Elk Point-Jefferson Middle School

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Student & Parent Handbook

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District Mission Statement:

The mission of the Elk Point-Jefferson School District is to provide a safe environment where students are empowered with the knowledge and skills to successfully navigate life's transitions and challenges.

Middle School Vision Statement:

The Elk Point-Jefferson Middle School's vision is to prepare responsible and respectful students using a challenging curriculum in a safe environment.

Showing Pride…Taking Action!

Elk Point-Jefferson Middle School Student Handbook

Showing Pride...Taking Action!

Defining Principles

RESPECT: We believe RESPECT is a lifelong skill. We will treat ourselves, treat others, and treat all property with pride and dignity.

ACCOUNTABLE: We believe to be accountable we must accept and be responsible for our actions and the resulting consequences.

CITIZENSHIP: We believe in being an active and productive member of our community. We support this by having high expectations through our education and community involvement.

ENTHUSIASTIC: We believe in approaching our peers and learning experiences with a positive outlook.

A Message To Students & Parents:

I would like to take this opportunity to welcome you to Elk Point-Jefferson Middle school. We are excited to begin the 2025-2026 school year enhancing the overall learning experience of our students.

At Elk Point-Jefferson Middle school, we hold our students to high expectations in regard to self-respect and behavior towards each other. Student behavior impacts the possible growth of one's self and their peers. Student's must assume responsibility in order to create a favorable learning environment.

Because it is not possible to list all misbehavior which may occur, the administration and staff reserve the right to respond to misconducts not included in this student handbook. We hope the information provided here gives clear and concise expectations for our district. We encourage you to read this handbook thoroughly and to keep it as a reference throughout the year. A copy of this handbook has also been made available on our school website (www.epj.k12.sd.us). Let's have great year.

Go Huskies!

Skyler Eriksen MS/HS Principal

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ABSENCES / ATTENDANCE POLICY

When a student is absent, a phone call from a parent or guardian must be received at the school, or a written statement signed by the parent or guardian must be delivered to the principal's office before the absence occurs or immediately upon return to school.

- The school must be notified of a student's absence by the parent (or guardian). This pertains to all students regardless of age. A **student must be in classes all day prior to an extra-curricular or co-curricular activity to participate in the activity unless the student has been pre-excused by the principal.**
- If students are absent from school in the morning, the parent or guardian must call the principal's office between 7:30 a.m. and 9:00 a.m. The phone number is 605 356-5900. A note must be given to the principal's office when they return.
- Any student who has been absent for any part of the day is asked to report to the principal's office when he/she returns to school to acquire an admit slip.
- A student who has been in school any part of the day but plans to be absent from school later, must bring written permission, be accompanied by parent or guardian, or telephone call, followed by an excuse slip. The student must sign out at the principal's office before leaving.
- If a student has become ill, he/she must get permission from the principal's office to go home. Parents will be contacted and students must sign out before they are allowed to leave.

- Pre-excused absences are permitted for certain occasions, such as out-of-town appointments. To obtain such an excuse, the student must bring written permission from parents in advance of the planned absence.

In the case of **pre-arranged/pre-excused absence** (vacation, advanced notice medical appointments, school activities, etc.), the parent and/or student shall report the anticipated absence to the office and to each of his/her teachers. As according to the direction of his/her teachers, the student shall complete the work prior to the absence or make arrangements with his/her teachers to complete the work upon return. The student shall initiate contact with his/her teachers prior to the absence making arrangements for the work to be completed in a timely manner. If a student fails to contact his/her teachers prior to the date of the pre-arranged/pre-excused absence to make arrangements for work completion for said absence, the student may be docked credit for the work in question by his/her teachers as according to their classroom procedures for late work inclusive of quizzes, tests, projects, etc.

MAKE-UP WORK
Students who have been absent from school for any reason should report to the high school office immediately upon arrival at school. It is the student's responsibility to contact his/her teachers regarding class work he/she has missed. Students will be allowed two days to make up each day of work missed only in the case of emergency situations or sickness. If make-up work is not turned into the teacher by the due date, the instructor may record zeroes for the incomplete work.

*If a student is absent from school for any part of the day inclusive of arriving late, we do not expect him/her to participate or attend extra-curricular activities that night. Exceptions would be previously scheduled appointments and emergency situations. Table of Contents

UNEXCUSED ABSENCES
Students absent from school without prior knowledge or approval of the parent/legal guardian or school personnel will be subject to penalty as outlined in the discipline matrix. Students may earn 50% maximum credit for any coursework due or assigned on the date of the absence. Table of Contents

ATTENDANCE POLICY
Students (6-12) may not miss more than seven days each semester. These seven days will include both excused and unexcused absences. All absences exceeding 7 days require submission of medical documentation to the office. Loss of credit for the semester may result if a student is in violation of this policy. An extended illness may be counted as one absence. As according to state law, students are required to attend school until the age of eighteen (18). Table of Contents

SDCL 13-27-1. Every person having control of a child, who is six years old by the first day of September and who has not exceeded the age of 18, shall cause the child to regularly and annually attend some public or nonpublic school for the entire term during which the public school is the district in which the person resides, or the school to which the child is assigned to attend, is in session, until the child reaches the age of eighteen years, unless the child has graduated or is excused as provided in this chapter."

APPEAL BOARD FOR ABSENTEEISM
Absences over seven days per semester may be appealed by a student and his/her parents. *A student cannot request an appeal until the seventh absence has occurred.

The Appeal Boar d shall consist of an instructor, a guidance counselor, and an administrator. The administrator is the convening authority of the Appeal Board.

Appeal Board Guidelines to determine the validity of an appeal:
- The student requests an appeal from office of principal.
- A written appeal is returned to the principal by the specified date.
- The parent(s) are required to be part of the appeal process and will meet with the Appeal Board with son/daughter.

- The student's written appeal is reviewed by the Appeal Board.
- The board will examine the reasons/excuses the parents have supplied for the seventh absences indicating that the absences were the results of justifiable or extraordinary circumstances.
- The Appeal Board may request medical documentation (all written documentation will be kept in the board's confidence).
- The Appeal Board will then render its decision; the Appeal Board's decision may include agreements, contracts, or arrangements allowing the student to continue his/her education at EPJHS; the board may render a "Loss of Credit" status for the student.

Guidelines which prevent assembling the Appeal Board:

- If prior arrangements have been made and approved by the principal for said absences (extended family vacation)
- Class absences have occurred as a result of approved school sponsored activities, which do not count in the seventh day limit per semester.

ACADEMIC ELIGIBILITY POLICY

The Elk Point-Jefferson School has very high expectations of our students. We believe that it is a privilege to participate in our extra-curricular and co-curricular activities. If the student participant does not maintain a minimum level of academic standing he/she will not be able to participate in these activities.

Every participant shall have all passing grades during each four and one-half reporting period, a passing grade consisting of a D-. If he/she does not, he/she will be ineligible to participate for at least one full week in all school activities that are considered co-curricular or extra-curricular. A week is from Monday until the following Monday when the grade is checked. If they are not passing after one week they will be ineligible for an additional week. They will only be eligible when they have a passing grade. The students are responsible for reporting a passing grade to the Activities Director in the form of a note from the teacher. If the affected students do not get their grade checked by Monday then they will become automatically ineligible for another week. The Activities Director will in turn report the status of the eligibility to the director of the activity. The students will be eligible the Monday that the grade has been reported as passing. The period of ineligibility will begin the Monday following the report of the failing grade. There are no exceptions to this policy.

The principal will be responsible for providing the Activities Director with a list of the students failing courses and notifying the students of their ineligibility. The Activities Director will provide an updated list weekly on the status of the students' eligibility that will be distributed to the teachers and directors of the activities.

At the semester break, eligibility will be based on the second nine weeks grade, not the semester grade. If a student is failing a course after the second nine weeks, he/she will not be eligible until the first day of the second semester. If a student fails a course after the fourth nine weeks, the student will sit out one contest after the school year ends. This contest may be in the spring (golf or track post season) or it could carry over into the fall sports season.

ACCIDENTS

The school district provides, through student payment, for accident insurance for students who desire it. The school assumes no responsibility for injuries incurred by any student. When a child is injured, injury is reported immediately to the principal's office. Registration information requires the name of the family physician that may be called in case a parent cannot be reached. Table of Contents

ACTIVITY TICKETS

Activity tickets for grades K-12 will be priced at $25.00. Tickets may be purchased in the high school office. Tickets are good for all home events except tournaments.

There will be no passes to leave the building after once entering. Students will have to pay to enter again if they leave.

The price of admission to all athletic events will be $5.00 for adults and $3.00 for K-12 students. Adults may also buy activity tickets through the school for $45.00. Prior to the first athletic event of the school year, adult and student activity tickets may be purchased in the principal's office.

Senior citizens (62 and older and residents of the Elk Point-Jefferson District) may pick up activity tickets at the school that will allow them free admittance to all school events (except tournaments). Table of Contents

ASSAULT ON A SCHOOL EMPLOYEE OR STUDENT

A student shall not intentionally cause or attempt to cause physical injury or intentionally behave in such a way as could reasonably cause physical injury to a school employee, another student or other persons not employed by the school.

- On the school grounds during and immediately before or immediately after school hours;
- On the school grounds at any time when the school is being used by a school group, or;
- Off the school grounds at a school activity, function or event.

Neither self-defense nor action undertaken on the reasonable belief that it was necessary to protect some other person is to be considered an intentional act under this rule. Table of Contents

ATHLETIC TRAINING RULES

*****See Activities Handbook http://www.epj.k12.sd.us/activities/11.12-Activities/HANDBOOK.Activities.11.12.pdf**

BIRTH CERTIFICATE LAW

It is a requirement that schools have on file a copy of a certified copy of a birth certificate for each newly enrolled student. This law affects students who move into the district, as well as all incoming kindergartners. A certified copy of a birth record may be obtained from the South Dakota Department of Health, Vital Records Office, 523 E. Capitol, Pierre, SD 57501. Birth records may also be obtained from any county in the State of South Dakota. (Records for adopted children are available only at the state office). Birth records of children born out-of-state must be obtained from that state. The address of the appropriate office in any state may be obtained from the Vital Records Office, (605) 773-4961. To receive a certified copy of a birth record, send the child's name, date of birth, and a $7.00 fee to the appropriate county or state office. **The certified copy of the birth record must be presented on or before the date of enrollment in school.** Table of Contents

BOOK FINES

The district furnishes library books and magazines. Book fines will be levied against those students who purposely mutilate or lose their books. The school librarian will determine these fines. Table of Contents

BUILDING HOURS

Regular building hours are 7:30a.m. - 4:00 p.m. Classes begin at 8:15 a.m. and conclude at 3:07 p.m. It is not possible for us to provide supervision for students whose parents begin work earlier. In the case of one who should arrive earlier and it is inclement weather, the lunchroom area and commons will be open at 7:45 a.m. for use as study areas. Table of Contents

BULLYING & HARASSMENT POLICY

The Elk Point-Jefferson School District is committed to maintaining a constructive, safe school climate that is conducive to student learning and fostering an environment in which all students are treated with respect and dignity.

SECTION 1 – Policy Statement

The District is committed to maintaining a constructive, safe, and bullying-free school climate that is conducive to all students' educational opportunities and which fosters an environment in which all students are treated with respect and dignity. Bullying can inhibit a student's educational opportunities and may also have long-term negative effects on a student. Bullying of students shall not be tolerated and is strictly prohibited. Bullying of

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

This policy shall not be interpreted or applied to prohibit civil exchange of opinions or debate protected under the state or federal constitutions if the opinion expressed does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others. However, conduct which substantially interferes with the work of the school, causes material and substantial interference with school work and discipline, and might reasonably have led school authorities to forecast substantial disruption of or material interference with school activities is not constitutionally protected speech and is therefore prohibited under this policy.

All students, parents, employees, guests, visitors, volunteers and vendors shall conduct themselves in a civil and responsible manner and in a manner consistent with school policies related to student, parent, employee and visitor conduct. This policy prohibiting bullying shall apply to all students, parents, employees, guests, visitors, volunteers 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 shall investigate all reported instances involving bullying. Unless a different person is designated by the Superintendent to conduct the investigation, the Principal of the school attendance center where the bullying is alleged to have occurred is responsible for investigating the alleged bullying. Allegations of bullying may also be reported by the administration to other authorities, including but not limited to law enforcement.

Students who violate this policy 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. Parents, guests, visitors, volunteers, and vendors who violate this policy may be prohibited from being on school property.

Pursuant to state law:

A. any school district employee, school volunteer, student, or parent who promptly reports in good faith an act of bullying to the appropriate school district official as designated in the school district's policy, and who makes the report in compliance with the provisions of the school district's policy, is immune from any cause of action for damages arising from failure to remedy the reported incident, and

B. no cause of action is created against the school district, school district employee, school volunteer, student, or parent unless there has been substantial noncompliance with the school district's policy which results in injury to a person.

The District will maintain confidentiality to the maximum extent possible under the circumstances. However, a person reporting bullying conduct must understand that should the administrator who is investigating the report determine there is reasonable cause to suspect that bullying did occur which could result in administrative discipline or a referral to the School Board, the person alleged to have abused the other person may have the right to know the identity of the person(s) making the report in order that he/ she may have an opportunity to defend himself/herself.

The District strictly prohibits retaliation against any person because he or she has made a report, testified, assisted, or participated in the investigation of a report of alleged bullying. Retaliation includes, but is not limited to, any form of verbal or physical reprisal or adverse pressure. The person(s) alleged to have bullied another person shall not directly or indirectly (such as through another person) harass, pressure, or retaliate against any other person because of the complaint being reported. A violation of this provision may lead to separate disciplinary action based on the retaliation. Any person who believes he or she is being subjected to retaliation because of his or her involvement with a bullying report should immediately contact a school administrator.
Complaints against school employees and complaints related to Sexual Harassment are addressed through other school district policies and not through this policy.

SECTION 2 – Bullying Defined

A. Bullying is an intentional isolated act or pattern of repeated conduct toward another person that is sufficiently severe and offensive to a reasonable person, and

1. has the purpose or effect of creating an intimidating, hostile or offensive school environment for one or more students, parents, employees, guests, visitors, volunteers or vendors, and/or

2. has the purpose or effect of substantially or unreasonably interfering with a student's educational opportunities (i.e., academic, co-curricular activities, extra-curricular activities, and social opportunities, etc. within the school environment), employee's and volunteer's work environment or performance, or access by parents, guests, visitors or vendors, and/or

3. places a person in reasonable fear of harm to his or her person or damage to his or her property, and/or

4. causes physical hurt or psychological distress to a person, and/or

5. constitutes retaliation against any person for asserting or alleging an act of bullying, and/or

6. disrupts the orderly operation of a school.

B. Bullying conduct includes threats, intimidation, physical violence, theft, destruction of property, hazing, stalking (SDCL 22-19A-1), harassment (SDCL 22-19A-4), and threatening or harassing contact by telephone or other communication devices, commonly referred to as cyberbullying (SDCL 49-31-31). Neither the physical location nor the time of day of any incident involving the use of computers or other electronic devices is a defense to any disciplinary action taken by the School District for conduct determined to meet the definition of bullying in SDCL 13-32-15.

1. Hazing defined: any verbal or physical act or acts done on school property or at a school activity which directed toward another person and done for the purpose of initiation into any group, regardless of whether the group is a school sanctioned organization, when the act or acts causes or may create a reasonable risk of causing mental, emotional or physical harm to the person who is the recipient of the act or acts.

2. Stalking defined: willfully, maliciously, and repeatedly following or harassing another person; making a credible threat to another person with the intent to place that person in reasonable fear of death or great bodily injury; or willfully, maliciously, and repeatedly harassing another person by means of any verbal, electronic, digital media, mechanical, telegraphic, or written communication.

3. Harass defined: a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, or harasses the person, and which serves no legitimate purpose.

4. Threatening or harassing contacts by telephone or other electronic communication device defined: using or knowingly permitting a telephone or other electronic communication device under his or her control for any of the following purposes:

(1) to contact another person with intent to terrorize, intimidate, threaten, harass or annoy such person by using obscene or lewd language or by suggesting a lewd or lascivious act,

(2) to contact another person with intent to threaten to inflict physical harm or injury to any person or property,

(3) to contact another person with intent to extort money or other things of value,

(4) to contact another person with intent to disturb that person by repeated anonymous telephone calls or intentionally failing to replace the receiver or disengage the telephone connection.

SECTION 3 – Reporting Procedure

Any individual who believes that he or she has been or is being subjected to bullying or has reason to suspect another person has been or is being subjected to bullying should immediately report it to a teacher or school

administrator. The report may be made verbally or in writing. A report may be made anonymously, although disciplinary action may not be based solely on an anonymous report. If disciplinary action is being requested, the individual reporting the bullying will be asked to either submit a signed written complaint or sign a completed Bullying Report Form, Exhibit JFCD-E(1), verifying the accuracy of its content. The written complaint or Bullying Report Form must include the following:

- the date the written complaint was filed or the Bullying Report Form was completed,
- the school employee receiving the complaint (if applicable),
- the name of the person reporting the bullying,
- the address/phone # of the person reporting the bullying,
- the specific conduct or nature of the bullying complaint including the person(s) alleged to have bullied 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 bullying.

If the signed written complaint was given to a teacher, or if the Bullying Report Form was completed by a teacher, the teacher shall forward the complaint or Bullying Report Form to the teacher's building principal.

SECTION 4 – Procedure for Addressing Bullying Complaints

STEP 1: Principal.

