present a copy of the transcript to the principal to receive credit. Also, it is the responsibility of the student and his or her parents to keep up on the work in the class and to check the progress of the student. A letter to each student's parents enrolled in a college class (that the school is aware of) will be sent in the fall to explain these points.

### DROPPING OR CHANGING SUBJECTS

A student should do a thoughtful job of registering at the time of registration. His or her courses should be selected carefully with the aid of parents and faculty advisor. Should a student decide to change courses, this must be done during the first week of school or semester. This change must be made in the principal's office with his or her consent/signature and the consent/signature of the teacher in charge of the course. Dropping a subject in the middle of a semester will count as a failure on the permanent record unless specific permission is obtained.

### INCOMPLETE GRADES

Any student receiving an incomplete will have until the next grading period to make up the incomplete. The student must consult with the teacher to see what work he/she must do to complete the course. An incomplete that is not made up in the allowed time becomes a failure on the permanent record unless special arrangements are made with the principal.

### FAILING CLASSES

The student has the option to take summer school at SD Virtual High School or to take an independent study class from an outside source at the student's expense. In extenuating circumstances, the student may be allowed to make-up the class with the teacher with the approval of the teacher and the administration.

### COLLEGE AND JOB SHADOW DAYS

Students are allowed to take college and job shadow days, which will not count as an absence. Freshmen will receive one day, sophomores will receive two days, juniors will receive three days, and seniors will receive up to four days to use at administrative discretion. No college or job shadow days will be allowed on or after December 1 or May 1 of the corresponding semester. College and job shadow days must be arranged through the school counselor's office. The request for one of these days must be made at least five school days prior to the requested day. If a student does not follow the proper procedure, the student may be counted absent on that day. Students must also turn in the appropriate paperwork for these days not to be counted as absences. The administration reserves the right to deny days due to absences, grades, tardies, missing work, or other factors. Makeup slips must be completed and signed in advance.

### DRIVING VEHICLES

Students who drive cars to school will not be permitted to use cars during the school day or lunch period unless they secure permission from the principal or superintendent. This regulation will be strictly enforced and applies to both town and rural students. The purpose of this regulation is to promote safety and to protect both parents and students. Students should park in the lot north of the gym unless instructed to park elsewhere. There is absolutely no parking on either side of Pine Street in front of the school between the hours of 8:00 a.m. to 4:00 p.m. Only 5-minute parking is allowed. If students park there, they may be ticketed by the city due to a no parking ordinance. No sitting in cars during the lunch period or any time during the school day.

### EXTRA-CLASS ACTIVITIES

We encourage each student to take advantage of the activities offered. We urge you to participate in at least one of the activities offered.

The student council is the executive body of the Avon School Student Association. Each high school student and faculty member is a member of this association. The council is headed by the student body president.

Student Association officers will be elected the first day of school. Officers and representatives of this body should be selected carefully keeping in mind that these people should have outstanding qualifications in leadership, citizenship, service, initiative, and be on track to graduate. The administration and secondary staff may reject a nominee based on the previous qualifications. Disciplinary action can result in loss of officer position.

Each of the classes will organize by the third day of school for the purpose of carrying on their functions and social activities. Each class will select a president, a vice president, a secretary-treasurer, and a student council representative. The administration will appoint faculty members to be advisors for each class. Class meetings may be called by the president with the permission of one or more of the advisors. Student council members from grades 7 and 8 will be non-voting members of the student council.

School activities (play practices, music practices, etc.) which are held after supper shall always be over by 10:00 p.m. The school assumes no responsibility for your conduct after the activity is over.

Church night. Church night will be on Wednesday evenings. The school will not schedule activities for that evening except when inner-scholastic activities are scheduled by conference, district, and state officials. All school practices are to be completed AND students out of the building by 6:00 p.m. on Wednesdays.

School parties. School parties and social functions are part of any good educational system. During the year, each class may sponsor one party or dance. Each party should be carefully planned and approved by the administration and class sponsors at least one week prior to the date of the party. These parties should be restricted to our students (7-8) (9-12), students from other schools, and our alumni, if invited. Proper conduct is expected at these events. Improper conduct will result in the student being removed from the event and not being allowed to attend any future parties. Any out-of-town guests should be registered prior to any party.

Once students are admitted to a party or prom, they are expected to remain. No one is re-admitted once he or she leaves the party or prom. It is suggested that class parties or dances be planned following home athletic contests whenever possible, preferably on Friday night. Such parties will end not later than midnight on Friday. Other school parties during the week will end at 10:00 PM. The Junior/Senior Prom will run from 9:00-12:00. Prom is a formal event. Dress should be appropriate--no jeans/t-shirts are to be worn at the banquet or the dance.

Seniors and all other students should remember that Senior Privileges and Senior Trips are earned. Conduct yourselves so that these activities may continue. Any students skipping school or having habitual tardies will lose their privileges.

The senior class may request privileges at the start of the second semester. The decision to grant privileges early will be based on the behavior of the class and results of the state mandated tests. Permission forms will be handed out, signed, and returned by ALL students before privileges will be implemented. Each student will receive Senior Privileges based on their individual merits during the 3<sup>rd</sup> and 4<sup>th</sup> nine-weeks. Seniors earning these privileges must meet the following criteria:

1. Each senior must have completed 21 graduation credits and must have passed all required courses by the end of the first semester of their senior year.
2. Each senior must have at least a C- average in all of his/her classes. Falling below a C- average will cause the student to lose privileges for one week, and grades will be checked. Any student who is below a C- average in a class during 4th quarter midterm will lose privileges for the remainder of the year.
3. Each student is allowed only three absences during the second semester. When a student reaches 4 absences he/she will lose privileges. The administration may waive the four absence limit for privileges in cases of serious medical conditions or administrative discretion, as long as there are no other absences involved. The student will need to provide documentation from their doctor in these circumstances.