Should there be a report which alleges a District student, parent, employee, guest, visitor, volunteer or vendor has been subjected to bullying, an investigation into the alleged bullying will be initiated. The District's investigation may include, but is not limited to, such things as interviewing individuals with actual or possible knowledge regarding the conduct in question, identifying facts related to the conduct in question, identifying when and over what period of time the conduct is to have occurred, determining whether the conduct negatively affects the educational opportunities or employment condition of the victim, identifying prior history of a similar nature by any of the individuals involved, and attempting to obtain possible verification from other persons. The investigation shall be conducted promptly and completed in a reasonable time frame given the nature of the complaint.

The person alleged to have bullied another person will be notified that a complaint has been filed pursuant to this policy and that the complaint is being investigated. The name of the person making the complaint will not be disclosed to the person alleged to have violated this policy unless and until the investigation results in a determination that there is reasonable cause to suspect that bullying did occur.

Upon reasonable suspicion by the school administrator responsible for the investigation that the allegation of bullying may be true, the employee, student or other person accused of bullying conduct shall be notified in writing that reasonable suspicion exists that the complaint may be valid, including a statement of the facts supporting the determination that reasonable suspicion exists, and the name of the alleged victim.

The person alleged to have bullied another person in violation of this policy shall be afforded an opportunity to respond to the allegation of bullying but is not required to submit a response.

Pending the outcome of the investigation the school administrator responsible for conducting the investigation may take such action consistent with school policy and state law as deemed appropriate in order to facilitate the investigation and protect the rights of all persons involved. If there is reasonable suspicion to believe that a person bullied another person while at school or at a school activity on non-school property in violation of this policy, the administration may prohibit that person from being on school property or at school activities.

Upon reasonable suspicion by the school administrator responsible for the investigation that the allegation of bullying may be true, the employee, student or other person accused of bullying conduct shall be notified in writing that reasonable suspicion exists that the complaint may be valid, a statement of the facts supporting the determination that reasonable suspicion exists, and the name of the alleged victim and complaining individual(s).

The person alleged to have bullied another person in violation of this policy shall be afforded an opportunity to respond in writing to the notification of alleged bullying but is not required to submit a written response.

At the conclusion of the investigation, the Principal shall make a determination as to whether bullying did occur or whether the facts are insufficient to determine that a determination that bullying occurred. The complainant and the person alleged to have bullied another person will receive written notice of the Principal's determination. Should the Principal conclude that bullying did occur, the Principal shall take such action as deemed appropriate, which may include imposing disciplinary consequences on the person found to have violated this policy prohibiting bullying.

STEP 2: Appeal to the Superintendent

The following procedure shall be used to address an appeal of the Principal's decision in Step 1 to the Superintendent :

1. If either party is not satisfied with the Principal's decision, or if the Principal does not render a written decision within fourteen (14) calendar days of the request for a decision on the merits of the complaint, that party may appeal to the Superintendent by filing form JFCD-E(2). The appeal must be filed within ten (10) calendar days of receipt of the Principal's written decision, or ten (10) days of the deadline for the Principal's written decision, whichever comes first. The appealing party must attach the Principal's written decision.

2. 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 principal's decision, or the Superintendent may refer the matter back to the Principal for further investigation and supplemental decision which decision may restate, modify or reverse the Principal's initial decision. A supplemental decision by the Principal after a referral back to the Principal is subject to appeal to the Superintendent. The time frame for rendering a decision by the Superintendent may be extended by the Superintendent for good cause and upon written notification to all parties, which notification shall identify the reason for the extension and the date on or before which the decision shall be rendered.

STEP 3: Appeal to the Board

If either party is not satisfied with the Superintendent's decision, or if the Superintendent does not 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 JFCD-E(3) 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 Principal's 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 bullying 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 bullying 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 bullying 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 Principal 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 bullying, 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 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 to circuit court pursuant to SDCL 13-46-1.

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BUSING

The bus companies and the school officials want the students' safety and convenience to be of the utmost concern. Students and parents should be aware of the following guidelines:

- Be on time. The bus cannot wait and be expected to maintain its schedule.
- Take a seat immediately after boarding and remain seated throughout the trip until the bus has come to a complete stop in front of the school.
- Keep feet, books and bags out of the aisle.
- Keep your head, hands and feet inside the bus at all times. Do not holler out the bus windows at any time.
- Keep the bus clean. No gum, food or drinks on the bus.
- Do not damage the bus equipment. When damage is noted, report it to the driver so it can be fixed.
- Talk quietly to bus friends. Loud talking and laughter cause the driver to be distracted. Pushing, screaming, and scuffling is very dangerous; it can cause the driver's attention to be suddenly diverted from the road.
- Do not talk to the driver while he/she is driving except in case of an emergency. One should be especially quiet at railroad crossings in order to help the driver listen for trains.
- Transportation of animals except service dogs accompanying the disabled are prohibited.
- If parents want their children to ride on a different bus, or bring a friend on the bus, the child must have a signed permission slip from parents.
- If you do not want to ride the bus on a particular day or days, please phone either your bus driver or 605.356.5950 or the stop before yours on the bus route and have them tell the driver.
- If a student is kept after school for any reason, the bus will not wait for him/her.
- Firearms, knives, explosive, or other dangerous objects are prohibited.

Don't lose your riding privilege by failing to comply with the above rules. Table of Contents

CANCELLATION OF SCHOOL

In the case of school being called off because of emergencies - such as inclement weather or other such emergencies, the announcement will be given over local TV, radio stations, school website, and Infinite Campus notification system. If you wish to make provisions for early dismissal during the day due to emergency school closing please make special arrangements with your child's teacher. **Do not call the school, as school telephones are needed for emergency calls. Listen to your local TV, radio stations, and school webpage at www.epj.k12.sd.us.**

CANDY, POP AND FOOD IN SCHOOL

Students are directed to refrain from bringing pop, food, and candy into the school building either before or during the school day. Pop, food, and candy of this nature which is not part of a sack lunch will result in immediate confiscation. Confiscated items will be held in the school office and returned to the student at the end of the school day. Failure to pick up confiscated items will result in said items being thrown away.

In addition pop, food, and candy is not to be stored in lockers. Students found in violation will have these items confiscated. Any student found to be eating or drinking any unauthorized item will be issued a

detention. Continued abuse can result in further disciplinary action including but not limited to detention or possible in school suspension.

CHURCH NIGHTS - WEDNESDAY / SUNDAY
There will be no school activities scheduled on Wednesday evening after 6:30. There is no organized school sponsored student activity of any kind in the building on Sunday. Table of Contents

CLOSED CAMPUS
Elk Point-Jefferson High School has a closed campus. No student will be allowed to leave the school without the permission of the principal. Permission will not be given unless there is a verbal or written statement from the parent to the principal's office requesting that the student be given permission to leave the school or the school grounds.

Permission shall be granted only for emergencies. Students must sign out of the principal's office when leaving school. Students must sign in when they return to school. Table of Contents

CO-CURRICULAR DRUG / ALCOHOL ABUSE POLICY
*****See Activities Handbook http://www.epj.k12.sd.us/activities/11.12-Activities/HANDBOOK.Activities.11.12.pdf**

COMPUTER AND/OR COMPUTER SERVER AND/OR INTERNET MISUSE
*****See Laptop Policy Handbook http://www.epj.k12.sd.us/Technology/Epj-Laptop-Policy.pdf**

CONDUCT AT SCHOOL ACTIVITIES
Students are encouraged to attend and support all school-sponsored functions. The following rules apply:

School Parties, Mixers or Dances: All administration approved school parties, mixers or dances may continue until 12:00. Any person admitted to a dance or party must remain in the school building until he/she is ready to leave. No one will be allowed to re-enter the dance or party after once having left. Doors may be closed or locked one-half hour after the start of the dance or party. Proper conduct must be observed. Chaperones may immediately remove any student misbehaving. Any student ejected for misbehavior may be excluded from future mixers and/or activities for the rest of the school year. Middle school students are not permitted at senior high parties, mixers and dances. High school students are not permitted at middle school parties, mixers and dances. No out-of-district students are permitted at Middle School events.

Assembly Programs, Play, Concerts, Etc.: Students are expected to attend, listen and be courteous.

Athletic Events: School Spirit and Conduct: At athletic events, spectators must conduct themselves with behavior consistent with good sportsmanship. Citizens of Elk Point-Jefferson School District must share the responsibility, individually and as a group, for making our school the best school. A school is made up of people, of whom students are the majority. School spirit is the result of all school citizens working and playing together to develop mutual courtesy, cooperation and pride. Disruptive behavior by students at an extra-curricular event will result in the student being sent home. Table of Contents

Acceptable Student Behavior at home sponsored and away activities

- You are encouraged to arrive and be at the game with an adult.
- Remember, you should be going to the game to watch the game and support our Husky teams.
- No footballs, soccer balls, kick balls, etc. are allowed in the football stadium or anywhere else. They will be confiscated by game supervisors. There is no ball playing, tag games, etc. allowed near or on the field behind the stadium.
- Students may sit in the bleachers at a designated location or they may sit with their parents.
- Students must be seated during the game. You are not allowed to wander aimlessly, mill around rough-housing or run around the area.

- Concessions are available at the concession stand for you to enjoy. Students should refrain from using bottles or other concession items to strike or throw at others. Students should return to their seat after going to the concession stand and dispose of your trash items appropriately.
- Always exhibit good sportsmanship.
    - Be respectful during the National Anthem, school songs, and player introductions.
    - Never boo or yell at officials or opposing players or people from the other town.
    - Cheer for our Husky teams.
    - Represent EPJ in a positive manner.
    - Be respectful of all other students and adults attending the game.

Anyone misbehaving may be asked to leave and be subject to further disciplinary actions.

Once you leave you may not come back in.

DEFACEMENT OF SCHOOL PROPERTY
Chapter II, Section 19, School Law Act of 1955, reads as follows: "Any pupil who cuts, defaces, or otherwise injures any school house, apparatus, or outbuilding thereof is liable to suspension, expulsion, and, on the complaint of the teacher, parents, or guardians of such pupils shall be liable for all damages."

This act is supported by the Elk Point-Jefferson School Board of Education. Table of Contents

Damage or Destruction of School Property
A student shall not intentionally cause or attempt to cause substantial damage to valuable school property or steal or attempt to steal school property of substantial value. Repeated damage or theft involving school property of small value also shall be a basis for long-term suspension or expulsion from school. Table of Contents

Damage or Destruction of Private Property
A student shall not intentionally cause or attempt to cause substantial damage to valuable private property or steal or attempt to steal valuable private property either on the school grounds or during a school activity, function, or event off school grounds. Repeated damage or the theft involving private property of small value also shall be a basis for long-term suspension or expulsion from school. Table of Contents

DETENTION
Elk Point-Jefferson School does use a detention system in which students are given an opportunity to make up work, spend time as assigned by various instructors, or serve a penalty for failure to adhere to school and/or classroom rules. Efforts will be made to provide each student with the opportunity to arrange for transportation or other pre-arranged needs. However, some detentions will require the student to stay the same afternoon of the day that said student is assigned to detention.

All detentions, regardless of the infringement, will constitute a fifty minute penalty. Students who arrive at 3:10 will be released at 4:00. Students failing to appear for the initial detention will be subject to Saturday School Services as according to the discipline matrix. If students have needs which arise that conflict with the detention penalty, they are to contact the cooperating teacher or principal and request, before the date and time of the detention, a reschedule. Detentions will be rescheduled if sufficient claim and supporting information is available. Calls will be placed to verify said supporting information.

The principal reserves the right to administer detentions before school if the situation merits. Table of Contents

DISCIPLINE
Board Policy Regarding Students and Student Discipline

The board recognized the right of due process in cases of discipline and punishment. A good discipline can be enforced or established in a school system based on rules alone and not any means of physical force or corporal punishment. The students must learn to respect the law and its punishment and not certain people and their punishment. If a teacher or administrator uses physical force, that action or practice only teaches by example to fear the physical punishment and that person as an end, not to fear law as an end.

In this system, the teacher is the first step in maintaining a discipline where teaching and learning can be an uninterrupted process for a time period of optimum efficiency. If a student is a continual problem in a certain classroom environment and he/she is hindering the learning process of other students, the next authority the problem-student reckons with is the principal. Then, based on the outcome of the meeting with the principal, the student either returns to class or he/she is sent up the line of authority, to the superintendent. If there is no satisfactory resolution at that level, the student can have a hearing with the board. In most cases, when a student has a hearing with the board because of a discipline problem, the case before the board will be dealing with the expulsion of the problem student.

Hence, the due process procedure is entrenched in the Elk Point-Jefferson School District and the students have the opportunity to use it and to understand the law and the penalties for breaking the law. The administration reserves the right to issue a penalty/discipline that is proportionate to the violation incurred. Proportionality will be based upon situational circumstances, attitude/cooperation of the individual(s), and prior disciplinary events. Table of Contents

DISRUPTION OF SCHOOL

A student shall not by use of violence, force, noise, coercion, threat, intimidation, fear, passive resistance or any other conduct intentionally cause the substantial and material disruption or obstruction of any lawful mission, process, or function of the school. Neither shall he/she engage in such conduct for the purpose of causing the substantial and material disruption or obstruction of any lawful mission, process or function of the school if a substantial and material disruption is reasonably certain to result. Neither shall he/she urge other students to engage in such conduct for the purpose of causing the substantial and material disruption of any lawful mission, process, or function of the school if a substantial material disruption or obstruction of any lawful mission, process, or function of the school illustrates the kinds of offenses encompassed here:

- Occupying any school building, school grounds, or part thereof with the intent to deprive others of its use;
- Blocking the entrance or exit of any school building or corridor or room therein with intent to deprive others of lawful access to or from, or use of, the building or corridor or room;
- Setting fire to or substantially damaging any school building or property;
- Firing, displaying, or threatening use of firearms, explosives, or other weapons on the school premises for any unlawful purpose;
- Prevention of or attempting to prevent by physical act the convening or continued functioning of any school class, or activity of any lawful meeting of a class or school activity;
- Except under the direct instruction of the principal, blocking normal pedestrian or vehicular traffic on a school campus;
- Continuously and intentionally making noise or acting in a manner of as to interfere seriously with the teacher's ability to conduct his/her class.

South Dakota Codified Law 13-32-6. Disturbance of school as misdemeanor. A person, whether pupil or not, who intentionally disturbs a public or nonpublic school when in session or who intentionally interferes with or interrupts the proper order or management of a public or nonpublic school by acts of violence, boisterous conduct, or threatening language, so as to prevent the teacher or any pupil from performing his duty, is guilty of a Class 2 misdemeanor. Table of Contents

DRESS CODE

There are certain restrictions necessary on the student's dress and grooming when such dress and grooming create a health or safety hazard; invade the rights of others; or, be disruptive to the educational environment by detracting from the decency and decorum in school. It will be the responsibility of the administration to determine violations of the intent to this policy and take necessary corrective action. Students will be responsible to adhere to the dress code throughout the school day.

- Caps, hats, sunglasses, bandanas, and headgear are to be removed and placed in lockers during the school day. Hoods must be lowered. Headbands may be used to hold back hair.
- All winter coats, parkas, and trench coats will not be allowed in classrooms and must be placed in a school locker or other designated area.
- No apparel or articles that promote or suggest alcohol, tobacco, or drugs are allowed in school. Apparel or articles containing messages, lettering, markings or pictures that convey profane or vulgar meanings or may relate to sex, race, gangs, or cults will not be tolerated if worn in school. Clothing/Items Not Allowed:
    1. Advertisement/references to alcohol, tobacco, nicotine delivery device or drugs.
    2. Advertisements for establishments that do not allow minors.
    3. References to prison or gang affiliation.
    4. Markings, pictures, or lettering that convey profane, obscene, or sexual innuendo will not be permitted. Examples include, but are not limited to, Playboy, Hooters, Big Johnson, etc.
    5. Chains on clothing or chains connected to student wallets.
    6. Spiked necklaces or hazardous jewelry.
- Footwear is to be worn in the building at all times throughout the school day. (No wheel is allowed in the sole of shoes.)
- All pants, shorts, skirts, etc. must be worn at the natural waistline and be held up if needed by a belt. Pants, shorts, and skirts with holes above mid-thigh violate the dress code.
- Shirts, pants, shorts, skirts, etc. must conceal all undergarments.
- Clothing must not be brief or revealing. Garments that are cut low and expose visible cleavage, expose one's midriff, or expose undergarments are not allowed. Halter tops, exposed midriffs, strapless and/or low cut tops, exposed backs, spaghetti straps, and see through clothing are not permitted. (See through tops may only be worn if the clothing underneath meets the dress code requirements.)

Exemptions to the dress code may be made by the building principal or activities director, in cooperation with the sponsor, coach, or other individuals, when technical violations occur through a school uniform, costume, or other extra/co-curricular activities and events.

Violation of the Dress Code: Students in violation of the dress code will be given three choices for correction of the violation.

- Modify their dress into an acceptable change of clothing presently at school.
- Change into acceptable clothing provided by the administration.
- Be assigned to in-school suspension either for the remainder of the day or until a parent or designee brings an acceptable change of clothing to the school.

Repeated dress code offenses will result in more serious disciplinary action. Appropriate discipline procedures shall be followed in all cases in accordance with the disciplinary procedures outlined in the student handbook under Class Two Offenses. Table of Contents

DROPPING OR ADDING BAND/CHOIR

Students in middle school have the option to drop band or choir at the end or beginning of a quarter. Students must obtain the drop form from the band or choir instructor and then follow the procedure collecting the appropriate

signatures to document parental approval before the add/drop is verified by the director, the MS principal and guidance counselor. Students will not be allowed to drop band or choir during the middle of any given term.