Senior Trip. A senior who wishes to attend the annual Senior Trip must have completed 21 graduation credits and have passed all required courses at the end of the first semester of their senior year. To be eligible the student must

have paid all of their class dues and worked their share of fund-raising activities. Students cannot purchase their way into the senior trip.

Any fund-raising activities by any group (bake sales, car washes, etc.) must be approved by the administration.

### Examinations.

Comprehensive examinations in addition to daily and weekly tests will be given at the end of each semester. Each student must take all examinations given during and at the end of each semester according to the schedule.

**All students will be required to take semester tests each semester. Students must take semester tests in all of the following core academic areas: Math, Science, English, and Social Studies. This includes elective courses in these subjects.**

Foreign Exchange students will not be considered a part of the senior class. They will be placed in the junior class or their age appropriate class. Foreign exchange students are not eligible to participate in the graduation ceremony unless they meet the requirements of the State of South Dakota or Avon School District.

Public displays of affection between individuals in the halls, classroom, parking lot, and other school property are not considered to be in good taste and will not be allowed. In particular, overt displays of affection will not be tolerated on the campus or at school sponsored activities.

Athletic practices. On days that school may be dismissed early due to inclement weather, there will be no practices of any kind. When school is not held due to inclement weather, there will be no practices of any kind. Sunday practices or open gyms will not be allowed for SDHSAA sponsored events during the regular season, but will be allowed during post-season events.

### GRADES 7-12 LUNCHROOM REGULATIONS

1. All students will eat in the lunch room unless he or she goes home to eat.
2. No eating in cars, the gym, or main building.
3. Order in lunch line: Srs, Jrs, Sophs, Fresh, 8th, 7th.
4. Lunches to be prepaid. Calendars, including lunch menu and school events will be sent home with each student at the end of each month.
5. If you misbehave in the lunchroom, you will be disciplined accordingly.
6. Students may not return to the main building until the warning bell rings before the next period.
7. Students may remain in the lunch room if the weather is bad.
8. Clean up your table and take your garbage with you.
9. Scrape your plates and put silverware in the dish pan.
10. NO POP, sport drinks, or fruit drinks are allowed in the lunchroom. Only milk, water, or 100% fruit/vegetable juice.
11. No food is to be taken out of the lunchroom.

### Middle School and High School Retention Policy

Middle school and high school students are required to meet guidelines to be promoted to the next grade level.

Middle School students will be required to achieve an average passing grade (D-) for the entire year in at least 3 of the 4 main core classes (Social Studies, Math, Science, and English). If a student does not meet this requirement, he or she will be considered for retention. The student's results from the state mandated test will also be taken into consideration. The administration, teachers, students, and parents will meet to discuss the possibility of retaining the student in the same grade for the next school year. A decision will be made as to what will be the best course of action for the student's future academic success.

High School students will be required to pass a minimum number of credits to move on to the next grade level. To be considered part of the following classes, a student must have passed the required number of credits:

**Sophomore: 4 credits; Junior: 11 credits; Senior 17 credits.**

Chorus and driver's education credits will **not** be counted towards the grade level promotion. If a student makes up credits during the summer and meets the minimum number of credits, he or she will be moved to the next grade level.

### **AVON SCHOOL DISTRICT 4-1 ACADEMIC LETTER POLICY**

Academic letters will be awarded at one time per year during the 7-12 assembly the first day of school. Students must be enrolled in the Avon School one complete school year to be eligible for an academic letter. Only students, 7-12, are eligible.

Requirements for receiving an academic letter are as follows:

1. Must have a 3.50 GPA from the previous school year. Current year GPA only--not cumulative.
2. Seniors who receive an academic letter may pick up the award any time following graduation.
3. Any student who has not previously received a chenille "A" will receive one when awarded an academic letter along with an academic lamp pin. The next time a student receives the academic letter, they will be awarded a bar pin.

### **AVON SCHOOL DISTRICT 4-1 CHEATING POLICY**

Definition of cheating: Soliciting, acquiring, supplying or use of answers on tests, quizzes, study guides or other assignments. Any type of plagiarism and/or copyright infringement on work turned-in is in violation of the cheating policy.

Punishments:

1. 1<sup>st</sup> Offense: Inform Parents, 1 day in-school suspension, Mandatory semester tests, 1 hour Saturday detention, "0" credit for the assignment.
2. 2<sup>nd</sup> Offense: Inform Parents, 2 day in-school suspension, mandatory semester test throughout high school, 3 hour Saturday detention, "0" credit for assignment, and ineligible for the honor roll for the remainder of the year.
3. 3<sup>rd</sup> Offense: Meeting with parents and 3 day of-of-school suspension; loss of credit for the class.

The classroom teacher will bear the responsibility to verify any and all cheating. Only the classroom teacher and/or the secondary principal may impose the punishment.

### **AVON SCHOOL DISTRICT 4-1 POLICY FOR EARLY GRADUATION**

Any students wishing to graduate early from the Avon School District 4-1 must make application to the High School Principal one full semester in advance of their desired graduation date.

The student must meet all existing graduation requirements of the Avon School. Currently, this includes 24 credits total and at least 6 - one-half credits per semester. If a student does not meet their self-imposed early graduation date, they must continue to meet the semester requirements of the District (6 - one-half credits per semester). Failure to meet these requirements will nullify the early graduation request, and the student may continue school and graduate with their class as long as they meet all of the above mentioned requirements.

The student and his/her parents will meet with the principal and/or the counselor to discuss the positive and negative effects of early graduation, and they will also discuss the student's post-high school plans. The student and his/her parents may choose to participate in the graduation ceremony with their regular graduating class.

All early graduation requests must have final approval by the Avon Board of Education.

### **AVON SCHOOL BOARD'S POLICY ON ALCOHOL, TOBACCO AND OTHER DRUG USE BY STUDENTS**

The Avon School Board recognizes its share of the responsibility for the health, welfare, and good of the students

who attend the district's schools. Alcohol and other drug use is wrong, unlawful, and harmful and can interfere with a student's ability to learn and function responsibly in the school setting and community. Psychoactive and mood altering drugs can destroy the health and well-being of an individual. The school community recognizes alcohol and/or other drug use as a serious health problem and is committed to discouraging this behavior and to encouraging students to choose a drug-free lifestyle and to seek help should a problem arise.

The Avon School staff members and students recognize that chemical use (alcohol, inhalants, tobacco and other drugs) has become a serious problem in our country. We accept our obligation to establish a positive environment in which these problems can be confronted through a comprehensive school drug-free program and be addressed locally in a helpful and supportive rather than punitive way. One of our goals is to prevent abuse by staff, students, and community members. Accomplishing this goal, we realize that will entail training staff, students and community members to educate themselves about the impact of drug use. Other goals are to teach staff, students, and community members to identify indicators of alcohol and/or other drug use problems and to know what resources are available to address these problems if they are observed. Therefore, the administration is committed to cooperate with agencies and community groups that address these issues.

The following document outlines policy on student use of alcohol and other drugs in the school district. This policy is in effect 24 hours a day, year round on premises owned, leased, or maintained by the school district, at all school related activities on and off campus, in vehicles used to transport students to and from school or other activities, and in vehicles parked on school property. Student and parent members of the school community are expected to know and understand the policy provisions and its mandatory nature. A copy of the policy will be provided to all students and parents.

A student shall not possess, use distribute, transfer, conceal, sell, attempt to sell, deliver, or be under the influence of alcohol, other drugs, or inhalants, or tobacco, or possess paraphernalia specific to the use of alcohol, other drugs, tobacco or inhalants. Students who use prescription drugs authorized by a licensed physician do not violate this policy if the student conforms to the prescription and appropriate school policies.

Parents and Students should be aware of SDCL 26-11-5.1 which provides a law enforcement agency may provide notice to the school district if the entity has probable cause to believe the student has violated any provision of state law involving alcohol, illegal drugs, firearms, or bomb threats, or has made any threat of violence relating to any school or its students, employees, or property.

#### Disciplinary Sanctions and Implementation Procedures

The following procedures will be used in dealing with possession, use, distribution, or being under the influence of alcohol, other drugs or inhalants or tobacco.

##### First Offense

1. The administration will try to notify the parent/guardians to explain the incident;
2. The administration may suspend the student for up to 10 (ten) days in compliance with student due process procedures;
3. The administration will notify the parents/guardians in writing of the suspension within thirty-six (36) hours; and
4. The administration will notify available law enforcement authorities.

The School District strongly recommends that students with alcohol, other drug, and/or inhalants or tobacco abuse problems seek professional assessment from a trained chemical dependency. Because we believe that chemical dependency is preceded by misuse, we feel confident that early intervention can benefit the student before significant harm or dependency results.

The suspension of a student who agrees to be assessed will be commuted. The administration will provide a list of agencies/professionals who can do the assessment and provide treatment. Fees for this assessment and treatment are the responsibility of the student and family.

Upon receipt of appropriate authorization, the agency or professional will notify the school administration that the student is willing to be evaluated and to comply with the treatment process.

### Second and Subsequent Offenses

1. The administration will contact the parents/guardians to arrange for a conference;
2. The administration may notify available law enforcement authorities;
3. The administration may suspend for up to ten (10) days in compliance with student due process procedures;
4. Within thirty-six (36) hours, the administration will notify parents/guardians in writing of the suspension; and
5. The administration will recommend to the school board that the student be expelled unless the following procedure is followed:
  - a. The student must agree to be assessed by a trained chemical dependency counselor or a licensed physician trained in chemical dependency;
  - b. Upon appropriate authorization, the agency or professional notifies the administration that the student has been assessed and does or does not require treatment, the recommendation for expulsion may be commuted. Fees for this assessment and/or treatment are the responsibility of the student and family.

### Supplying/Distributing or Selling Alcohol, Other drugs, Tobacco, Material Represented to be a controlled Substance, or Inhalants.

1. Within thirty-six (36) hours, the administration will notify parents/guardians in writing of the suspension;
2. Supplying or selling the above named substances will result in a ten (10) day suspension;
3. The administration will refer the case to available law enforcement authorities;
4. A hearing on the case will be conducted by the school board pursuant to due process rules for expulsion. Expulsion may be recommended by the administration.

Students whose observed behavior indicates possible use of alcohol, other drugs, inhalants, or tobacco will be referred to the building administrator. The building administrator and/or "first-responder" medical personnel will determine whether to contact the parent for further instruction, refer to the emergency authorization form or immediately seek additional medical treatment. Following the handling of the medical emergency, this Policy Statement for Alcohol, Other Drugs, Tobacco, and Inhalant Abuse will be followed. Cessation resources are available upon request from the Guidance Counselor's office.

A biannual review of the School District's program will be made by the Drug-Free School's Committee and reported to the School Board to determine the program's effectiveness and implement changes to the programs if they are needed; and, to insure that disciplinary sanctions are consistently enforced.

Legal Reference: Public law 101-226

### **STUDENT TRANSPORTATION POLICY**

The school provides transportation to many school activities, and students are expected to ride the bus. Students may ride home with their parents only if the parent is at the activity and asks the activity supervisor for permission to do so AND gives written consent to the supervisor. If a student wants to ride to an activity with his or her parents, a signed permission slip should be presented to the Principal or the Superintendent. A student may also ride home with another participant's parents, but a signed note from each parent must be presented to the activity supervisor *in advance*.