DUE PROCESS

Rules of Department of Education and Cultural Affairs, Division of Elementary and Secondary Education, School Supervision: Student due process law passed on August 9, 1974 amended in 1981, pursuant to the authority of SDCL 13:37;1, the following rules are adopted by the State Board of Education.

Minimum Hearing Procedure for Short-Term Suspension

The following shall constitute the minimum procedure to be followed prior to short-term suspension of a student:

If a short-term suspension for class, classes, or school is anticipated because of a pupil's violation of a rule, regulation or policy, the principal shall give oral or written notice to the pupil as soon as possible after discovery of the alleged violation stating the basis for the suspension. The pupil shall be given the opportunity to answer the charge. When a pupil is suspended following the hearing, the parent shall be given the opportunity to answer the charges. When a pupil is suspended following the hearing, the parent shall be given oral notice, if possible, and sent a written notice. However, a pupil shall not be removed from the school premises before the end of the school day without contacting the parent.

(Notes as to Procedure)

A. The suspension is from school in total or an individual class or classes.

B. The principal only is required to give oral or written notice to the student prior to the informal hearing, not to the parent, and the student is only given the opportunity to answer the charges.

C. If the decision to suspend the pupil results from the informal hearing, the parent must then be given oral notice if possible, and must be sent a written notice, even if the parents were orally notified.

D. The written notice to the parent should advise what the student did wrong, the rule or policy it violated, the student's side of the story, and the punishment or suspension to be given.

E. Particular attention should be paid to the fact that no student can be removed from the school premises until the end of the normal school day without contacting, not attempting, but actually contacting the parent.

Minimum Hearing Procedure for Long-Term Suspension or Expulsion

The following shall constitute the minimum hearing procedure to be followed prior to a long-term suspension or expulsion of a student:

A. Written report required if a long-term suspension or expulsion is anticipated because of a pupil's violation of a rule, regulation or policy, the principal shall file a written report with the superintendent by the end of the school day following the day of discovery of the alleged violation.

B. Notice of hearing if the superintendent deems that there are grounds for long-term suspension from a class, classes, or for expulsion from school, the superintendent may exclude the pupil from a class or classes before the hearing by using the short-term suspension procedure. The superintendent shall give notice of the necessity for the hearing in writing to each school board member. A written notice shall be given to the pupil's parents. The notice will contain the following information:

1. The rule, regulation or policy allegedly violated and the acts of the student thought to have violated the rule;
2. A tentative time, date, and place for the hearing;
3. A description of the hearing procedure to be used;
4. A summary of current evidence and a list of proposed witnesses to support the alleged misconduct, and the reason for the disciplinary proceedings;

5. A statement that the pupil's records are available at the school for examination by the pupil's parents or their authorized representative;

6. A statement that the pupil may present witnesses and evidence should be submitted to the superintendent at least one school day prior to the time set for the hearing;

7. A statement that before long-term suspension or expulsion can be evoked, the student has a right to a hearing which may be waived by the student, if of the age of majority or emancipated, or the pupil's parents if they agree to forego the hearing by furnishing the superintendent or his designee within 24 hours after receipt of notice as to whether they will waive the hearing. If no notification is received, the hearing schedule will be observed, except that at anytime during the procedure, the hearing may be waived by the student or parent, as applicable.

C. Group hearing when more than one student is charged with violating the same rule and it is known that they have acted in concert, and the facts are basically the same for each of the students, a single hearing may be conducted for all of them if the board believes that the following conditions exist:

1. Single hearing will probably not result in confusion, and destroy the fact-finding procedure; and

2. No student will have his/her interest substantially prejudiced by a group hearing. If, during the hearing, the board finds that the group hearing will substantially prejudice a student's interest, it may order a separate hearing for that student.

D. Hearing procedure - The school board shall constitute the hearing board. A school board member or a school board designee who is not an employee of the school district shall be appointed as presiding officer.

1. The presiding officer shall have authority and discretion to limit unproductively long, immaterial, repetitious questioning; however, all relevant evidence shall be admitted, and each party shall have the opportunity and privilege of raising objections;
2. The hearing shall be closed to the public, even if requested by the student or parent to be open, and there shall be no verbatim record by mechanical or electronic means;
3. Witnesses for both sides may only be present when testifying, and all witnesses shall take an oath or affirmation to be administered by the school board president or business manager or school attorney;
4. Each party may be given the opportunity to make an opening statement and a closing statement at the conclusion of all presentations. Each party may introduce evidence, present witnesses, and examine and cross-examine witnesses about any matters logically relevant to the charge against the student and the proper disposition of the matter at hand. Further, the presiding officer may ask questions of witnesses and may allow other school board members to interrogate witnesses;
5. Each party may be represented by an attorney, and the administration shall present its case first, which presentation should at least contain evidence of the rule, regulation of policy violated, and evidence and testimony relative to conduct which demonstrates the student's violation of said rule, regulation or policy;
6. The student shall have the right to speak in his own defense, present witnesses and other relevant evidence. The student and all witnesses so presented may be questioned on their testimony, or the student may choose not to testify, in which case he/she shall not be threatened with punishment or later punished for refusal to testify, nor shall such refusal in any way be construed as an indication of guilt;
7. The parent should be present at the hearing and should have an opportunity to make a statement to the board on their feelings about the proper disposition of the case and to answer questions in the same manner as other witnesses;
8. If any person to whom notice is to be given cannot be notified or cannot be present at the hearing because of extenuating circumstances, the school board shall postpone the hearing until notification of such person is possible;

9. If the student, his parent, or representative, do not waive their right to the hearing or request of postponement for a good and sufficient cause, and are not present at the time and place scheduled in the hearing notice, the hearing shall proceed without them.

Decision

After the hearing, the school board shall continue to meet in executive sessions for deliberation. No one other than the presiding officer of the hearing shall meet with the school board during deliberation. Consultation with any other persons during deliberation shall occur only if a representative of the pupil is present.

The decision of the school board shall be based solely on the evidence presented at the hearing and shall be formalized by motion made in open meeting. The monitor shall omit the name of the pupil and shall state the reason for the board's action. The pupil or pupil's parents shall be notified in writing of the decision. The notice shall state the length of suspension or expulsion.

Majority Vote Required

On question of whether the student violated a reasonable rule on misconduct, the board shall reach its decision by a majority vote. If no misconduct is found, the matter is terminated and no further action may be taken against the student.

Appeal

An adverse decision to the student by the school board may be appealed pursuant of law.

Review of Expulsion During First Semester

If a student is expelled from school during the first semester of any given school year, his/her expulsion may be reviewed by the school board before the beginning of the second semester. This review may lead to a recommendation that the student shall be reinstated for the second semester.

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EIGHTH GRADE/ALGEBRA I

The Elk Point – Jefferson School District offers Algebra I in the eighth grade. Eighth Grade Algebra I is a high school equivalent class. Standards examined will be in parallel to those contained within the current high school Algebra I class. Placement into Eighth Grade Algebra I is determined using the following criteria: algebra prognosis examination, Dakota Smarter Balanced exam scores, scholastic grades from grades six and seven, attendance records, and teacher recommendation from middle school staff on the basis of ability, work ethic, cooperation, and attitude.

High school credit will be granted for Algebra I in the eighth grade due to successful completion of the course. The grade for the class will be recorded on the high school transcript, calculated into the cumulative high school grade point average, and will count toward the twenty-two (22) required credits for graduation under the mathematics subsection. The grading scale used for the class will be the high school grading scale.

At the completion of the first semester, any student who has earned less than a 78% C- for the first semester will have his/her grades reviewed and a conference will be conducted. The conference will include the student, parent, teacher, and administrator to discuss the grade and resolution necessary. Possible resolution could include the student being reassigned to the eighth grade mathematics class if it is determined to be in the student's best present and future interests.

Upon completion of Eighth Grade Algebra I, the student will advance to Accelerated Algebra II. It should be recognized that any student may select to take Algebra I during his/her freshmen year due to poor performance, teacher recommendation or other. The student may only exercise this right for the freshmen year. The grade received for Eight Grade Algebra I will be struck from the transcript and replaced by the score received in the freshmen Algebra I class regardless of which is the higher score.

As according to established school policy, all students must take three years of mathematics during their four year high school career, i.e. grades nine through twelve. Students earning credit for Eighth Grade Algebra I are required to take three additional years of mathematics during their ninth through twelfth grade years as according to this policy. Table of Contents

Authority:
24:43:08:12. Adding waived course credits to high school transcripts. If the department has approved a waiver that allows a school district to teach a high school-level course to students below grade nine, credit for the course shall appear on each student's high school transcript with the unit of credit and a letter grade upon meeting the criteria for passage applied to the high school level. The unit of credit must be included in the credits required for high school graduation and the letter grade must be calculated in the high school cumulative grade point average.
Source: 32 SDR 196, effective May 28, 2006; 33 SDR 236, effective July 5, 2007.
General Authority: SDCL 1-45-13, 13-3-47, 13-5-34.
Law Implemented: SDCL 13-5-34.
http://www.doe.sd.gov/board/documents/111615rul.pdf

ELECTRONIC DEVICES
Cell phones may not be used in the building during the school day (8:15 – 3:07) and they must be turned off and left in student lockers. If a student is in violation of this rule, the cell phone will be considered a nuisance object and will be taken by staff and subject to detention or further disciplinary action. All other electronic devices, such as Smart Watches, Wireless headphones, IPods, MP3 players, CD/DVD players, cameras, pagers, etc. are prohibited unless used at the permission of school staff. Table of Contents

EXCURSIONS / FIELD TRIPS
Excursions or field trips are conducted during school time as planned culmination of a class or unit. Students are expected to comply with district busing rules when school vehicles are used and to leave and return on school vehicles when provided unless there is written permission from a parent or guardian stating otherwise. Students on field trips should view themselves as ambassadors of the school and behave in an orderly manner. Students are also encouraged to keep parents informed about excursions.

Field trips are to be cleared with the building principals. Excursions out of state are to be approved by the building principals and the superintendent. Table of Contents

FEDERAL PROGRAMS COMPLAINT POLICY
A parent, student, employee, or district stakeholder who has a complaint regarding the use of federal NCLB funds and is unable to solve the issue, may address the complaint in writing to the district's superintendent. Disputes addressing the enrollment, transportation, and other barriers to the education of children and youth experiencing homelessness are also addressed under this procedure. Parents, guardians, and unaccompanied youth may initiate the dispute resolution process directly at the school they choose, as well as at the district or district's homeless liaison's office. The parent or guardian or unaccompanied youth shall be provided with a written explanation of the school's decision including the rights of the parent, guardian, or youth to appeal the decision. Students should be provided with all services for which they are eligible while disputes are resolved.

- The superintendent will investigate, within one week, the circumstances of the complaint and render a decision, within two weeks, after receipt of the complaint.
- The superintendent will notify the complainant of the decision in writing.
- The complainant will be allowed one week to react to the decision before it becomes final.
- The complainant will either accept or disagree with the decision and will provide such acknowledgement in writing, addressed to the district superintendent.
- If the issue is not resolved with the superintendent, the complaint will be forwarded to the Elk Point-Jefferson School District's Board of Education for further review. The parent or guardian or unaccompanied youth shall be provided with a written explanation of the district's decision including the rights of the parent, guardian, or youth to appeal the decision.

- Unresolved complaints may be forwarded by the stakeholder to the South Dakota Department of Education for review. (Consult SD Department of Education Complaint Procedure.)

FIRE / DISASTER DRILLS
Disaster Drills
Our school is interested in providing a safe environment for your child's education. Disaster drills approved by the Local Department of Civil Defense are held at regular intervals. Two disaster drills are conducted annually.

Fire Drills
Fire drills are held according to the regulations suggested by the State Department of Public Safety. Two fire drills are conducted each semester. Table of Contents

FORGERY
Students committing forgery involving all types of passes and/or parental excuse notes as well as false phone calls will be subject to penalty. The penalties could range from being detained in study hall and homerooms to detention and suspension. Parents may be notified. Table of Contents

FUND RAISING AND DISTRIBUTION OF MATERIALS
The following school fund raising projects will be allowed on an annual basis:

Junior magazine drives to raise funds for prom activities. All other fund-raising activities must be cleared through the superintendent's office. This includes door- to- door sales of any kind. The following criteria will be considered in the decision to give permission:

- The date of the project in order not to conflict with other fund-raising activities:
- The particular organization seeking to use the students of the school in a fund-raising activity;
- The age level of the students involved in the activity, and;
- The purpose of the fund-raising activity.

Distribution of Materials to Students: Individuals, groups, or organizations will not be allowed to distribute informational materials to students, or solicit students for fund raising or memberships at any grade level, either in the classroom or on the school grounds without the explicit permission of the superintendent. Table of Contents

GENERAL SCHOOL REGULATIONS
Every individual is entitled to courtesy and consideration in his or her relationship with fellow students and teachers. Students must earn this courtesy and respect by extending the same consideration to fellow students and teachers. Actions, which injure others, damage private property, or obstruct the learning process or the operation of the school will not be tolerated. School rules are in effect at school, on school property, on busses or other transportation provided the school, and at school sponsored activities. Table of Contents

GRADE POINT AVERAGE PROCEDURE
Grade point averages will be calculated using the values listed within the grading scale. Table of Contents

GRADING SCALE
A uniform grading scale is a sound academic tool. It provides consistency and allows the teachers and students to know what the expectations of the class are prior to admittance in the class. The subjectivity of grading is still in control of the teacher. Table of Contents

Middle School Grading Scale						
A+	100	4.0		C	77-79	2.0
A	95-99	4.0		C-	74-76	1.67
A-	92-94	3.67		D+	71-73	1.33
B+	89-91	3.33		D	68-70	1.00
B	86-88	3.00		D-	65-67	.067
B-	83-85	2.67		F	0-64.49	0
C+	80-82	2.33				

GUARDIANSHIP
Any student who resides with a person who is not the student's parent, shall present (1) a Court Order appointing the person with whom the student resides as a legal guardian; or (2) other proper documentation from a state or federal agency placing the student with the person with whom they reside.

If a Court Order or other proper documentation has not been issued at the time of enrollment, the person with whom the student resides shall present a notarized statement to the superintendent of intent to seek such Court Order or other proper documentation. The person with whom the student resides shall then provide such Court Order or other proper documentation to the superintendent within thirty (30) days of the student's enrollment. Failure to present a Court Order or other proper documentation to the superintendent may require the automatic withdrawal of the student. Table of Contents

GUIDANCE K-12 http://www.epj.k12.sd.us/guidance/index.htm
Guidance and counseling services are provided K-12 in the Elk Point-Jefferson system to help students develop to their greatest potential. With increased awareness we have come to understand the importance of social and emotional development are of critical importance, if students are to receive maximum benefit from their school experience. The developmental guidance program is an integral part of the total school program. The curriculum consists of structured developmental exercises presented through classroom and group settings.

Future planning activities are generally initiated in the classroom and in-group settings, but eventually becomes the focus of individual sessions. They consist of activities to help student's plan, monitor, and manage personal, social, educational and career development.

Counseling services consists of activities that meet immediate needs and concerns of students. While counselors have special training and skills to respond to those needs, it takes the cooperation and support of the entire faculty and staff. Table of Contents

HALLWAY PASSES FROM CLASSES
When a student is in a regularly scheduled class, passes to the restroom, locker, etc., will not be issued except in case of emergency. Plan ahead. Be sure you have all necessary books, papers, project parts, etc., before you go to class. Table of Contents

HEALTH SERVICES

Students and faculty should be excluded from school activities for the following conditions:

 Chicken pox (Varicella): exclude until all lesions have dried and crusted or, in immunized children without crusts, until

no new lesions appear within a 24-hour period.

 COVID-19: exclude based on current CDC and SD Department of Health guidance, see doh.sd.gov.

 Diarrheal diseases: exclude while symptomatic only if person is unable to practice independent hygiene.

 Haemophilus influenzae type B, invasive (Hib): exclude until after the child has been cleared by a physician.

 HIV, Hepatitis B, Hepatitis C, and other bloodborne diseases: generally, no exclusion; considerations may exist if there is potential for bloodborne exposure. Consult healthcare provider for guidance.

 Hepatitis A: exclude until one week after onset of illness.

 Influenza and Influenza-like illness: exclude until fever has been absent for 24 hours in an unmedicated state.

Additional exclusions may be necessary for documented novel strain or pandemic influenza based on SD Department of Health and CDC guidance.

 Measles: exclude until four days after onset of rash.

 Meningococcal disease (Neisseria meningitidis): exclude until after 24 hours of antibiotic treatment.

 Methicillin-resistant Staphylococcus aureus (MRSA): exclude only if confirmed MRSA is present from a wound in which drainage is occurring and cannot be covered and contained.

 Mumps: exclude until five days after the onset of parotid gland swelling.

 Pertussis (Whooping cough): exclude until completion of 5 days of appropriate antibiotic treatment. If appropriate antibiotic treatment is not received, exclude until 21 days after onset of cough.

 Pink eye, head lice, ringworm, herpes gladiatorum, molluscum contagiosum, and skin rashes without fever: Consult healthcare provider for guidance.

 Rubella: exclude until seven days after onset of rash.

 Scabies: exclude until after treatment has started.

 Shingles (Herpes zoster): generally, no exclusion if lesions can be covered. If lesions cannot be covered, exclude until rash or lesions have crusted over.

 Strep throat and Streptococcal skin infections: exclude until after 12 hours of antibiotic treatment.

 Tuberculosis: exclude until a physician, concurring with the SD Department of Health, states the child is not infectious.

E. Immunizations-New Students

South Dakota State Law (SDCL 13-28-7.1) requires that any student entering school in this state, shall, prior to admission, be required to present to school authorities certification from a licensed physician that he/she has received or is in the process of receiving adequate immunizations according to the recommendations of the state Department of Health. (Adopted by Board of Education May 2011)

HOMELESS STUDENTS, ADMISSION OF:
Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act (Title X, Part C, of the No Child Left Behind Act) defines "homeless children and youth" as follows:

> **(A)** -individual who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103 (a) (1);
>
> **(B**) includes
> (i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; and are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
>
> (ii) children and youths who have a primary nighttime residence that is a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 103 (a) (2) (C);
>
> (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
>
> (iv) migratory children (as such term is defined in section1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

Enrollment
The School District shall make reasonable efforts to identify homeless children within the boundaries of the school district and immediately enroll the homeless student even if he or she is unable to produce records normally required for enrollment, including academic records, immunization records, proof of residency or other documentation.

Educational Barriers
The School District Administration shall attempt to remove or eliminate existing barriers to school attendance or educational programs which may exist in district policies or practices, in compliance with all applicable federal and state laws. Enrollment requirements, fees and charges may be waived at the discretion of the Superintendent.

Transportation Services
Transportation services will be comparable to those provided other students with the school district.

Immunizations
The District shall make a reasonable effort to locate immunization records from information available. The District shall arrange for students to receive immunizations through health agencies and at District expense if no other recourse is available. Immunizations may, however, be waived for homeless youth only in accordance with provisions of the school district policy on immunizations. The district may require a parent or guardian of a homeless student to submit contact information.

Nutrition Services
All students considered to be homeless shall be entitled to FREE status for all meals served within the school district's academic school day.

Comparable Services

Students identified as homeless shall be provided services comparable to other students of the district which includes, but not limited to, Special Education services for which the student meets eligibility criteria, such as education programs for disadvantaged students, students with disabilities, gifted students, vocational and technical programs, preschool programs, and programs for students with limited English proficiency.

Resolution of Enrollment Disputes
Disputes regarding the enrollment of homeless students shall be referred to the Superintendent. Parents/guardians or unaccompanied youth can provide either written or oral documentation to support their position. However, the student shall be provided with all services for which they are eligible while the dispute is being resolved. If a dispute is not resolved at the District level; the parent/guardian or individual student may forward the dispute to the South Dakota Department of Education for review. Table of Contents
(Adopted by Board of Education November 2008)

Student Residency Questionnaire Elk Point-Jefferson School District

This questionnaire is intended to address whether a child is eligible for services provided and required by the McKinney-Vento Act. Your answers will help the administrator determine residency documents necessary for enrollment of this student**.**

1. Presently, where is the student living?
. in a shelter
. with more than one family in a house or apartment
. in a motel, car or campsite
. with friends or family members (other than parent/guardian)
. none of the above choices apply (You do not need to complete the remainder of this form, if you check this box. Return form to school personnel.)

2. The student lives with:
. 1 parent
. 2 parents
. 1 parent & another adult
. a relative, friend(s) or other adult(s)
. alone with no adults
. an adult that is not the parent or the legal guardian

School:_____
Name of Student _____ Male ___ Female ____
Birth Date/Year _____ Age: ____ Social Security #_____
Name of Parent(s) Legal Guardian(s)_____
Address _____ ZIP:_____
Phone/Pager: _____
Signature of Parent/Legal Guardian _____Date: _____

If any of the first four boxes in question #1 were checked, fax this form immediately
to the District Homeless Liaison - please call the district office at 356-5950 for this person's information.

Name and phone number of school contact person who may know of the family's situation:
_____
Date faxed: _____

HONORS AND AWARDS
Honor Roll: An honor roll is published at the close of each nine weeks. In order for students to have their name placed on the "A" Honor Roll, they must have earned at least a 3.5 grade point average with no grade lower than a "B". Students who earn a 3.0 grade point average with no grade lower than a "C", will be listed on the "B" honor roll. All academic subjects are included when determining the honor roll.

IMMUNIZATIONS - NEW STUDENTS
South Dakota State Law (SDCL 13-28-7.1) requires that any pupil entering school in this state, shall prior to admission, be required to present to school authorities certification from a licensed physician that he/she has received a test for tuberculosis and adequate immunization according to the recommendations of the state department of health. Table of Contents

INSTRUMENTAL RENTAL POLICY

- Students who use a school-owned brass or woodwind band instrument, will pay a $50.00 rental fee.
- Percussionist will pay a $25.00 rental fee.
- A student who uses a second school-owned band instrument will pay an extra $10.00 fee (Example: French Horn and Mellophone)
- These rental fees will be used for the care and maintenance of the instruments.
- Students will be responsible for all repair charges to their horn over the course of the school year.
- Band instruments will be rented upon a first come, first serve basis.
- Any family/student who needs to set up a payment plan or cannot pay should contact the principal.

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INSURANCE
The pupil insurance program is optional and is offered as a service to all our students. Parents are given the opportunity of obtaining pupil insurance at fall registration. Table of Contents

INTERROGATIONS OF STUDENTS
It is the responsibility of the school administration to make an effort to protect each student's rights with respect to interrogations by law enforcement officials. Therefore:

- When law enforcement officials find it necessary to question students during the school day or periods of extracurricular activities, the school principal or the principal's designee will cooperate. An effort will be made to contact the student's parent or guardian so that the responsible individual may be notified of the situation.
- Parents or guardians will not be contacted in child abuse cases if the law enforcement official requests confidentiality.
- If custody and/or arrest is involved, the principal will request that all procedural safeguards, as prescribed by law, be observed by the law enforcement officials.

Revised: (ASBSD Policy Reference Manual, September 2007)

As a general guideline all students should have a same gender staff member present when gender sensitive interrogations are conducted. (Sexual harassment, etc.) Table of Contents

LOCKERS
Each student is issued a locker and is expected to keep his or her books and personal belongings properly secured at all times. Students should not exchange lockers and are also advised against leaving money or other valuables in lockers. Lockers are expected to be locked at all times. See also SEARCH AND SEIZURE. Table of Contents

LUNCH PROGRAM
The hot lunch program is available for all children, grade kindergarten through twelfth grades, who wish to participate. Cost of meals will be published in the local newspaper before the new school year begins.

Charging School Meals:
Three meals may be charged per student for grades K-12. After the third meal, the students will be denied lunch until the account balance is paid in full. The student may purchase meals on a daily basis. Notices will be given to the student after one, two and three meals have been charged.

Free-Reduced Lunches:
Elk Point-Jefferson has a policy for free and reduced price meals for children unable to pay the school price of meals under the National School Lunch Program.

Application forms are sent to all homes along with a letter, which provides information of the income criteria. The information provided on the application is strictly confidential and will be limited only to the certifying officials. Applications may be submitted at any time during the year. Table of Contents

MAKE-UP WORK
Students who have been absent from school for any reason should report to the middle school office immediately upon arrival at school. It is the student's responsibility to contact the teachers regarding homework he/she has missed. Students will be allowed two days to make up each day of work missed only in the case of emergency situations or sickness.

In the case of pre-arranged/pre-excused absence (vacation, advanced notice medical appointments, school activities, etc.), the parent and/or student shall report the anticipated absence to the office and to each of his/her teachers. As according to the direction of his/her teachers, the student shall complete the work prior to the absence or make arrangements with his/her teachers to complete the work upon return. The student shall initiate contact with his/her teachers prior to the absence making arrangements for the work to be completed in a timely manner. If a student fails to contact his/her teachers prior to the date of the pre-arranged/pre-excused absence to make arrangements for work completion for said absence, the student may be docked credit for the work in question by his/her teachers as according to their classroom procedures for late work inclusive of quizzes, tests, projects, etc.

If make-up work is not turned into the teacher by the due date, the instructor may record zeroes for the incomplete work. Table of Contents

MEAL ACCOUNT BALANCE POLICY
The Elk Point-Jefferson School District offers a hot lunch program to all students in grades JK-12 who wish to participate. Cost of the meals are published on the school website, on monthly calendars and in the back to school newsletters sent to all families at the beginning of the school year.

All families are encouraged to apply for the free and reduced meal program. Applications are sent home in the back to school newsletter and can also be found on the school website under the School Info tab. If a family would qualify for this program, it can provide a breakfast and/or lunch meal to a student at a reduced rate or at no cost.

The Elk Point-Jefferson School District will follow the below guidelines starting with the 2017-18 school year.

- Accounts are set up for each individual student. Meal money must be received and deposited in the elementary or middle/high school offices by 11:00 a.m.
- Checks can be written or cash can be submitted as payment to a child's lunch account. Payments can also be made online at www.mymealtime.com. To insure proper credit to the account, the student's name should be written on the check. If there is more than one student in the family attending school, please write a note with all names listed and the amount that goes into each account. If paying with cash, please enclose the cash in a sealed envelope with the student(s) name on the envelope as well as any directions of how the money should be deposited. **PLEASE MAKE ALL CHECKS PAYABLE TO THE ELK POINT-JEFFERSON SCHOOL**.
- It is expected that middle school and high school students are responsible for their own account balances. Students should stop and wait for a transaction confirmation from the cashier. This will allow the cashier to

inform students of their account balance.

- The lunchroom computer will give the cashier a "low balance" warning whenever a student's individual account is $10.00 or below. All students (JK-12) are told the account balance is low and they need to bring money.
- Middle school and high school students will not be able to charge ala carte items on their account if the balance is below $0.00.
- MS/HS students will not be able to charge meals if the balance is below -$10.00. All students will need to bring their lunch if their negative balance exceeds $10.00 as they are no longer able to eat school lunch.
- Building secretaries will send out emails to parents a minimum of once a week if balances go below $10.00.
- If a student has been approved for free meals, he/she will still be able to receive a school breakfast or lunch, but NO extra entrée, chef entrée, extra milk, or snack sales will be allowed if there are not sufficient funds in the lunch account.
- No students (JK-12) will be allowed to have an extra entrée or milk if their lunch account is below the limit necessary to pay for the items.
- Families are encouraged to review meal accounts with their students and set any limits necessary. School and food service personnel are not responsible for enforcing those limits at school.
- Account balances can be viewed online through Mealtime if an account has been set up at www.mymealtime.com, or parents/students can check their account balances by contacting Jaimie in the elementary at (605) 356-5800 or Julie in the middle and high school at (605) 356-5900.

(Adopted by Board of Education June 2017)

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MEDICATIONS – ADMINISTRATION OF

Definitions

- Definition of assistance with self-administration of medications: The term "assistance with self-administration of medications" means helping a client with one or more steps in the process of taking medications, but not actual administration of medications. Assistance of self-administration of medications may include opening the medication container, reminding the client of the proper time to take the medication, helping to remove the medication from the container and returning the medication container to proper storage.
- Administration of medications: The administration of medications is a nursing function. The steps in medication administration entail removing an individual dose from a previously dispensed, labeled container, including a unit dose container; verifying it with the physician's order; giving the individual dose to the client for which it is prescribed; and promptly recording the time and dose given.

The licensed nurse may delegate the following tasks:

- Administration of scheduled medications by oral, rectal, topical, vaginal or inhalation route;
- Measuring of a prescribed amount of liquid medication or crushing a tablet for administration if the licensed nurse has calculated the dose; and
- Administration of schedule II controlled substances listed in SDCL 34-20B-16 and 34-20B-17 which have been prescribed and labeled in a container for a specific client.
- Medication administration may be delegated only to those individuals who have successfully completed a training program approved by the board pursuant to 20:48:04.01:14. Approval of the training program must be renewed every two years.

The training curriculum must include 16 hours of classroom instruction. The training instructor must be a Registered Nurse with at least 2 years of clinical experience. The training may include alternative methods such as videos, self-study modules, computerized learning, etc. An additional 4 hours of clinical or laboratory instruction

must be included in the curriculum. Tests are developed for each unit in the curriculum, including final test. A skills performance evaluation must be conducted.

After training, supervision of medication administration much be provided by a licensed nurse as outlined in 20:48:04.01:02.

ASSISTANCE WITH SELF-ADMINISTRATION

A student may be responsible for taking his/her own medication with or without assistance after school personnel have determined that the following requirements are met:

- The student, school personnel and parent/guardian enter into an agreement which specified the conditions under which medication may be taken.
- The student is able to identify the appropriate medication, knows the frequency and time of day for which medication should be taken.
- School personnel follow a procedure for documentation of self administration of medication.
- School personnel establish a procedure for the safe storage of self administered medication, while providing accessibility if the student's health needs require it. This information should be included on the medication authorization form. In the case of an inhaler or other preventative or emergency medication, whenever possible, a backup supply of medication should be readily available.
- School personnel will establish procedures for reminding the student to take the medication, visual observation to ensure compliance, recording that the medication was or was not taken.
- With parental/guardian and student permission, as appropriate, school personnel may inform appropriate teachers and administrators that the student is taking a medication.

SCHOOL ADMINISTRATION OF MEDICATIONS

A parent/guardian or designated responsible adult will deliver to the school all medications to be administered by school personnel or to be taken by self medicating students.

- The medication must be in a pharmacy or manufacturer labeled container, with student's name, dosage and frequency noted on the container.
- School personnel receiving the medication will document the quantity of medication delivered.
- In extenuating circumstances, the medication may be delivered by another person; provided, that school personnel are notified in advance by the parent or guardian of the arrangement and the quantity of medication being delivered to the school.

All medications must be stored in their original pharmacy or manufacturer labeled containers and in such manner as to render them safe and effective. Expiration dates should be checked.

All medications to be supervised by school personnel will be kept in a securely locked cabinet used exclusively for medications, which is kept locked except when opened to obtain medications. Medications requiring refrigeration will be stored in a refrigerator maintained at temperatures of 38 to 42 degrees Fahrenheit.

Access to stored medications will be limited to persons authorized to supervise medications. Access to keys and knowledge of the location of keys will be restricted to the maximum extent possible.

Parent/guardians may retrieve the medication from school at any time.

No more than a thirty (30) school day supply of the medication for a student will be stored at the school.

Where possible, all unused, discontinued or outdated medication will be returned to the parent or guardian and appropriately documented. All medications will be returned at the end of the school year.

DOCUMENTATION AND RECORD-KEEPING

The school will maintain a medication record for each student.

- At a minimum, the record will include a daily log and a signed "Parent/Guardian Administration of Medications" form Authorization form.

- The daily log will contain:
    - The dose or amount of medication that was taken, or omitted, including reason for omission.
    - The date and time that medication was taken, or omitted, including reason for omission.
    - The full signature of the school personnel administering/assisting with self administration. The personnel must initial the record on the day given.

- All documentation will be recorded in ink and should not be altered.
- With the consent of the parent, guardian, or student, the completed medication record and records pertinent to all medication administration will be filed in the student's cumulative health record.

REPORTING AND DOCUMENTATION OF MEDICATION ERRORS

A medication error includes any failure for a particular student to take a medication as noted on the parent/guardian authorization form. This includes failure to take:

- the correct medication;
- Within the appropriate time frames;
- In the correct dosage;
- by the correct student;
- by the correct route.

In the event of a medication error, school personnel will notify the parent or guardian immediately, and will document the effort to reach the parent or guardian. The parent or guardian will be responsible for contacting the physician, if necessary.

Medication errors will be documented by school personnel on the medication error report. These reports will be maintained in a designated location or in the student's health record.

School personnel will review reports of medication errors and take necessary steps to ensure appropriate medication administration in the future.

ADMINISTRATION OF OVER-THE-COUNTER MEDICATIONS

Over-the-counter (OTC) medications, like any other medications, are potentially hazardous to the health of students, based on the quantity given, potential side effects, interactions with other medications, and untoward reaction. Studies linking aspirin to Reye's syndrome in the young child have shown the potential danger, demonstrating that there are areas of drug reactions in children for which we have little information. OTCs do have their place, but they should not be taken casually. Furthermore, society is increasingly relying on OTC medications for conditions that, if investigated, might have a simple resolution of a problem (e.g., if the child does not eat and gets hypoglycemia, a headache may result). Mere dispensing of an OTC medication will not help the underlying cause.

Over-the-counter medications will be handled in the same manner as prescription medications. If taken regularly, over-the-counter medications, such as Tylenol, should be provided by the parent and accompany the appropriate authorization form.

Medications that are kept in the nurse's office to treat unexpected minor symptoms are: Tylenol, ibuprofen, Tums, Benadryl, and loratidine. Parents will be contacted prior to administration if a "Parent Authorization for Administration of Unscheduled Medications at School" is not on record. Parents will be contacted for permission at all times prior to administering loratidine to any student due to it being a 24 hour medication.

OUT OF SCHOOL ACTIVITIES

All attempts will be made to assist a student in taking an authorized medication prior to a planned field trip or activity outside of the school. If a medication must be taken while a student is outside of the school, the same procedures will be followed, as though the student is in the school. A designated adult will be responsible for safe storage, handling and administration of the medication, in accordance with the parent/guardian authorization form.

RESPONSE TO MEDICATION EMERGENCIES

Response to an emergency is exempt under the Nurse Practice Act. (i.e., administration of glucagon for an insulin reaction or administration of epinephrine in a severe allergic reaction.)