### **POLICIES AND PROCEDURES FOR EXTRACURRICULAR ACTIVITIES, AVON SCHOOL 4-1**

The extracurricular activities program in Avon School District 4-1 provides opportunities and experiences that make a contribution to the general growth and development of each individual student and assists students to create a healthy climate in the school system and its supporting community.

Participation in sound activity programs contributes to mental health and happiness, physical skill, emotional maturity, social competence, broader experience base, more knowledgeable appreciation for the activities, self-confidence, self-dependency, self-satisfaction, and moral values.

The interschool competition affords students the opportunity to work toward a high level of achievement and compete with their peers from other schools. Emphasis is placed upon teaching special skills and developing desirable habits and attitudes. It also gives those less-gifted students self-confidence and encouragement to excel to the best of their ability.

School activities are a potential, educative force of great power, whose effectiveness can be greatly enhanced through proper leadership. Before the start of contests, during the fall and winter seasons, a parent meeting will be held with AD and coaches, parents/guardians, and students. At least one or both parents must be present for their student to be eligible for contests.

GOAL. The goal of the activities program is to involve as many students as possible in one or more co-curricular activities based on the available materials, equipment and monies.

#### ACTIVITY RULES

1. Philosophy and Purpose- Philosophy of the Avon School District relating to the use of mood-altering chemicals, i.e., alcohol, tobacco, drugs, and marijuana.
  - a. Avon School District recognizes the use of mood-altering chemicals (any substances that alter the normal or natural behavior of a person) as a significant health problem for any adolescents, resulting in negative effects on behavior, learning, and the total development of each individual. The use of mood-altering chemicals for some adolescents, affect extra-curricular participation and development of relating skills. Others are affected by the misuse and abuse by family, team members, or other significant persons in their lives. The close contact in Avon School activities of advisors, directors, and coaches provides them with unique opportunities to observe, confront, and assist young people. Avon School District supports education and awareness training in adolescent chemical abuse problems including the symptomatology of chemical dependency and special issues affecting the Avon School District activities for administrators, activity directors, coaches, advisors, participants and their families.
2. Statement of Purpose
  - a. To provide consistency with the Avon School District co-curricular activities program philosophy: That provides opportunities and experience that make a contribution to the general growth and development of each individual student and assists to create a healthy climate in the school system and its supporting community.
  - b. To emphasize the school's concerns for the health of students in areas of safety while participating in activities and the long-term physical and emotional effects of chemical use on their health.
  - c. To promote equity and a sense of order and discipline among students.
  - d. To conform to and support existing state laws which restrict the use of such mood-altering chemicals.
  - e. To establish standards of conduct for those students who are leaders and standard-bearers among their peers.
  - f. To assist students who desire to resist peer pressure which directs them toward the use of mood-altering chemicals.
3. The Activity Rules
  - a. During the school year and times of activity participation, regardless of quantity, a student shall not have in possession or use tobacco; or use or consume, have in possession, buy sell, or give away marijuana, alcohol, or any substance defined by law as an illicit drug. It is not a violation for students to be in possession of a legally defined drug specifically prescribed for the student's use by their doctor.
  - b. The policies set forth are for all co-curricular activities during the school year.

- c. The school year for activities starts the first day of a school-sponsored activity in the fall until the last activity in the spring or the last day of the school year.
- d. During the summer when school is not in session, students in violation of the above rules can expect their activity director or advisor to discuss the issue with them.
- e. If a student is involved in activities in both Category III and Category IV, Category II penalties will be used. The student will not be obligated to serve both penalties for a single offense. The punishment will be in the Category III activity only.

Category I Activities: Those activities in which there is a regular schedule in interscholastic contests. This includes stats and managers.

#### Activities – Athletic Sports & Cheerleading

##### 4. Penalties & Recommendations

- a. First Violation
  - i. After confirmation by the administration of the first violation, the student shall lose eligibility for the next seven days or the next two consecutive events in the activity, whichever is less. It is up to the discretion of the coach, whether the individual will practice during the suspension. The parents will be notified.
- b. Second Violation
  - i. After confirmation by the administration of the second violation, the student shall lose eligibility for the next three weeks or for four events in each activity, whichever is less. It is up to the discretion of the coach whether the individual would continue to practice during the suspension. The parents will be requested to attend a meeting whether a referral will be made to a drug and substance abuse counselor outside the school.
- c. Third Violation
  - i. After confirmation by the administration of the third violation, the student shall lose eligibility of all activities for the remainder of the school year.
- d. If a student is charged with an alcohol or drug related offense, the student will be suspended from the activity until the case is adjudicated or the suspension has been met. Exception: If the student admits the offense, his/her suspension would start immediately, no matter when they go to court.

Category II Activities: The following activities that do not fall under Category I in Section III.

##### 5. Disciplinary Actions: (first offense)

- a. The student will be required to contribute five hours of public service of out of school time to community or civic service. This must be completed within one week of meeting with the disciplinary committee unless an exception is allowed by the disciplinary committee.
- b. The parent or guardian will be notified and invited to attend this meeting.

##### 6. Disciplinary Actions: (second offense)

- a. The student will be required to contribute 10 hours of public service of out of school time to community or civic service. This must be completed within two weeks of the meeting of the disciplinary committee unless an exception is allowed by the disciplinary committee.
- b. The students will be referred to attend sessions with a drug counselor chosen by the committee and parent.
- c. The parents or guardians will be required to attend this meeting.

##### 7. Disciplinary Actions: (third offense)

- a. The student will be suspended from all activities for the remainder of the school year.
- b. The student will be required to attend regular daily classes if they are receiving course credit or partial course credit but will not be allowed to participate in any public presentations.
- c. The student will be requested to meet with a drug counselor.
- d. The parents or guardian will be required to attend the disciplinary meeting.

##### 8. Disciplinary Format

- a. The disciplinary committee will include an administrator, activity director, and the four class-elected student body representatives.

- b. The disciplinary committee may be called to a meeting by any of the committee members, by request of the Board of Education, or at the request of a parent.
  - c. A behavioral contract will be used in defining the specific details of the community service.
  - d. The activity sponsor and the administration will be responsible for monitoring the completion of the Behavioral Contract.
  - e. If a student is charged with an offense that violates any of the activity rules, the student will complete his/her contract obligations upon admissions or completion of court and legal involvement that incriminates the student.
9. Miscellaneous Considerations
- a. The training rules will apply at all times, not just at school.
  - b. Violations occurring while on or at a school or state sponsored activity will also include a two-day suspension.
  - c. The consumption of alcoholic beverages at a family ceremony as an anniversary or wedding ceremony is permissible with parental consent. This does not include dances. The Administration should be contacted in advance of the ceremony to clarify the policies.
  - d. Violations will be accumulative for the present school year only.
  - e. Guilt by association is not a violation, but if incidents are frequent, a conference with the student will be held.
  - f. Public accusations by individuals against the activity participants must be presented to the activity director in the presence of the accused participant.
  - g. If a staff member reports a violation of the alcohol or tobacco policy, the student will be disciplined according to the policy.
  - h. Any appeals or complaints of student rights violations will proceed through the grievance procedures outlined previously in the student handbook.

### **EXTRA-CURRICULAR ELIGIBILITY POLICY**

All students in grades 5-12 will be required to maintain a 1.67 grade point average to be eligible to participate in Middle School and high school extra-curricular activities. The following guidelines will be in place starting with the 2009-2010 school year.

1. At the start of the school year of the first day of enrollment, students will have until mid-term of the first nine weeks to establish their grade point average.
2. All classes that the student is enrolled in will count towards their grade point average.
3. Any student that has an F in any class will be automatically ineligible for 2 weeks.
4. During the 2 weeks the student is ineligible, the student must raise the grade to at least a D-.
5. If at the end of the 2-week period the student still has an F in a class or below a 1.67 average, he or she will be ineligible for 2 more weeks.
6. All eligibility will be figured at each mid-term and 9 week-grading period.
7. If a student is involved in only one sport, the student's grade point average for the previous mid-term or 9-week period will be used to figure eligibility. Example: Fall sport eligibility will be figured from the previous spring quarter grades. A student that has an F in a class at the end of the 4<sup>th</sup> nine weeks can take classes in the summer to make-up the credit. The F received during the 4<sup>th</sup> nine weeks will still cause the student to be ineligible for the first two weeks of school when activities start.
8. Extra-curricular Activities: All 6-12 sports, Oral Interp, Cheerleading, School Plays, Rodeo, Music Activities, and Archery in which the students do not receive a grade.

### **GUARD YOUR ATHLETIC ELIGIBILITY** - (Rules for all Athletes)

**YOU ARE NOT ELIGIBLE IF:**

1. You have reached your 20th birthday.
2. You have attended more than four (4) first semesters and (4) second semesters of school (any total of 8) in grades 9-12. Enrollment in school for fifteen (15) school days or participation in an inter-school contest shall constitute a semester.
3. You are not passing twenty (20) hours of high school or institution of an equivalent rank.
4. You have not enrolled by the sixteenth (16<sup>th</sup>) school day of the current semester. Date of regular entry into classes is considered the date of enrollment.

5. You have been absent from school more than ten (10) consecutive school days. (Illness of a student or death in the immediate family accepted.)
6. You have transferred from one high school to another without corresponding change in the residence of your parents.
7. You do not have on file in the principal's office a signed physical examination and parent's permit form.
8. You have ever participated in an athletic contest under an assumed name.
9. You have ever participated in athletics in any institution on learning of higher rank than a standard secondary school.
10. You have violated your amateur standing.
11. During a high school sport season, you compete as an individual or a member of another team.

NOTE: You should also know that participating in an All-Star basketball or football game, during the school year, that is not sanctioned by the SDHSAA could cause you to be ineligible at NCAA colleges and universities your freshman year.

Consult the SDHSAA Constitution and By-Laws for additional information.

### **AVON SCHOOL ACTIVITY PARTICIPATION DRUG-SCREENING POLICY**

**A. Policy Statement:** The Avon School District 4-1 is conducting a random drug-screening program for grades 5–12 interscholastic activity participants. The focus and intent of the policy is as follows:

1. To provide for the health and safety of all activity participants.
2. To undermine the effects of peer pressure by providing a legitimate reason for activity participants to refuse to use illegal drugs.
3. To deter students from drug use.
4. To encourage students who use illegal drugs to become drug-free.
5. To encourage activity participants who use drugs to participate in drug treatment programs.

**B. Definitions:**

1. **Drug:** Any substance considered illegal by South Dakota Statute.
2. **Activity Participant:** Any student participating in a competitive interscholastic activity sanctioned by the South Dakota High School Activities Association and sponsored by the Avon School District 4-1.
3. **Activity Season:** The first day of fall practice allowed by the South Dakota High School Activities Association to the last day of the spring activity and during the summer interim when a student is involved with a school approved team camp, open gym, practice, or any other school activity.
4. **Interscholastic Activity:** All activities of the school including but not limited to: athletics, cheerleading, music (band and vocal), student council, oral interp, one-act play, quiz bowl, student council, and class officers.
5. **Sample:** Urine sample provided by the student at testing site.

**C. Procedures for Activities Participant:**

1. **Consent:** Each student wishing to participate in any competitive interscholastic program will be required to have legal parent/guardian consent in writing for drug screening. No student shall be allowed to participate in any interscholastic program absent such consent.

\*Parents may also consent to drug screening for students who do not participate in extracurricular activities on a voluntary basis.

**2. Student Selection:** Random screening will be conducted on a regular basis during the school year and will consist of at least three (3) students per screening. Selection for random screening will be from a "pool" of all activity participants who have consented to the voluntary screenings. Selection will be done by the Principal or designee. All activity participants will be in the random "pool" for the entire school year. The director of activities shall take all reasonable steps to assure the integrity, confidentiality, and random nature of the selective process.