1. Administer the emergency medication
2. Call 911
3. Contact parent/guardian as listed in Infinite Campus
4. Event will be recorded in Infinite Campus in "Health Office Visit" tab.
5. EPJ School district will have staff maintain CPR certification.
6. Health education will also be provided at scheduled in-services: (i.e. Epi pen, Heimlich maneuver; signs and symptoms of hypo or hyperglycemia, AED review.)
7. EPJ School District will ensure emergency equipment is in serviceable condition and that all components are within recommended dates of service.

(Adopted by Board of Education May 2011)

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NOTICE OF RIGHTS UNDER FERPA

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. These rights are:

The right to inspect and review the student's education records within 45 days of the day the School receives a request for access. Parents or eligible students should submit to the School Principal a written request that identifies the record (s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Parents or eligible students who wish to ask the School to amend a record should write the school principal (or appropriate school official), clearly identify the part of the record they want changed, and specify why it should be changed. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them or 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 rights to a hearing.

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 without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School 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 School has contracted as its agent to provide a service instead of using its own employees or officials (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 School discloses education records with consent to officials of another school district in which a student seeks or intends to enroll.

The right to file a complaint with the U.S. Department of Education concerning alleged failures by Elk Point-Jefferson School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5920

(Adopted by the Board of Education: January 9, 2006) Table of Contents

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

- A playbill, showing student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs
- Sports activity sheets, such as for wrestling, 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.

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

The District has designated the following information as directory information: **Student's name, Address, and Telephone listing** Table of Contents

OPEN ENROLLMENT POLICY
The Elk Point-Jefferson School Board believes in providing parents and students the opportunity to choose the school environment that best meets the need of the individual student. However, the Board also recognizes that certain restrictions may need to be enforced to preserve educational opportunities for students.

Students will be assigned to district schools in accordance with provisions set forth in South Dakota Codified Law, Department of Education Administrative Rule and School Board policy. The superintendent may submit to the board additional regulations to address assignment of students to schools according to the residence of a student's parent or legal guardian, transfers resulting from change to residence and open enrollment.

Definitions:
"Resident district" means the district in which a student has legal residence as determined by South Dakota Law.
"Non-resident district" means any district in which a non-resident seeks to enroll.
"Assigned school" means the attendance center within the district to which a resident student is assigned.
"Non-assigned school" means an attendance center within a resident student's district to which the student has not been assigned.

General Principles:

The following principles apply to all open enrollment requests, including requests to transfer to another school with the district.

A student who is a legal resident of another South Dakota school district seeking to transfer to the District must make application on forms provided by the Department of Education. The application must be made by the student's parent or guardian or by the emancipated student. The application to transfer from a non-resident district must be notified of the decision with five days of the decision. Applications will be reviewed in the order received.

Any application to transfer from a non-resident district may be withdrawn by the applicant prior to the approval of the request and upon notification of the district to which the student applied.
Transfer from a non-resident district must be prior to the last Friday in September for the first semester, and must be prior to the last Friday in January for the second semester. Approval for transfer after these dates will take effect at the beginning of the subsequent semester. These deadlines do not apply if any of the following circumstances exist.

a) The transfer is to an alternative school or a specialized nonpublic educational program.
b) A student becomes a resident of the district
c) The Board determines that special circumstances exist. When determining special circumstances school boards should consider avoiding a substantial disruption of the child's education.

Once approved by the non-resident district, the applicant's intent to enroll obligates the student to attend school in the receiving non-resident district or non-assigned school for the next school year unless the parent, guardian, or student changes residence to another district. Students may continue enrollment for subsequent years without reapplication.

A non-resident district will accept credits granted for any course successfully completed in another accredited district. The non-resident district may award a diploma to a non-resident only if the student satisfactorily meets the non-resident district's graduation requirements. If, upon review of an application and the student's transcript, it appears that the student seeking transfer could not satisfy graduation requirements in the non-resident district in the same time frame as the student's peers, the applicant should be notified that additional school attendance will be required in order to receive a diploma.

Special Education Students:
Both state and federal law require that the resident district be responsible for providing a free and appropriate public education for students in need of special education and related services. All applications for transfer of a special education student will first be considered by a placement committee, and the placement committee will include representatives of both the resident and non-resident districts. In addition, the following considerations will apply:

An individualized education program team consisting of representatives from both the resident and non-resident districts will determine if the nonresident district can provide an appropriate instructional program and facilities, including transportation, to meet the student's needs. If the request to transfer is granted, the non-resident district is responsible for the provision of a free appropriate public education for the student in need of special education or special education and related services.

The individualized education program team shall also determine whether the student in need of special education requires transportation as a related service. If so, the non-resident district shall provide or ensure the provision of transportation with the boundaries of the attendance center to which the student is assigned.

If a parent or guardian of a student in need of special education or special education and related services requests to transfer the student back to the resident district, the individualized education program team shall consider the request.

Criteria for Making Transfer Determinations:
To ensure that the transfer of students does not result in an inability to provide a quality educational program for all students, the superintendent shall develop and implement regulations establishing the criteria the district will use in evaluating transfer requests, including any criteria that may be used to deny a request. The criteria may include, but is not limited to:

The establishment of average student-to-teacher ratios that must be maintained at various grade levels;

Junior Kindergarten – 3rd Grade classes not to exceed 18
Grades 4-8 classes shall not exceed 25
Grades 9-12 shall not exceed 60 per grade

The establishment of a maximum capacity that must be maintained for a school building;

Elementary (Grades JrK-5)	384 students
Middle School (Grades 6-8)	180 students
High School (Grades 9-12)	260 students

Criteria for making transfer determinations will be provided to any individual requesting the information. Discrimination based upon race, gender, religious affiliation, or disability is prohibited. All members of the same family residing in the same household will be treated the same.

Transportation:
Transportation of non-resident students to school is the responsibility of the applicant. Both the resident and non-resident districts may provide transportation to non-resident students, provided both districts annually approve pick up locations. The receiving district may charge a reasonable fee if the student elects to use the transportation services offered by the receiving district. SDCL 13-28-43, 13-28-44
Adopted by the Board of Education: August 2012 Table of Contents

PARENTAL INVOLVEMENT POLICY

The Board of Education recognizes that a child's education is a responsibility shared by the school and family during the entire period the child spends in school. To support the goals of the school district to educate all students effectively, the schools and parents must work as knowledgeable partners. Although parents are diverse in culture, language, and needs, they share the school's commitment to the educational success of their children. School districts and schools, in collaboration with the parents, shall establish and develop programs and practices that enhance parent involvement and reflect the specific needs of students and families. To this end, the Board will support the development, implementation and regular evaluation of a parent involvement program, which will involve parents at all grade levels in a variety of roles. The parent involvement program will be comprehensive and coordinated in nature and will include, but not limited to, the following:

- Support to parents as leaders and decision-makers in advisory roles.
- Promotion of clear two-way communication between the school and the family as to school programs and children's progress.
- Assistance to parents and or guardians to develop parenting skills to foster positive relationships at home that support children's efforts and provide techniques designed to assist their children with learning at home.
- Involvement of parents, with appropriate training, in instructional and support roles in the school.
- Provision of access to and coordination of community and support services for children and families.
- Notify parents through newsletters and school website that the faculty and staff are highly qualified and meet required standards.

These forms of involvement are not mutually exclusive and require a coordinated school wide effort. Table of Contents

PARENT-TEACHER CONFERENCES

Parents are encouraged to confer regularly with their children's teachers. It is important that frequent communication be made in order to provide the best education for the children.

Parent-Teacher conferences are scheduled at the end of the first and third quarters. Table of Contents

PARKING LOT/STUDENT USE OF VEHICLES

Students must recognize the importance of appropriate use of personal vehicles on school property. Students must also recognize that by having this privilege of parking on school property or other premises under the authority of the school district, they are deemed to have given prior consent to have their motor vehicle searched when reasonable suspicion exists that restricted items are contained within the motor vehicle. Students are advised to adhere to the following parking lot regulations. Students in violation of the following will be subject to disciplinary consequences not limited to the loss of use of school parking lots.

- NO warnings are given for parking violations. Please park and drive carefully.
- Students may park in the high school or administrative parking lots. Students are not allowed to park in the southeast staff parking lot adjacent to the art room.
- Students shall assume full responsibility for the security and contents of their motor vehicles. Students are encouraged to keep their vehicles locked at all times.
- Students are to park in marked, designated parking spots. Students are to refrain from parking in "visitor parking" spots, "library" parking spots, "no parking" areas, fire lanes, bus loading zones, or handicap areas without an appropriate permit.
- All traffic laws shall be obeyed. Parking lot speed limit is 10 miles an hour
- Exhibition and reckless driving are prohibited.
- Students are to refrain from depositing their garbage in the parking lot. Receptacles are provided immediately outside the entrance of the high school entrance.
- Students are not to be in the parking lot or vehicles during school hours without permission. A violation will constitute truancy.
- Students involved in a vehicular accident of any magnitude on school property must immediately report the accident to administration. Students shall not leave the accident scene without first reporting in person to administration.
- In accordance with the Gun-Free Schools Act (GFSA), students may not store any firearm, any explosive, including firecrackers, any knife, or any other dangerous object of no reasonable use to the pupil at school in their vehicles. Students bringing these objects on school grounds risk expulsion and referral to law enforcement officials. The superintendent will handle violations of these matters on a case-by-case basis.

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PARTICIPATION OF ALTERNATIVE INSTRUCTION STUDENTS (HOME SCHOOL STUDENT PARTICIPATION)

An individual, of public middle school or high school age, that lives in the Elk Point-Jefferson School District 61-7 is eligible to participate in extra-curricular and co-curricular district offerings including SDHSAA sponsored sports and activities. This includes individuals that are not enrolled at EPJ, but rather participating in an alternative instruction opportunity or homeschooling.

Students that fall into this category must follow all SDHSAA and Elk Point-Jefferson policies regarding participation including, but not limited to, annual physicals, training rules, eligibility rules and academic expectations. Additionally, the parent/guardian or responsible party would need to provide the following information to the school district before the individual would be allowed to participate in sports or activities at Elk Point-Jefferson

1. Proof of age – most opportunities provided by the school district would be for grades 7-12

2. Proof of address – to establish residency within the Elk Point-Jefferson School District

3. Transcript from the previous semester with classes taken and grades achieved

It is the responsibility of the individual providing instruction to notify the school district if the individual participating in activities at Elk Point-Jefferson is ineligible for any reason under SDHSAA or Elk Point-Jefferson School District rules.

Furthermore, it should be noted that participation in a sport or activity is not a guarantee for playing time. An individual participating as an alternative instruction participant will be expected to attend all practices and events and playing time will be earned according to coach's discretion and will not be based on an individuals status as enrolled or not enrolled at EPJ.

Any individual that changes their status within the district from enrolled to unenrolled/alternative instruction during a season will be INELIGIBLE TO PARTICIPATE for the remainder of that season and will have to notify the school – using the process outlined above – to be able to participate in extra-curricular and co-curricular activities at EPJ in the future.

NOTE: This policy is based on SB177 which passed the South Dakota State Legislature in March 2021
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PERMANENT RECORDS
A detailed record of you and your school history is kept in a cumulative record. Reports from your teachers, test results, discipline complaints, your contributions and services rendered to the school, records of offices held, the activities in which you participated, your picture, your scholastic record and any other material which contributes to your story as a citizen in this school, are a part of this record.

Your record is, of course, your own affair. Whether it speaks well for you is entirely in your hands. Make a record of which you, your parents, and the school will be proud. Your recommendations to future employees, colleges, etc. after you leave school can only be based on this permanent record. Table of Contents

PHYSICALS
Students in seventh through twelfth grade who participate in sports are required to have physicals each year. Forms are available in the high school/middle school office. They have to be signed by a physician or physician's assistant. Any physical taken after April 1 is good for the next school year. Students and their parents are expected to schedule the physical and pay the full cost of the physical. Table of Contents

PICTURES
Student pictures are taken early in the school year. Students have an opportunity to purchase packets of these pictures at a special price if they so desire. Table of Contents

PROGRESS REPORTS/MIDTERMS
Progress reports are mailed home in the middle of each quarter to parents or guardians of all students. Parents are encouraged to contact the school with any questions or concerns. Table of Contents

PSYCHOLOGICAL SERVICES
The services of a psychologist are available from the Southeast Area Co-op upon request. The primary function of this service is to aid in evaluating various students in an effort to determine the specific instructional techniques teachers and parents might utilize in improving the educational process in the classroom and at home. Table of Contents

PUBLIC COMPLAINTS ABOUT SCHOOL PERSONNEL
Constructive criticism of the schools is welcomed by the Elk Point-Jefferson School District when it is motivated by a sincere desire to improve the quality of the education program and to help the school personnel in performing their tasks more effectively.
The board places trust in its employees and desires to support their actions in such a manner that employees are freed from unnecessary, spiteful, or negative criticism and complaints. Whenever a complaint is made directly to the board as a whole or to a board member as an individual, it shall be referred to the school administration for study

and possible solutions. The individual employee involved shall be advised of the nature of the complaint and shall be given the opportunity for explanation, comment, and presentation of the facts as he/she sees them.

The board recognized that situations might arise in the operation of the school system which are of concern to parents or the public. Such concerns are best dealt with through communication with appropriate staff members, the principals, the superintendent, and the board.

The following guidelines are the proper procedures to be followed by persons with questions or complaints:

- Matters concerning a student should first be addressed to the teacher.
- Unsettled matters from (a) above or problems and questions concerning individual schools should be directed to the principal of the school.
- Unsettled matters from (b) above or problems and questions concerning the system should be directed to the superintendent.
- The board will consider hearing citizen complaints when they cannot be resolved by the administration. Matters referred to the board must be in writing and should be specific in terms of the complaints that have not been explored at the appropriate administration level.

If it appears necessary, the administration, the person who made the complaint, or the employee involved may request an executive session of the board for the purpose of further study and decision by this body. Generally all parties involved, including the school administration, shall be asked to attend such a meeting for the purposes of presenting additional facts, making further explanations, and clarifying the issues. Hearsay and rumor shall be discounted as well as emotional feelings except those directly related to the facts of the situation.

The board shall conduct such meetings in as fair and just a manner as possible. The board may request a disinterested third party to act as moderator to help it reach a mutually satisfactory solution. Table of Contents

PUBLIC USE OF SCHOOL BUILDINGS

No individual or group shall have access to any building for any activities unless first approved by the superintendent or designee. No keys shall be let by any school personnel to any non-school individuals or groups. Table of Contents

RELEASE TO PARENTS AFTER SCHOOL ACTIVITY

Students can only be released to parents after an activity and it is expected that they will ride home with the parent after an event. It is the school district's philosophy that unless there are some special circumstances the student will travel with the team or group as this is part of the experience. There are times that a student can be released in case of an emergency, extreme inconvenience, or some unforeseen circumstance. Students will not be released to parents at an overnight event unless the parents and student are going to travel home after the event. There are no exceptions to this rule. Table of Contents

RETENTION AND PROMOTION (MIDDLE SCHOOL)

The administration and teaching staff must strive to create plans of instruction and instructional organization that will permit students to progress through school according to their needs and abilities. To this goal, students will normally progress annually from sixth grade to eighth grade. However, exceptions to this general policy may be made when it becomes evident that a student should proceed more slowly.

Students must meet the following minimum qualifications to be promoted to the subsequent grade level to make certain that the student is prepared for the rigors of said grade level.

- Using the semester score from both first and second semester, earn a 65% average score for the school year in three of the five classes as listed in any combination: English, Literature, Mathematics, Science, and Social Studies.
- Have fewer than twenty (20) days of out-of-school suspension for the school year.

Retention will not be used until other possibilities have been exhausted, including special help, remedial work, and

summer school opportunity. Successful completion of summer school for any class for which a 65% was not earned during the school year may result in promotion to the next grade level. Summer school is not guaranteed to be provided following each school year.

In all cases of retention, parents must be informed of such possibility well in advance (usually by the third reporting period) and a conference with them sought. In all instances, the advice and help of the guidance and other special school personnel will be used by staff.

Although teachers may recommend retention, all retentions (as well as promotions) will be assigned by the school principal. Teachers, in recommending retentions and the principal in assigning them, will give the reasons why they feel the student should repeat. The school system shall have final authority in the promotion or retention of a student in grades six through eight.