\*Any student(s) who screen(s) positive for drugs can be re-screened at any time during the remainder of the school year.

**D. Sample Collection:** Personnel at the BHFP Clinic/Avon will be responsible for sample collection. Samples will be collected at an assigned time on the same day the student is selected for screening. Students will be tested in an isolated facility under the supervision of the BHFP Clinic staff. Students will provide a urine sample under the direction of clinic staff. The supervising clinic staff will not directly observe the students providing their urine sample. Facilities are secure with only one student testing at a time to assure security and confidentiality of each individual. If a student is unable to produce a sample at any particular time, the student will be given time up to two (2) hours to provide the sample.

\*If the student refuses to participate, does not complete the test as instructed, or attempts to alter the sample collection process, the student will be considered in violation of this policy and constitute the sample positive.

**E. Prescription Medication:** Students who are taking prescription medication may have 24 hours to provide a copy of the prescription or a doctor's verification in a sealed envelope to the Superintendent once a sample is collected. Students who refuse to provide verification and screen positive will be subject to the actions specified below for "positive screens."

**F. Procedures in the Event of a Positive Result:** A student with a positive screen will be subjected to the Avon Activities Eligibility Policy and will follow the penalties associated with the policy. \*If a parent chooses, they may provide written proof of a negative test result by an independent lab paid for at their own expense and completed within 24 hours of the original positive screen. Students with a positive screen will be allowed to practice but will not be allowed to suit up at home/away activities. Once the student fulfills the penalty, the student must submit a negative drug screen/test to be reinstated for full participation. If a parent chooses, they may provide written proof of a negative test result by an independent lab paid for at their own expense.

Students or parents may request additional drug screenings from the BHFP Clinic/Avon, or another qualified clinic at their own expense.

**G. Non-Punitive Nature Policy:** No activity participant shall be penalized academically for testing positive for illegal drugs. The results of drug screening pursuant to this policy will not be documented in any student's academic records. Information regarding the results on positive drug screening will not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process, which the District shall not solicit. In the event of service of any such subpoena or legal process, the student and the student's parents/guardians will be notified at least 24 hours before response is made by the District.

**H. Exception:** South Dakota Codified Law 13-32-9 supersedes the above policy.

**Activity Policy Forms will require signatures. Forms will be distributed by coaches.**

#### **ALTERNATIVE INSTRUCTION STUDENT PARTICIPATION**

Students who participate in alternative instruction, i. e. who are home-schooled, shall have the opportunity to participate in district co-curricular and interscholastic activities if they meet the requirements of state law, the South Dakota High School Activities Association (SDHSAA), and the Avon School District.

The purpose of these requirements are two-fold: to allow home-schooled students to participate in district co-curricular and interscholastic activities while offering such an opportunity and remaining fair and equitable to all students.

To be eligible to participate in interscholastic and /or co-curricular activities at Avon School, the 5-8 or 9-12 alternative education student must meet the following criteria as defined by SB177 and became law on July 1, 2021:

1. Have completed the approved alternative instruction application and submitted it to either the Avon School District or South Dakota Department of Education within 30 days from the first time a child begins alternative instruction or within 30 days of the following transitions:
  - a. Enrollment in a public or nonpublic school
  - b. Moving to a different school district
2. Alternative instruction students of all ages may participate in all activities offered by Avon School District, including school-sponsored activities and those sanctioned by the South Dakota High School Activities Association (SDHSAA).
3. Such participation in activities, school-sponsored or SDHSAA-sanctioned must meet the same requirements as publicly enrolled students to participate in these activities.
  - a. Requirements include submission of grade and/or attendance reports at midterm and quarter, age/grade parameters, enrollment in certain courses, fees, training rules, codes of conduct, behavior policies, and tryouts for teams.
  - b. Discipline protocols for breaking district or state requirements applies to alternative instruction students as well.
  - c. Prior to participating in some activities, proof of age may need to be submitted (i. e. birth certificate or affidavit in lieu of birth certificate).
  - d. Students participating in SDHSAA-sanctioned activities are held to the organizations transfer and non-academic eligibility rules.
4. While there are no set number of classes alternative instruction students need to be enrolled in to participate in activities, some activities such as band and chorus, shall include a requirement for enrollment and full participation in a course to participate in the out-of-school activity.
5. Parents, guardians, or others in control of the alternative instruction students must follow the same notification for activities participation as required for students enrolled in the Avon School District. This process is separate from notification for alternative instruction.
6. Parents, guardians, or the person in control of the alternative instruction student is responsible for providing transportation to the school or location where the school activity is hosted unless the school district provides transportation to an off-site activity for students enrolled in the district as then alternative instruction students must be provided the same transportation options as the public school students.
7. The parent or guardian is responsible for notifying the Avon School administration if the alternative instruction student does not meet the eligibility or training rules required for the activities he/she is participating in. Such reports need to be provided at midterm and quarter. If there are training rule violations, immediate notification to the Avon School administration is necessary.
8. The eligibility requirements, training rules, and reporting periods for alternative instruction students are the same as those required for students enrolled in the Avon School District. Training rules include both academic and non-academic components such as grades and attendance at practices.
9. Before the current season of the sport or activity, the alternative instruction student is participating in, the parent or guardian of the child must provide the Avon School administration with a copy of a complete transcript of the previous semester's completed coursework.
10. Just as for students enrolled in the Avon School District, alternative instruction students must complete and submit documents required by the Avon School District before students can begin participation.
11. If participating in SDHSAA-sanctioned activities, the parent or guardian must annually complete the SDHSAA Eligibility Checklist for Alternative Instruction Students.

12. Public school students who transition to alternative education are ineligible for activities during the balance of the current season of the sport or activity the student is participating in, at the time of notification of alternative instruction.

**AVON SCHOOL DISTRICT STAFF DIRECTORY**

Name	Title/Duties	Voice Mail Ext
Blaha, Kathryn <a href="mailto:Kathy.blaha@k12.sd.us">Kathy.blaha@k12.sd.us</a>	K-12 Principal Art	110
Bodden, Dakota <a href="mailto:Dakota.bodden@k12.sd.us">Dakota.bodden@k12.sd.us</a>	Special Education Asst FB Coach Asst Track Coach Asst MS Activities Director	133
Brandt, Raja <a href="mailto:Raja.brandt@k12.sd.us">Raja.brandt@k12.sd.us</a>	Preschool	125
Cahoy, Kristine <a href="mailto:Kris.cahoy@k12.sd.us">Kris.cahoy@k12.sd.us</a>	Social Sciences	138
Cameron, Tina <a href="mailto:Tina.cameron@k12.sd.us">Tina.cameron@k12.sd.us</a>	Title I Head GVB Coach	123
Carns, Tamara <a href="mailto:Tamara.carns@k12.sd.us">Tamara.carns@k12.sd.us</a>	Science Assistant Science Fair 6 <sup>th</sup> Grade Science Fair	148
Christjans, Jim	Head Bus Driver	
Culver, Thomas <a href="mailto:Tom.culver@k12.sd.us">Tom.culver@k12.sd.us</a>	Superintendent Special Ed & Title I Director Activities Director Head FB Coach Freshmen PE	112
Fathke, Lindsey <a href="mailto:Lindsey.fathke@k12.sd.us">Lindsey.fathke@k12.sd.us</a>	6 <sup>th</sup> Grade Asst Track Coach	121
Ferwerda, Angie <a href="mailto:Angie.ferwerda@k12.sd.us">Angie.ferwerda@k12.sd.us</a>	Food Service Director	141
Gramkow, Lenny <a href="mailto:Lenny.gramkow@k12.sd.us">Lenny.gramkow@k12.sd.us</a>	Food Service Assistant	147
Gretschmann, Connie <a href="mailto:Connie.gretschmann@k12.sd.us">Connie.gretschmann@k12.sd.us</a>	Mathematics Asst GVB Coach FB/Track Concessions Banquet/Prom	130
Haenfler, Becky <a href="mailto:becky.haenfler@k12.sd.us">becky.haenfler@k12.sd.us</a>	5 <sup>th</sup> Grade MS GVB Coach MS GBB Coach Cheer Advisor	120
Haenfler, Jeff <a href="mailto:Jeff.haenfler@k12.sd.us">Jeff.haenfler@k12.sd.us</a>	Head Golf Coach	
Hajek, Lori <a href="mailto:Lori.hajek@k12.sd.us">Lori.hajek@k12.sd.us</a>	Speech Clinician Early Childhood	126
Hento, Sara <a href="mailto:Sara.hento@k12.sd.us">Sara.hento@k12.sd.us</a>	Business Manager Oral Interpretation Asst Cross Country Coach Banquet/Prom	113
Knodel, Loretta <a href="mailto:Loretta.knodel@k12.sd.us">Loretta.knodel@k12.sd.us</a>	3 <sup>rd</sup> Grade Drama/One-Act Play	149
Koch, Katelyn	2 <sup>nd</sup> Grade	129

<a href="mailto:Katelyn.koch@k12.sd.us">Katelyn.koch@k12.sd.us</a>		
Kocmich, Dawn <a href="mailto:Dawn.kocmich@k12.sd.us">Dawn.kocmich@k12.sd.us</a>	Kindergarten	119
Krcil, Beth <a href="mailto:Beth.krcil@k12.sd.us">Beth.krcil@k12.sd.us</a>	Substitute Teacher	
Kuhlman, Benita <a href="mailto:Benita.kuhlman@k12.sd.us">Benita.kuhlman@k12.sd.us</a>	1 <sup>st</sup> Grade FB/Track Concessions	118
Kuhlman, Paul <a href="mailto:Paul.kuhlman@k12.sd.us">Paul.kuhlman@k12.sd.us</a>	Science/Math Head Science Fair	127
Lagge, Bailey <a href="mailto:Bailey.lagge@k12.sd.us">Bailey.lagge@k12.sd.us</a>	4 <sup>th</sup> Grade Head BBB Coach	117
Larsgaard, Mataya <a href="mailto:Mataya.larsgaard@k12.sd.us">Mataya.larsgaard@k12.sd.us</a>	5-12 Instrumental Music	142
Leibel, Jennifer <a href="mailto:Jennifer.leibel@k12.sd.us">Jennifer.leibel@k12.sd.us</a>	Special Ed Paraprofessional Head BB Concessions	
Leibel, Timothy <a href="mailto:Tim.leibel@k12.sd.us">Tim.leibel@k12.sd.us</a>	Physical Education Asst MS FB Coach Asst Track Coach	145
Lukkes, Justin <a href="mailto:Justin.lukkes@k12.sd.us">Justin.lukkes@k12.sd.us</a>	Industrial Arts Head MS FB Coach	115
Lukkes, Lennis	Assistant Bus Driver	
Lukkes, Mary <a href="mailto:Mary.lukkes@k12.sd.us">Mary.lukkes@k12.sd.us</a>	Title I Paraprofessional Head GVB Concessions	123
Mudder, Don	Asst GBB Coach	
Mudder, Julie <a href="mailto:Julie.mudder@k12.sd.us">Julie.mudder@k12.sd.us</a>	Administrative Assistant	114
Paulsen, Stacy <a href="mailto:Stacy.paulsen@k12.sd.us">Stacy.paulsen@k12.sd.us</a>	Special Education Special Ed Coordinator Asst GVB Concessions	146
Penning, Heidi <a href="mailto:Heidi.penning@k12.sd.us">Heidi.penning@k12.sd.us</a>	Assistant Food Service	147
Pfarr, Samantha <a href="mailto:Samantha.pfarr@k12.sd.us">Samantha.pfarr@k12.sd.us</a>	Elem Paraprofessional	
Podzimek, Whitney <a href="mailto:Whitney.podzimek@k12.sd.us">Whitney.podzimek@k12.sd.us</a>	Special Ed Paraprofessional	
Poppe, Brad <a href="mailto:Brad.poppe@k12.sd.us">Brad.poppe@k12.sd.us</a>	Computer/Business Ed Technology Coordinator Head GBB Coach Head Track Coach	122
Powers, Alyson <a href="mailto:Alyson.powers@k12.sd.us">Alyson.powers@k12.sd.us</a>	Special Ed Paraprofessional	
Ratzlaff, Amanda <a href="mailto:Amanda.ratzlaff@k12.sd.us">Amanda.ratzlaff@k12.sd.us</a>	Special Ed Paraprofessional	
Schultz, Autumn <a href="mailto:Autumn.schultz@k12.sd.us">Autumn.schultz@k12.sd.us</a>	K-12 Vocal Music	143
Sees, Janelle <a href="mailto:Janelle.sees@k12.sd.us">Janelle.sees@k12.sd.us</a>	Special Ed Paraprofessional	
Stahl, Sandy <a href="mailto:Sandy.stahl@k12.sd.us">Sandy.stahl@k12.sd.us</a>	Special Ed Paraprofessional	
Storley, Melissa <a href="mailto:Melissa.storley@k12.sd.us">Melissa.storley@k12.sd.us</a>	Language Arts Yearbook	137
Swier, Carol <a href="mailto:Carol.swier@k12.sd.us">Carol.swier@k12.sd.us</a>	Substitute teacher	
Swier, Ronald	Counselor Mentor	