The administration will take particular care in assigning more than one retention during a child's elementary and middle school career. The Superintendent must approve a second retention assigned during a child's elementary and middle school career. (Approved March 2015)

RULES OF CONDUCT AND DISCIPLINE

Students attending our school are required to conduct themselves with respect for self and others through their actions, their language, and their dress. Student behavior will reflect favorably on the individual and on the school, will show consideration for others, and will create a harmonious learning atmosphere. Students must recognize their individual responsibilities and obligations and discharge them in accordance with school regulations. When a school employee acts to assist a student in proper conduct, the emphasis shall be toward student growth in self-discipline.
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APPLYING THE DISTRICT-WIDE RULES

- The consequences for misbehavior described in this regulation are for misbehavior resulting in a referral to the principal's office. Consequences are designed to be fair, firm, and consistent for all students in District 61-7. They apply to all students in any school or other district building, on district property, in district vehicles or school buses, and at school or district events. Consequences listed are minimum. The building administrator has the latitude to modify penalties. Building administrators will consider all extenuating circumstances before implementation of any punishment; further, the superintendent or chief administering officer may increase or decrease the length of weapon expulsion on a case-by-case basis. Additionally the administrator will have the authority to enforce other reasonable disciplinary action found warranted by the situation. The administration reserves the right to issue a penalty/discipline that is proportionate to the violation incurred. Proportionality will be based upon situational circumstances, attitude/cooperation of the individual(s), and prior disciplinary events.
- Because it is not possible to list every misbehavior that occurs, the administration and staff reserve the right to respond to misbehaviors not included in this regulation. This regulation is based on the assumption that misbehaviors are dealt with by bus drivers, chaperones, classroom teachers, coaches, counselors, administrators, and other appropriate district staff.
- Progressive discipline will be used in conjunction with existing district policy. Complete copies of the district suspension and expulsion policy are available from all principals' offices. Rights and responsibilities of the district personnel, parents or guardians, and students are described in this policy.
- Actions which may be used by district staff to discipline students and/or encourage them to modify their behavior, include but are not limited to: student conference, parent or guardian notification, parent or guardian conference, fine restitution, detention, removal from class, in-school suspension, dismissal from school, out-of-school suspension, exclusion, expulsion, referral to law enforcement authorities, and recommendation to alternative community services.
- Each building may develop a discipline handbook with rules and regulations specific to their unique needs. A copy of the handbook will be available in the respective principal's office.
- Our district recognizes that students sometimes carry a pocketknife. We also feel they have no place in the school. A student who uses a pocketknife in a threatening/hostile manner will be dealt with as a Class Six offense: weapon.

- A part of the GFSA (Gun Free Schools Act) is a definition of weapons that are a part of the Act. A complete listing of weapons as defined by Section 921, Title 18 of the US code for the purposes of FSA. (Note that the EP-J School District further defines a class six weapons offense to include others).

RULES OF CONDUCT -- DEFINITIONS

Activity (Participation) Rules: Any student who violates Class Five, and who is involved in co-and extracurricular activities, shall be removed from the activity(ies) as specified in the activity rules which students and parents or guardians sign for each activity. Students who are currently serving an "in-school" or "out-of-school" suspension will not be allowed to participate, nor attend any extracurricular or co-curricular event as an active participant. They will be required to attend and participate in all practices.

Bus Behavior: While on district provided buses, students shall adhere to the same behavior expectations, standards and consequences as at school.

Closed Lunch and Campus: Leaving school without the permission of administration.

Destruction or Stealing of Property: Willfully causing or attempting to cause damage to private or school property, stealing or attempting to steal private or school property, or repeated damage or theft involving private or school property. Includes alteration of student/school computer program system.

Disrespectful/Obscene Language: Use of obscene or disrespectful language or communication.

Engaging in Illegal Activities: Breaking any law, the consequences of which pose a threat to the student or others and are not in the best interest of the school.

Exhibition/Reckless Driving: City and state traffic laws apply to the parking lots and streets immediately surrounding the school. Because violations of these laws pose a threat to the safety of students and staff, violators will be reported to the authorities.

Expulsion: Denial of a student's membership in school for a period of time not to extend beyond the maximum allowable under State and Federal Statute.

In-School Suspension (ISS): temporary denial to a student by a principal of participation in a class or extracurricular activity(ies). Suspension will be served in school. Credit for completed class work.

Insubordination/Habitual/Disobedience: Student conduct deemed as unwillingness to submit to authority, refusal to respond to a reasonable request or situations in which the student is shown to be habitually disobedient.

Long-Term Suspension: Temporary denial to a student by the superintendent or school board of participation in school for more than ten days and not more than ninety days.

Mood Altering Chemicals, Substances, and Tobacco: Using, possessing, selling dispensing or being under the influence of any mood altering chemicals, substances or tobacco or possessing drug paraphernalia at school, on school property, or at a school sponsored activity or when the conduct poses a threat to the student or others and is not in the best interest of the school. This also includes any tobacco and/or nicotine delivery device or product (the only use allowed as part of a smoking cessation program under doctor's approval, accompanied by a doctor's medical note and with school authorization. Police will be notified as specified by policy.

Out-of-School Suspension (OSS): Temporary denial to a student by the principal, superintendent or school board of participation in a class or classes or extracurricular activity(ies). Suspension will be served out of school. No greater than 50% credit will be award for coursework missed.

Parent: Parent or legal guardian.

Physical Injury: Causing or attempting to cause physical injury to a school employee or to any student. Cases in which physical injury caused by accident or other action undertaken on the reasonable belief that it was necessary to protect another person or self shall not constitute a violation of this rule.

Pocketknife: A knife with a folding blade with not more than 2.5 inches in length.

Secret Clubs or Societies: Activities not in the best interest of the school. Student participation in non-school activities in which the students conduct presents a threat to himself/herself or others and is not in the best interest of the school.

Sexual Harassment: The Elk Point-Jefferson School District in its commitment to nondiscrimination shall provide for and maintain a learning and working environment which is free from sexual harassment. No student, employee or visitor shall be subjected to sexual harassment. This is enforced on all district property and to all district sponsored, approved or related activities at any location.

Sexual harassment is a form of misconduct, which interferes with the integrity of the learning and working environment. It refers to behavior which is not welcome, which is personally offensive, which debilitates morale, and which therefore, interferes with the learning and work effectiveness of its victims and their coworkers.

Short Term Suspension: Is the removal of a student from school for a period of not more than five days.

Skipping: Unapproved absence from class within the school day.

Student Dress: Students are expected to dress with standards than enhance a learning environment. Profanity and suggestive themes, such as alcohol, drugs, sex, death, suicide or violence, will not be permitted on school attire. See Dress Code for further explanation.

Tardy: Students who are late to school must report to the principal's office and obtain a tardy slip. Students who are more than 15 minutes late are considered absent for that period and must obtain an admit slip before they are allowed into class. Also, a student not in his/her room by the start of the next class will be marked tardy.

Unacceptable Behavior at Other School: Any offense committed by a student on another campus shall be punished in the same manner as if the offense had been committed at the student's assigned school.

Violence, Coercion, Threatening, Force, Intimidation: Use of violence, force, coercion, threats, intimidation or similar conduct that constitutes substantial interference with school purposes.

Weapons: Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon or deemed dangerous (See item #6 District-Wide Rules).

Weapons as Defined by Section 921 of Title 18 U.S. Code: For the purposes of the GSA, a "weapon" means a firearm as defined in SECTION 921 of Title 18 of the United States Code.

According to section 921, the following are included within the definition:

- any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive.
- the frame or receiver or any weapon described above,
- any destructive device, which includes:
  A. Any explosive, incendiary, or poison gas (bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge or more than one-quarter ounce, mine or similar device.

B. Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter.

C. Any combination or parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled. Table of Contents

RULES OF CONDUCT -- APPLYING THE DISTRICT-WIDE GUIDELINES

South Dakota Codified Law 13-32-6. Disturbance of school as misdemeanor. A person, whether pupil or not, who intentionally disturbs a public or nonpublic school when in session or who intentionally interferes with or interrupts the proper order or management of a public or nonpublic school by acts of violence, boisterous conduct, or threatening language, so as to prevent the teacher or any pupil from performing his duty, is guilty of a Class 2 misdemeanor.

Class One (Per Quarter)

Tardy

1st Offense Record
2nd Offense Record
3rd Offense Detention will be assigned for each subsequent offense beyond two for the remainder of the quarter, and no credit will be given for missed class work.

Class Two (Per Quarter)

Classroom, Library, Lunchroom or Study Hall Disruption

1st Offense:
Consequence: Detention
Communication: Parent Contact from Teacher (Email), Student, and Administration

2nd Offense:
Consequence: Detention
Communication: Parent Contact from Teacher (Email), Student, and Administration

3rd Offense:
Consequence: 1 Day In-School Suspension (ISS)
Communication: Parent Contact from Teacher (Email), Student, and Administration and Meeting with School Counselor

4th Offense:
Consequence: 2 Day In-School Suspension (ISS)
Communication: Parent Contact from Teacher (Email), Student, and Administration

5th Offense:
Consequence: 1 Day Out-of-School Suspension (OSS)
Communication: Parent Meeting with School Administration

6th Offense:
Consequence: 2 Days Out-of-School Suspension (OSS)
Communication: Parent Contact from Teacher (Email), Student, and Administration

7th Offense:
Consequence: Out of school for the remainder of the Quarter. Alternative Learning Track
Communication: Discuss expectations of alternative learning and counselor referral.

Class Two (Per Semester)

Library or Lunchroom Disruption, Skipping a Class, Copying, Plagiarism, Cell Phone Violation, (Skipping Detention – One (1) day Saturday Services or in-school suspension.)

1st Offense	Detention, Parent contact. No credit for work copied/plagiarized (includes both the "giver" and receiver") in the case of copying.
2nd Offense	Detention, Parent contact. No credit for work copied/plagiarized (includes both the "giver" and receiver") in the case of copying.
3rd Offense	ISS (1 - 2 Days), Parent contact, Counselor referral when appropriate.
4th Offense	ISS (3 – 5 Days), Parent conference, Counselor referral

Class Two (Per Semester)

Skipping a Class, Copying, Plagiarism, Cell Phone/ Smart Watch Violation, Computer Violation (Skipping Detention – One (1) day Saturday Services or in-school suspension.)

1st Offense	Detention, Parent contact. No credit for work copied/plagiarized (includes both the "giver" and receiver") in the case of copying.
2nd Offense	Saturday Services or ISS (1 - 2 Days), Parent contact, Counselor referral when appropriate.
3rd Offense	ISS (3 – 5 Days), Parent conference, Counselor referral
4th Offense	OSS (1 – 5 Days)

Class Three (Per Semester)

Unexcused Absence (50% maximum credit for any coursework due or assigned on the date of the absence), Insubordination, Pornographic Materials, Disrespectful/Obscene Language, Physical Aggression, Vandalism, Harassment of a Staff Member, Reckless Driving, Bullying/Harassment.

1st Offense	ISS (1 – 3 Days), Parent contact. OSS (1 – 3 Days) if obscene language directed at a person or harassment is directed at staff
2nd Offense	ISS (3 – 5 Days), Parent conference. Counselor referral when appropriate. OSS (1-3 Days) if obscene language directed at a person
3rd Offense	OSS (3 Days), Parent contact, Counselor referral
4th Offense	OSS (5 Days)

Class Four (Per Year)

Intimidation, Tobacco Product or Device, Vapor Product or Device (SDCL 34-46-20) (the only use allowed as part of a smoking cessation program under doctor's approval, accompanied by a doctor's medical note and with school authorization), Theft, Destruction of Property, Gang Activity

1st Offense	ISS (3 – 5 Days), Parent conference, Counselor referral. Suspension will not exceed three (3) days if student participates in conflict resolution. Restitution and police referral when appropriate.
2nd Offense	OSS (3 – 5 Days), Parent conference. Suspension will not exceed three (3) days if student participates in conflict resolution. Restitution and police referral when appropriate.
3rd Offense	OSS (5 – 10 Days), Parent conference. Suspension will not exceed five (5) days if student participates in conflict resolution. Restitution and police referral when appropriate.
4th Offense	Long-term suspension or expulsion, police referral when appropriate.

Class Five (Per Year)

Violence, Fighting, Sexual Harassment

1st Offense	OSS (3 – 5 Days), Parent conference, Counselor referral. Suspension will not exceed three (3) days if student participates in conflict resolution. Restitution and police referral when appropriate.
2nd Offense	OSS (5 – 10 Days), Parent conference. Suspension will not exceed five (5) days if student participates in conflict resolution. Restitution and police referral when appropriate.
3rd Offense	Long-term suspension or expulsion, police referral when appropriate.

Class Six (Per MS Career)

Drugs/Alcohol – Inclusive of Non-Prescription Drugs, Controlled and Illegal Substances. (It is not a violation for a student to be in possession of a controlled drug or substance specifically prescribed for the student's own use by the student's doctor. All controlled drugs or substances with a prescription are to be stored in the appropriate school office.)

Any student who possesses, uses or distributes a controlled drug or substance or marijuana or paraphernalia as defined in SDCL Chapter 22-42, or ingests, inhales, or otherwise takes into the body any substance prohibited by SDCL Chapter 22-42-15 on school property or at a school sponsored function.

1st Offense OSS (10 Days), Parental conference, Police referral, Substance Abuse Treatment referral. Reduce suspension to five (5) days if student and parent participate in drug/alcohol evaluation and counseling. Student activity rules will be followed.

2nd Offense Long-term suspension or expulsion, which will not exceed ninety (90) days for consumption of beer or alcoholic beverages. Police referral. Student and parent must attend drug/alcohol evaluation and counseling before student returns to school.

Class Seven (Per MS Career)

Weapons, Bomb Threats, Fires, Endangering the Lives of Others

1st Offense Long-term suspension or expulsion, Parental conference, Referral to authorities

Class Eight (Per MS Career)

Gun Free Schools Act Weapons

1st Offense One calendar year expulsion for any weapon violations as defined by Section 21, Title 18 of US code per the intent of the Gun Free Schools Act.

Due Process: Students shall be afforded the rights of fair procedure or due process. This includes the right to (1) be informed of conduct which would result in disciplinary action against the student; (2) notice of any rule violation; (3) explanation of the evidence supporting the charge; (4) an opportunity to present the student's side of the story; (5) a penalty that is proportionate to the violation. The administration reserves the right to issue a penalty/discipline that is proportionate to the violation incurred. Proportionality will be based upon situational circumstances, attitude/cooperation of the individual(s), and prior disciplinary events. Table of Contents

SATURDAY SUPPORT SERVICES

The purpose of Saturday Support Services is to provide a meaningful misbehavior deterrent for those students in grades six (6) through twelve (12) who have violated school rules without penalizing the personnel of the district or the student during the routine school day. Assignment of services will be based on infractions contained within the Elk Point-Jefferson "Rules of Conduct" and as to the discrepancy of the Elk Point-Jefferson administration.

Students who attend Saturday Support Services will receive academic assistance and will be given the opportunity to complete school work under the supervision of a certified teacher.

Operational Procedures

Saturday Support Services will be conducted from 8:15 AM – 11:45 PM in the high school study hall. Students will have two weeks to select a Saturday to be in attendance to allow for student/family plans made prior to services being assigned. Administration will assist students and parents with this selection. Services will take precedence over other school activities which the student may be a participant in. Students will not be eligible to participate in activities on a Saturday for which they have served.

Students present for services and dismissed prior to 11:45 for infraction will have their parents notified immediately by direct phone call or phone message of their dismissal by the services supervisor. (The principal assigning services will provide contact information for services supervisors.)

The supervisor(s) will secure the building at 12:00 PM. Students may wait outside or in the library for transportation.

Use of Saturday Support Services to Fulfill "Seat-time" Obligations

Services will **not** be used to fulfill "seat-time" obligations of students who have violated the attendance policy.

Failure to Attend: Students failing to attend services will be assigned the following consequences listed for each subsequent infraction. Offenses are listed as per school year.

First Offense — One (1) additional day of Saturday Support Services in conjunction with the rescheduling of the unattended Saturday service and one (1) day of In-school Suspension.

Second Offense — One (1) additional day of Saturday Support Services in conjunction with the reschedule of the unattended Saturday service and three (3) days of In-school Suspension.

Third Offense — The student will be brought before the school board for long term suspension or expulsion.

Parents of students who are sick are to call the high school study hall at 356 – 5934 prior to 9:00 AM. If there is no answer, parents are to call the high school office prior to report non-attendance 356 – 5901. Services will be rescheduled for the next Saturday date. Students under this scenario will not be allowed to participate in any activities scheduled for the date for which they failed to appear for services.

Students must be in attendance for the entire three and one-half hour period. Failure to attend the entire duration will result in reschedule of services and additional consequence assigned at the discretion of the supervisor and principal assigning services. Failure to attend the entire duration will also result in the student being ineligible to participate in activities that day. Emergency situations will be handled at the discretion of the principal assigning services.

At the discretion of the principal, students whom have earned three or more consecutive, scheduled but not yet fulfilled, Saturday assignments will have additional penalties of Saturday Support Services reassigned as one day of in school suspension for each additional infraction.

If at the end of the school year a student has not completed serving required Saturday Support Services, a day in lieu of a Saturday may be arranged by the principal. Failure of a student to complete his/her Saturday Support Services obligation by or at the end of the school year will result in loss of semester credit.

Saturday Support Services Rules

1. The initial parent notification will be the responsibility of the principal assigning the student to Saturday services.
2. If an emergency arises and the student cannot attend, the parent must contact the high school/middle school office (356 – 5900) or services supervisor (356 – 5934 H.S. Study Hall) prior to 9:00 AM. Failure to notify the services supervisor will be viewed as an unexcused absence resulting in additional consequences outlined above.
3. Staff will be on site at 7:45 AM. The doors will open at 8:00 AM and close at 8:10 AM. The district is not responsible for transportation to or from Saturday services. Students will have this time to access their lockers and retrieve school work for the day inclusive of writing utensils and paper. Students will not be able to access their lockers during services. All necessary items must be obtained and taken to the study hall area prior to 8:15.
4. Students are to be respectful and **follow all school rules**. See handbook.
5. All students will be quiet and seated facing the front of the room with both feet directly below his/her desk by 8:20 AM. Failure to do so will result in dismissal from services which will be viewed as an unexcused absence resulting in additional consequences outlined above. Students will remain in this posture throughout the three and one-half hours.
6. Students must have school work to occupy their time. Magazines or newspapers are not acceptable. A library book is an acceptable option. Students will not be able to access the library during services.
7. There will be no talking or communicating of any kind with other students in attendance.
8. There will be no sleeping or "resting" or any kind.

9. Breaks for a drink or restroom use are at the discretion of the detention supervisor. A mandatory water and bathroom break will be scheduled for 10:00 AM.
10. Students will use the bathroom facilities individually.
11. If a student finishes all of his/her work, the student shall quietly read his/her library book. If a student fails to have a library book to read, the student will be dismissed from services and viewed as an unexcused absence regardless of the amount of time attended for the day in question.
12. If a student refuses to work, he/she will be sent home (parent notification to collect the student). This insubordination will be viewed as an unexcused absence regardless of the amount of time attended for the day in question.
13. There is no drink, food, gum, or candy of any kind.
14. Students will refrain from unnecessary noises and distractions in general. Any student engaging in such will be viewed as an unexcused absence regardless of the amount of time attended for the day in question.
15. Students are to remain in their seats at all times (no trashcan, sharpening pencils, or borrowing materials.) Students may only leave their seats at the discretion of the supervisor.
16. The only electronic equipment allowed to students is the district provided laptop for school purposes only. Email, internet surfing, gaming, and listening to music are not acceptable. Students engaging in this activity will be viewed as an unexcused absence regardless of the amount of time attended for the day in question.

Note: This is a non-exhaustive list. Any item, issue, or event not covered in this policy will be handled at the discretion of the Saturday services supervisor and/or principal. Table of Contents

SCHEDULE
Daily schedule at http://www.epj.k12.sd.us.

SDHSAA ELIGIBILITY REQUIREMENTS FOR EXTRA AND CO-CURRICULAR OFFERINGS
The following eligibility requirements set by the SDHSAA must be met before any student can participate in the school interscholastic athletic program. Coaches should know these and discuss with all members of their team.

YOU ARE NOT ELIGIBLE IF:

1. You have reached your 20th birthday.
2. You have attended more than four first semesters and four-second semesters of school (any total of eight) in grades nine through 12. Enrollment in school for 15 school days or participation in an inter-school contest shall constitute a semester.
3. You are not passing in four academic classes for and during the previous semester. You will remain ineligible for the entire semester.
4. You have graduated from a regular four-year high school or institution of equivalent rank.
5. You have not enrolled by the 16th school day of the current semester. Date of regular entry into classes is considered the date of enrollment.
6. You have been absent from school more than ten consecutive schooling days. (Illness or death in the family accepted).
7. You have transferred from one high school to another without a corresponding change in the residence of your parents.
8. You do not have on file in the principal's office a signed physical examination and parents permit form.
9. You have ever participated in an athletic contest under an assumed name.
10. You have ever participated in athletics in any institution of learning of high rank than a standard secondary school.
11. You have violated your amateur standing. (Accepting monetary awards beyond limitations established by the SDHSAA).
12. You are a member of an independent or non-high school team in a sport during the high school season in that same sport.

NOTE: There are exceptions to the above rules. Consult your coach or principal if any questions arise. Table of Contents

SEARCH AND SEIZURE
All district property, including, but not limited to, lockers, desks, textbooks, rooms, buildings, real estate, computer systems and equipment, phone system, and vehicles; is owned by the district, and is intended for educational purposes, and district business, at all times.

Students shall not have any expectation of privacy when using school property. The district reserves the right to monitor, inspect, copy, review and/or store (at any time and without notice) all usage of district property including computer and computer systems, including all internet and electronic communications access and transmission/receipt of materials and information. 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 of the Laptop Handbook or Use of Technology Resources Policy will result in disciplinary action as outlined in the Elk Point-Jefferson discipline matrix. 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. Contents of e-mail and network communications are governed by the South Dakota Open Records Act; proper authorities will be given access to their content.

System users have no right of privacy and should have no expectation of privacy in materials sent, received, or stored in district-owned computers or on the district system. School officials reserve the right to review district system/property use at any time. Routine maintenance and monitoring of the system and physical plant may lead to the discovery that a student has or is violating district policy or law. In this discovery, an individual search may be conducted. The search/investigation will be reasonable and will be in keeping with the nature of the alleged misconduct.

All **desks and lockers** in the school building are the property of the Elk Point-Jefferson School District and remain school property even though they are temporarily assigned to students. Students are to use desks and lockers only for the storage of schoolbooks, school materials, and possessions ordinarily used in day-to-day school activities, and outerwear clothing. The desks and lockers will be subject to inspection at any time for health or safety reasons, to check for missing school or personal property, or evidence of vandalism. All students assigned to a desk or locker are responsible for it and may be charged individually or equally for damage to lockers or desks. Personal locks, not belonging to the school will not be allowed on hall or physical education lockers, and will be removed with bolt cutters.

In the interest of a healthy and safe school environment, all school district property including, but not limited to lockers and desks, are further subject to inspection and search for the location and discovery of items of contraband. Items of contraband include non-prescription and controlled substances, alcoholic beverages, pornographic material, tobacco, weapons, explosives, poisons and stolen property. Such items of contraband are not to be placed in or on school desks, lockers or any other school property under any circumstances. Students who place such items in or on school property shall be subject to disciplinary action, which may include suspension from school, expulsion from school, and/or referral to the proper legal authorities.

Students violating acceptable use of district property, or policy, will be subject to disciplinary action by administration. Table of Contents

SEMESTER GRADES
Semester grades are the result of the accumulation of grades, points or percentages throughout the entire semester. The calculation of the semester grades is as follows: First Quarter is 40% of the grade, Second Quarter is 40% of the grade, and Semester Test is 20% of the grade. The grade is interpreted to be an accumulation of points, a percentage grade or letter grade. This is left up to the discretion of the classroom teacher as to the method used.
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SEXUAL HARASSMENT POLICY
It is the district's policy that sexual harassment is illegal, unacceptable and shall not be tolerated; that no employee or student of the school district may sexually harass another. Any employee or student will be subject to disciplinary action including possible termination for violation of this policy.

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

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

Complaints
Any employee who believes that he/she has been a subject of sexual harassment by a district employee or officer should report this incident immediately to his or her immediate supervisor. If the immediate supervisor is involved in the activity, the violation should be reported to the supervisor's immediate supervisor. Students should report such incidents to the guidance counselor and/or the responsible administrator. All reported incidents will be thoroughly investigated and subject to disciplinary action. Confidentiality consistent with due process will be maintained.

If an employee or student files a written complaint because of dissatisfaction with the handling of the complaint, he or she may utilize any applicable grievance procedure. (Adopted by the board: 2/8/88) Table of Contents

SMOKE FREE SCHOOL – NO SMOKING POLICY

The Elk Point-Jefferson School District shall be a smoke free environment. There will not be any smoking allowed in any of the buildings at any time during the day or night, and the district will also not allow chewing tobacco of any kind to be used during the day or night in any of the buildings. This also includes any tobacco and/or nicotine delivery device or product (the only use allowed as part of a smoking cessation program under doctor's approval, accompanied by a doctor's medical note and with school authorization. This policy includes no smoking at any extracurricular activities held in the buildings. Table of Contents

SPECIAL EDUCATION

The philosophy of the Elk Point-Jefferson School District's Special Education department is to enable students to achieve to their ability and to provide support to special needs children and their families. Students are identified through annual screenings and referrals from parents and teachers. Students are evaluated and Individual Education Programs (IEP's) are developed for all students who qualify. The special education department strives for total integration of students into regular education classrooms. Special services provided by the Southeast Area Cooperative are listed below. These services are provided on the Elk Point-Jefferson campus:

- School Psychologist
- Occupational Therapist
- Physical Therapist
- Speech-Language Pathologist

Additional services available through the Elk Point-Jefferson School District are:

- Braille Teacher
- Counseling

SPEECH AND HEARING SERVICES

The Elk Point-Jefferson School District provides speech and hearing specialists who serve the Elk Point-Jefferson School. They aid pupils with speech and hearing problems by working with them in small groups and individually in

the correction of their difficulties. They also recommend to teachers and parents of these pupils' appropriate supportive procedures in the classroom and in the home. Table of Contents

STUDENT GRIEVANCE (TITLE IX)

Title IX is part of the Education Amendments of 1972. The purpose of Title IX is to ensure the nondiscrimination on the basis of sex, age, race, color, national origin or handicap in education programs and activities.

The Elk Point-Jefferson School District does not discriminate on the basis of race, color, creed, religion, national origin, gender, disability, ancestry, sexual orientation, gender identity or age in its education programs or activities and employment opportunities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding nondiscrimination policies and Title VI and Title IX compliance:

Justin Clercx
Elk Point-Jefferson School District
402 South Douglas
PO Box 578
Elk Point, SD 57025
605-356-5950

Further inquires may be directed to: Regional Director, Department of Education, Office of Civil Rights, 601 East 12th St, Kansas City, MO Table of Contents

TITLE IX STUDENT GRIEVANCE PROCEDURE

It is the policy of the school district that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any of the school district's programs or activities. The district is required by Title IX (20 U.S.C. § 1681) and 34 C.F.R. part 106 to not discriminate in such a manner.

1. **Title IX Coordinator**

1.1. **Designation.** The district will designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under this policy, who will be referred to as the "**Title IX Coordinator**." The district will notify applicants for admission and employment, students, parents or legal guardians of 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 Title IX Coordinator. Any person may report sex discrimination, including 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). This report may be made by any means, including but not limited to, 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).

2. **Definitions.** As used in this policy, the following terms are defined as follows:

2.1. **Actual knowledge** means notice of sexual harassment or allegations of sexual harassment to any district employee. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only district employee with actual knowledge is the respondent (as that term is defined below). "Notice" as used in this paragraph includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator as described in subsection 1.1 above.

2.2. **Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

2.3. **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. The only district official who is authorized to initiate the Grievance Process for Formal Complaints of Sexual Harassment against a respondent is the Title IX Coordinator (by signing a formal complaint). At the time of filing a formal complaint with the district, a complainant must be participating in or attempting to participate in the district's education program or activity. 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 under subsection 1.1 above, and by any additional method designated by the district. As used in this paragraph, the phrase "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

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or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party under this policy or under 34 C.F.R. part 106, and will comply with the requirements of this policy and 34 C.F.R. part 106, including subsections 5.1.3–5.1.4 and 34 C.F.R. § 106.45(b)(1)(iii).

2.4. **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

2.5. **Consent** for purposes of this policy means the willingness in fact for conduct to occur. An individual may, as a result of age, incapacity, disability, lack of information, or other circumstances be incapable of providing consent to some or all sexual conduct or activity. Neither verbal nor physical resistance is required to establish that an individual did not consent. District officials will consider the totality of the circumstances in determining whether there was consent for any specific conduct. Consent may be revoked or withdrawn at any time.

2.6. **Sexual harassment** means conduct on the basis of sex that satisfies one or more of the following:

2.6.1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;

2.6.2. 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 district's education program or activity;

2.6.3. **Sexual assault**, as defined in 20 U.S.C. § 1092(f)(6)(A)(v), which means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation:

2.6.3.1. **Sex Offenses, Forcible**—Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.

2.6.3.1.1. **Rape**—(Except Statutory Rape) The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

2.6.3.1.2. **Sodomy**—Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or

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because of his/her temporary or permanent mental or physical incapacity

2.6.3.1.3. **Sexual Assault With An Object**—To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

2.6.3.1.4. **Fondling**—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

2.6.3.2. **Sex Offenses, Non-forcible**— (Except Prostitution Offenses) Unlawful, non-forcible sexual intercourse.

2.6.3.2.1. **Incest**—Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law

2.6.3.2.2. **Statutory Rape**—Non-Forcible sexual intercourse with a person who is under the statutory age of consent

2.6.4. **Dating violence**, as defined in 34 U.S.C. § 12291(a)(10), which means violence committed by a person—

2.6.4.1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and

2.6.4.2. where the existence of such a relationship shall be determined based on a consideration of the following factors:

2.6.4.2.1. The length of the relationship.

2.6.4.2.2. The type of relationship.

2.6.4.2.3. The frequency of interaction between the persons involved in the relationship.

2.6.5. **Domestic violence**, as defined in 34 U.S.C. § 12291(a)(8), which includes felony or misdemeanor crimes of violence committed by a current or former spouse or

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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.

2.6.6. **Stalking**, as defined in 34 U.S.C. § 12291(a)(30), which means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

2.6.6.1. fear for his or her safety or the safety of others; or

2.6.6.2. suffer substantial emotional distress.

2.7. **Supportive measures** mean non-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, campus escort services, 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. The district will 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. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

3. Discrimination Not Involving Sexual Harassment.

3.1. **General Prohibition.** Except as provided elsewhere in Title IX, 34 C.F.R. part 106, or this policy, no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by the district.

3.2. **Specific Prohibitions.** Except as provided elsewhere in Title IX, 34 C.F.R. part 106, or this policy, in providing any aid, benefit, or service to a student, the district will not on the basis of sex:

3.2.1. Treat one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefit, or service;

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3.2.2. Provide different aid, benefits, or services or provide aid, benefits, or services in a different manner;

3.2.3. Deny any person any such aid, benefit, or service;

3.2.4. Subject any person to separate or different rules of behavior, sanctions, or other treatment;

3.2.5. Apply any rule concerning the domicile or residence of a student or applicant;

3.2.6. Aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit or service to students or employees;

3.2.7. Otherwise limit any person in the enjoyment of any right, privilege, advantage, or opportunity.

3.3. **Complaint Procedure.** All complaints regarding any alleged discrimination on the basis of sex, including without limitation violations of this policy, 34 C.F.R. part 106, Title IX, Title VII, or other state or federal law—when the alleged discrimination does not arise from or relate to an allegation of sexual harassment as defined in subsection 2.6 above—shall be addressed pursuant to the district's general complaint procedure, Board Policy ACAA-E (1).

4. **Response to Sexual Harassment**

4.1. **Reporting Sexual Harassment.** Any person who witnesses an act of unlawful sexual harassment is encouraged to report it to the District's Title IX Coordinator. No person will be retaliated against based on any report of suspected sexual harassment or retaliation. Any District employee who receives a report of sexual harassment or has actual knowledge of sexual harassment must convey that information to the Title IX Coordinator as soon as reasonably practicable, but in no case later than the end of the following school day.

4.2. **General Response to Sexual Harassment.** When the district has actual knowledge of sexual harassment in its education program or activity against a person in the United States, the district will respond promptly in a manner that is not deliberately indifferent. The district will be deemed to be deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances. For the purposes of this policy "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. The district's response will treat complainants and respondents equitably by offering supportive measures as defined in subsection 2.7 above to a complainant, and by following the grievance process described in section 5 below before the imposition of any disciplinary sanctions or other actions that are not supportive measures, against a respondent. The Title IX Coordinator will 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.

4.3. **Emergency Removal.** Nothing in this policy precludes 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, and 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. In the event that the district so removes a respondent on an emergency basis, then the district will provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not 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.

4.4. **Administrative Leave.** Nothing in this policy precludes the district from placing a non-student employee respondent on administrative leave during the pendency of a grievance process that complies with section 5 below. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

4.5. **General Response Not Conditioned on Formal Complaint.** With or without a formal complaint, the district will comply with the obligations and procedures described in this section 4.

5. **Grievance Process for Formal Complaints of Sexual Harassment**.

5.1. **General Requirements**.

5.1.1. **Equitable Treatment.** The district will 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, and by following the grievance process described in this section 5 before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies will be designed to restore or preserve equal access to the district's education program or activity. Remedies may include the same individualized services described in subsection 2.7 as "supportive measures"; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

5.1.2. **Objective Evaluation.** This grievance process requires an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.

5.1.3. **Absence of Conflicts of Interest or Bias.** The district will require that any individual designated by a recipient as a Title IX Coordinator, investigator,

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decision-maker, or any person designated by a recipient to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

5.1.4. **Training.** The district will ensure that all individuals or entities described in this Training section 5.1.4 receive training as provided below. Any materials used to train these individuals will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment.

5.1.4.1. **All District Employees and Board Members**. All district employees and board members will be trained on how to identify and report sexual harassment.

5.1.4.2. **Title IX Coordinators, Investigators, Decision-Makers, or Informal Resolution Facilitators.** The district will ensure that Title IX Coordinators, investigators, decision-makers, or any person designated by the district to facilitate an informal resolution process receive training on:

5.1.4.2.1. The definition of sexual harassment in subsection 2.6;

5.1.4.2.2. The scope of the district's education program or activity;

5.1.4.2.3. How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable; and

5.1.4.2.4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

5.1.4.3. **Decision-Makers.** The district will ensure that decision-makers receive training 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, as set forth in subsection 5.6.

5.1.4.4. **Investigators.** The district will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in subsection 5.5.8.

5.1.5. **Presumption.** It is presumed that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

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5.1.6. **Reasonably Prompt Time Frames.** This grievance process shall include reasonably prompt time frames for conclusion of the grievance process, including reasonably prompt time frames for filing and resolving appeals and informal resolution processes if the district offers informal resolution processes. The process shall also allow 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.

5.1.7. **Range of Possible Sanctions and Remedies.** Following a determination of responsibility, the district may impose disciplinary sanctions and remedies in conformance with this and the district's student discipline policy, and other state and federal laws. Depending upon the circumstances, these policies provide for disciplinary sanctions and remedies up to and including expulsion.

5.1.8. **Range of Supportive Measures**. The range of supportive measures available to complainants and respondents include those listed in subsection 2.7.

5.1.9. **Respect for Privileged Information.** The district will 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.

5.2. **Notice of Allegations.**

5.2.1. **Initial Notice.** Upon receipt of a formal complaint, the district will provide the following written notice to the parties who are known:

5.2.1.1. A copy of this policy.

5.2.1.2. Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined in subsection 2.6, 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 will 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 will inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney,

under subsection 5.5.5, and may inspect and review evidence under subsection 5.5.5. The written notice will inform the

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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.