<a href="mailto:Ronald.swier@k12.sd.us">Ronald.swier@k12.sd.us</a>	Head Cross Country Coach	
Swier, Theresa <a href="mailto:Theresa.swier@k12.sd.us">Theresa.swier@k12.sd.us</a>	Special Education	134
Tjeerdsma, Shari <a href="mailto:Shari.tjeerdsma@k12.sd.us">Shari.tjeerdsma@k12.sd.us</a>	Assistant Operations	165
Voigt, Christena <a href="mailto:Christena.voigt@k12.sd.us">Christena.voigt@k12.sd.us</a>	Library/Special Ed Paraprofessional Asst MS GVB Coach	135
Voigt, Gregg <a href="mailto:Gregg.voigt@k12.sd.us">Gregg.voigt@k12.sd.us</a>	Head Operations	165
Wince, Tanner <a href="mailto:Tanner.wince@k12.sd.us">Tanner.wince@k12.sd.us</a>	Special Education Asst BBB Coach	132
Wynia, Saddi <a href="mailto:Saddi.wynia@k12.sd.us">Saddi.wynia@k12.sd.us</a>	Guidance Counselor Testing Coordinator	139

**2021-22 AVON SCHOOL DISTRICT MANDATORY PARENT & STUDENT ACKNOWLEDGMENT FORM**

**RETURN COMPLETED FORM TO THE SCHOOL BY AUGUST 31, 2021**

**PARENTS PLEASE INITIAL EACH APPROPRIATE ITEM BELOW.**

**STUDENT HANDBOOK**

\_\_\_\_\_ The student and parent/guardian have seen and read the Student Handbook.  
We understand and will abide by the rules and regulations contained in the handbook.

**HOT LUNCH--MEAL CHARGE POLICY page 9**

\_\_\_\_\_ The student and parent/guardian have read the policy on hot lunch and delinquent lunch accounts. We understand and will abide by the rules and regulations contained in the policy.

**INTERNET ACCESS AND USE POLICY page 43**

\_\_\_\_\_ The student and parent/guardian have read the computer agreement.  
We understand and will abide by the rules and regulations contained in the policy.

**PRIVACY RIGHTS STATEMENT/FERPA page 45**

\_\_\_\_\_ I do not object to the release of Directory Information.

\_\_\_\_\_ I do object to the release of the following items:

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

**PARENT PERMISSION FOR FIELD TRIPS**

\_\_\_\_\_ My child(ren) has my permission to leave the district to participate in a school-directed field trip under the Direction of a staff member.

\_\_\_\_\_ My child(ren) does not have my permission to leave the district to participate in a school-directed field trip under the direction of a staff member.

**PARENT PERMISSION FOR GUIDANCE COUNSELING SERVICES**

\_\_\_\_\_ My child(ren) has my permission to meet with the school counselor.

\_\_\_\_\_ My child(ren) does not have my permission to meet with the school counselor.

**This form should be signed ONCE by each student enrolled in school and ONE parent/guardian. RETURN by 8/31/2021.**

<p>✗ Signature/Grade/Date of Student User: _____ Gr _____ Date _____</p> <p>✗ Signature/Grade/Date of Student User: _____ Gr _____ Date _____</p> <p>✗ Signature/Grade/Date of Student User: _____ Gr _____ Date _____</p> <p>✗ Signature/Grade/Date of Student User: _____ Gr _____ Date _____</p> <p>✗ Signature/Grade/Date of Student User: _____ Gr _____ Date _____</p>
<p>✗ Parent/Guardian Printed Name &amp; Signature/Date: _____ Date _____</p>

**LAPTOP COMPUTER PROTECTION and STUDENT PLEDGE SIGNATURES REQUIRED ON SEPARATE POLICY HANDOUT**

- **Grades 4-5-6 return to respective classroom teacher**
- **Grades 7-12 return to Mr. Poppe**
- **Laptops will not be distributed to students until the forms are signed and returned.**

**RETURN BY 8/31/2021**