5.2.2. **Supplemental Notice.** If, in the course of an investigation, the district decides to investigate allegations about the complainant or respondent that are not included in the Initial Notice described above, the district will provide notice of the additional allegations to the parties whose identities are known.

5.3. **Dismissal of Formal Complaint.**

5.3.1. The district will investigate the allegations in a formal complaint.

5.3.2. **Mandatory Dismissals.** The district **must** dismiss a formal complaint if the conduct alleged in the formal complaint:

5.3.2.1. Would not constitute sexual harassment as defined in subsection 2.6 even if proved;

5.3.2.2. Did not occur in the district's education program or activity; or

5.3.2.3. Did not occur against a person in the United States.

5.3.3. **Discretionary Dismissals**. The district **may** dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing:

5.3.3.1. The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;

5.3.3.2. The respondent is no longer enrolled in or employed by the district; or

5.3.3.3. Specific circumstances prevent the district from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

5.3.4. Upon a dismissal required or permitted pursuant to subsections 5.3.2 or 5.3.3 above, the district will promptly send written notice of the dismissal and an explanation of that action simultaneously to the parties.

5.3.5. Dismissal of a formal complaint under this policy does not preclude the district from taking action under another provision of the district's code of conduct or pursuant to another district policy.

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5.4. **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 policy to the singular "party," "complainant," or "respondent" include the plural, as applicable.

5.5. **Investigation of Formal Complaint.** When investigating a formal complaint and throughout the grievance process, the district will:

5.5.1. Designate and authorize one or more persons (which need not be district employees) as investigator(s) to conduct the district's investigation of a formal complaint;

5.5.2. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the district and not on the parties provided that the district 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," as defined in 34 CFR 99.3, then the district will obtain the voluntary, written consent of a "parent," as defined in 34 CFR 99.3);

5.5.3. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;

5.5.4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;

5.5.5. 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;

5.5.6. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative

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interviews, or other meetings, with sufficient time for the party to prepare to participate;

5.5.7. Provide both parties an 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 district 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. Prior to completion of the investigative report, the district will 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 will have at least 10 calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report; and

5.5.8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 calendar days prior to the time of determination 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.

5.6. **Exchange of Written Questions.** After the district has sent the investigative report to the parties pursuant to subsection 5.5.8, but before reaching a determination regarding responsibility, the decision-maker(s) will 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. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) will explain to the party proposing the questions any decision to exclude a question as not relevant.

5.7. **Determination Regarding Responsibility**

5.7.1. **Decision-Maker(s).** The decision-maker(s) cannot be the same person as the Title IX Coordinator or the investigator(s).

5.7.2. **Written Determination.** The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker(s) will apply the preponderance of the evidence standard. The written determination will include:

5.7.2.1. Identification of the allegations potentially constituting sexual harassment as defined in subsection 2.6;

5.7.2.2. 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;

5.7.2.3. Findings of fact supporting the determination;

5.7.2.4. Conclusions regarding the application of the district's code of conduct to the facts;

5.7.2.5. 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 district's education program or activity will be provided by the district to the complainant; and

5.7.2.6. The district's procedures and permissible bases for the complainant and respondent to appeal.

5.7.3. The district will provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the district 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.

5.7.4. The Title IX Coordinator is responsible for effective implementation of any remedies.

5.8. **Appeals**. The district will offer both parties the opportunity to appeal from a determination regarding responsibility, and from the district's dismissal of a formal complaint or any allegations therein, on the grounds identified below.

5.8.1. **Time for Appeal.** Appeals may only be initiated by submitting a written Notice of Appeal to the Office of the Superintendent of Schools within ten (10) calendar days of the date of the respective written determination of responsibility or dismissal from which the appeal is taken. The Notice of Appeal must include (a) the name of the party or parties making the appeal, (b) the determination, dismissal, or portion thereof being appealed, and (c) a concise statement of the specific grounds (from subsection 0 below) upon which the appeal is based. A party's failure to timely submit a Notice of Appeal will be deemed a waiver of the party's right to appeal under this policy, 34 C.F.R. part, 106, and Title IX.

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5.8.2. **Grounds for Appeal.** Appeals from a determination regarding responsibility, and from the district's dismissal of a formal complaint or any allegations therein, are limited to the following grounds:

5.8.2.1. Procedural irregularity that affected the outcome of the matter;

5.8.2.2. 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; and

5.8.2.3. 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.

5.8.3. As to all appeals, the district will:

5.8.3.1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;

5.8.3.2. 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;

5.8.3.3. Ensure that the decision-maker(s) for the appeal complies with the standards set forth in subsections 5.1.3–5.1.4.

5.8.3.4. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;

5.8.3.5. Issue a written decision describing the result of the appeal and the rationale for the result; and

5.8.3.6. Provide the written decision simultaneously to both parties.

5.9. **Informal Resolution.** The district will 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 section. Similarly, the district will not require the parties to participate in an informal resolution process under this section and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the district may facilitate an informal resolution process,

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such as mediation, that does not involve a full investigation and adjudication, provided that the district:

5.9.1. Provides to the parties a written notice disclosing:

5.9.1.1. The allegations;

5.9.1.2. 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;

5.9.1.3. 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

5.9.1.4. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;

5.9.2. Obtains the parties' voluntary, written consent to the informal resolution process; and

5.9.3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

5.10. **Recordkeeping**.

5.10.1. The district will maintain for a period of seven years records of:

5.10.1.1. 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 district's education program or activity;

5.10.1.2. Any appeal and the result therefrom;

5.10.1.3. Any informal resolution and the result therefrom; and

5.10.1.4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The district will make these training materials publicly available on its website, or if the district does not maintain a website then the district will make these materials available upon request for inspection by members of the public.

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5.10.2. For each response required under section 4, the district will 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. In each instance, the district will 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 district's education program or activity. If the district does not provide a complainant with supportive measures, then the district will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the district in the future from providing additional explanations or detailing additional measures taken.

6. **Superintendent Authorized to Contract.** The board authorizes the Superintendent to contract for, designate, and appoint individuals to serve in the roles of the district's investigator(s), decision-maker(s), informal resolution facilitator(s), or appellate decision-maker(s) as contemplated by this policy.

7. **Access to Classes and Schools**.

7.1. **General Standard.** Except as provided in this section or otherwise in 34 C.F.R. part 106, the district will not provide or otherwise carry out any of its education programs or activities separately on the basis of sex, or require or refuse participation therein by any of its students on the basis of sex.

7.1.1. **Contact sports in physical education classes.** This section does not prohibit separation of students by sex within physical education classes or activities during participation in wrestling, boxing, rugby, ice hockey, football, basketball, and other sports the purpose or major activity of which involves bodily contact.

7.1.2. **Ability grouping in physical education classes.** This section does not prohibit grouping of students in physical education classes and activities by ability as assessed by objective standards of individual performance developed and applied without regard to sex.

7.1.3. **Human sexuality classes.** Classes or portions of classes that deal primarily with human sexuality may be conducted in separate sessions for boys and girls.

7.1.4. **Choruses.** The district may make requirements based on vocal range or quality that may result in a chorus or choruses of one or predominantly one sex.

7.2. **Classes and Extracurricular Activities.** The district may provide nonvocational single-sex classes or extracurricular activities as permitted by 34 C.F.R. part 106.

8. **Athletics.** It is the policy of the district that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person or otherwise be discriminated against in any interscholastic, club, or intramural athletics offered by the district, and that the district will not provide any such athletics separately on such basis.

8.1. **Separate Teams.** Notwithstanding the foregoing paragraph, the district may operate or sponsor separate teams for members of each sex where selection for such teams is based upon competitive skill or the activity involved is a contact sport.

8.2. **Equal opportunity.** The district will provide equal athletic opportunity for members of both sexes. Unequal aggregate expenditures for members of each sex or unequal expenditures for male and female teams will not constitute noncompliance with this section.

9. **Certain Different Treatment on the Basis of Sex Permitted.** Nothing herein shall be construed to prohibit the district from treating persons differently on the basis of sex as permitted by Title IX or 34 C.F.R. part 106. For example, and without limiting the foregoing, the district may provide separate toilet, locker room, and shower facilities on the basis of sex, but such facilities provided for students of one sex shall be comparable to such facilities provided for students of the other sex.

10. **Retaliation Prohibited.** Neither the district nor any 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, 34 C.F.R. part 106, 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. The district will 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 the FERPA statute, 20 U.S.C. § 1232g, or FERPA regulations, 34 C.F.R. part 99, or as required by law, or to carry out the purposes of 34 C.F.R. part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation may be filed according to shall be addressed pursuant to Board Policy 2006 (Complaint Procedure).

10.1. **Specific Circumstances**.

10.1.1. The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by this section.

10.1.2. 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 part does not constitute retaliation prohibited under this section, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

11. **Notification of Policy.** The district will notify applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding

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collective bargaining or professional agreements with the district of the existence of this policy. The requirement to not discriminate, as stated in Title IX and 34 C.F.R. part 106, in the district's education program(s) or activities extends to admission and employment, and inquiries about the application of Title IX and 34 C.F.R. part 106 to the district may be referred to the district's Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

12. **Publication of Policy.** The district will prominently display on its website, if any, and in each handbook that it makes available to applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district, the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator(s).

13. **Application Outside the United States.** The requirements of this policy apply only to sex discrimination occurring against a person in the United States.

14. **Scope of Policy.** Nothing herein shall be construed to be more demanding or more constraining upon the district than the requirements of Title IX (20 U.S.C. § 1681) and 34 C.F.R. part 106. To the extent that the district is

in compliance with Title IX and 34 C.F.R. part 106, then all of the district's obligations under this policy shall be deemed to be fulfilled and discharged.

TITLE IX COMPLAINT PROCEDURE

Good communication helps to resolve many misunderstandings and disagreements. This complaint procedure applies to board members, patrons, students and school staff, unless the staff member is subject to a different grievance procedure pursuant to policy or contract. Individuals who have a complaint should discuss their concerns with appropriate school personnel in an effort to resolve problems. When such efforts do not resolve matters satisfactorily, including matters involving discrimination or harassment on the basis of race, color, national origin, sex, marital status, disability, or age, a complainant should follow the procedures set forth below. Students and employees who believe they have been subjected to sex harassment in violation of Title IX should refer to the board's policy titled "Title IX."

A preponderance of the evidence will be required to discipline a party accused of misconduct. This means that the investigator must conclude that it is more likely than not that misconduct occurred.

Complaint and Appeal Process.

1. The first step is for the complainant to speak directly to the person(s) with whom the complainant has a concern. For example, a parent who is unhappy with a classroom teacher should initially discuss the matter with the teacher. However, the complainant should skip the first step if complainant believes speaking directly to the person would subject complainant to discrimination or harassment.

2. The second step is for the complainant to speak to the building principal, Title IX/504 coordinator, superintendent of schools, or president of the board of education, as set forth below.

    a) Complaints about the operation, decisions, or personnel within a building should be submitted to the principal of the building.

    b) Complaints about the operations of the school district or a building principal should be submitted in writing to the superintendent of schools.

    c) Complaints about the superintendent of schools should be submitted in writing to the president of the board of education.

    d) Complaints involving discrimination or harassment on the basis of race, color, national origin, sex, marital status, disability, or age may also be submitted, at any time during the complaint procedure to the School District's Title IX/504 coordinator. Complaints involving discrimination or harassment may also be submitted at any time to the Office for Civil Rights, U.S. Department of Education: by email at OCR.KansasCity@ed.gov; by telephone at (816) 268-0550; or by fax at (816) 268-0599.

3. When a complainant submits a complaint to an administrator or to the Title IX/504 coordinator, the administrator or Title IX/504 coordinator shall promptly and thoroughly investigate the complaint, and shall:

    a) Determine whether the complainant has discussed the matter with the staff member involved.

        1) If the complainant has not, the administrator or Title IX/504 coordinator will urge the complainant to discuss the matter directly with that staff member, if appropriate.

2) If the complainant refuses to discuss the matter with the staff member, the administrator or Title IX/504 coordinator shall, in his or her sole discretion, determine whether the complaint should be pursued further.

b) Strongly encourage the complainant to reduce his or her concerns to writing.

c) Interview the complainant to determine:

1) All relevant details of the complaint;

2) All witnesses and documents which the complainant believes support the complaint;

3) The action or solution which the complainant seeks.

d) Respond to the complainant. If the complaint involved discrimination or harassment, the response shall be in writing and shall be submitted within 180 calendar days after the administrator or Title IX/504 coordinator received the complaint.

4. If either the complainant or the accused party is not satisfied with the administrator's or the Title IX/504 coordinator's decision regarding a complaint her or she may appeal the decision to the superintendent.

a) This appeal must be in writing.

b) This appeal must be received by the superintendent no later than ten (10) calendar days from the date the administrator or Title IX/504 coordinator communicated his/her decision to the complainant.

c) The superintendent will investigate as he or she deems appropriate. However, all matters involving discrimination or harassment shall be promptly and thoroughly investigated.

d) Upon completion of this investigation, the superintendent will inform the complainant in writing of his or her decision. If the complaint involved discrimination or harassment, the superintendent shall submit the decision within 180 calendar days after the superintendent received complainant's written appeal.

5. If either the complainant or the accused party is not satisfied with the superintendent's decision regarding a complaint, he or she may appeal the decision to the board.

a) This appeal must be in writing.

b) This appeal must be received by the board president no later than ten (10) calendar days from the date the superintendent communicated his/her decision to the complainant.

c) This policy allows, but does not require the board to receive statements from interested parties and witnesses relevant to the complaint appeal. However, all matters involving discrimination or harassment shall be promptly and thoroughly investigated.

d) The board will notify the complainant in writing of its decision. If the complaint involved discrimination or harassment, the board shall submit its decision within 180 calendar days after it received complainant's written appeal.

e) There is no appeal from a decision of the board.

6. When a formal complaint about the superintendent of schools has been filed with the president of the board, the president or his or her designee shall promptly and thoroughly investigate the complaint, and shall:

a) Determine whether the complainant has discussed the matter with the superintendent.

1) If the complainant has not, the board president or designee will urge the complainant to discuss the matter directly with the superintendent, if appropriate.

2) If the complainant refuses to discuss the matter with the superintendent, the board president shall, in his or her sole discretion, determine whether the complaint should be pursued further.

b) Strongly encourage the complainant to reduce his or her concerns to writing.

c) Determine, in his or her sole discretion, whether to place the matter on the board agenda for consideration at a regular or special meeting.

d) Respond to the complainant. If the complaint involved discrimination or harassment, the response shall be in writing and shall be submitted within 180 calendar days after the president received the complaint.

No Retaliation. The school district prohibits retaliation against any person for filing a complaint or for participating in the complaint procedure in good faith.

Special Rules Regarding Educational Services and Related Services to Students with Disabilities. Students with disabilities and their families have specific rights outlined in state and federal law, including administrative processes by which they may challenge the educational services being provided by the school district. Therefore, the appeal process contained in this policy may not be used to challenge decisions made by a student's individualized education plan (IEP) team or 504 team.

Complaints about the educational services provided a student with a disability, including but not limited to services provided to a student with an IEP, access to curricular and extracurricular activities, and educational placement must be submitted to the school district's Director of Special Education. The Director of Special Education will address the complaint in a manner that he/she deems appropriate and will provide the complainant with a copy of the Notice of IDEA Parental Rights promulgated by the Nebraska Department of Education.

Complaints about the educational services provided a student with a disability pursuant to a Section 504 plan must be submitted to the school district's 504 Coordinator. The 504 Coordinator will address the complaint in a manner that he/she deems appropriate and will provide the complainant with a copy of the Notice of Section 504 Parental Rights adopted by the board of education.

Complaints about the educational services provided to a student who is suspected of having a disability must be submitted in writing to the school district's Director of Special Education or to the district's 504 Coordinator. The Director of Special Education or 504 Coordinator will either refer the student for possible verification as a student with a disability or will provide prior written notice of the district's refusal to do so.

Bad Faith or Serial Filings. The purpose of the complaint procedure is to resolve complaints at the lowest level possible within the chain of command. Individuals who file complaints (a) without a good faith intention to attempt to resolve the issues raised; (b) for the purpose of adding administrative burden; (c) at a volume unreasonable to expect satisfactory resolution; or (c) for purposes inconsistent with the efficient operations of the district may be dismissed by the superintendent without providing final resolution other than noting the dismissal. There is no appeal from dismissals made pursuant to this section.

STUDENT RELATIONSHIPS

Students who exhibit excessive affection in hallways and classrooms can be expected to be referred to the office and, if necessary, detention and short-term suspension will be given to uncooperative students. Table of Contents

STUDENT RIGHTS AND RESPONSIBILITIES

It is the Student's Right to:

- Attend school in the district in which his/her parent or legal guardian resides or to apply for the Open Enrollment (Application on file in superintendent's office)
- Attend school until graduation or the age of 21 whichever comes first at public expense.
- Obtain free textbooks and supplies needed in the course of study.
- Attend school at no expense even though married.
- Assist in the making of decisions affecting his/her life in school.
- Express his/her opinion verbally or in writing.
- Expect that the school will be a safe place for all students to gain an education.
- Dress in such a way as to express his/her personality.
- File a grievance with the appropriate school official when accused of misconduct.
- Be afforded a fair hearing with the opportunity to call witnesses in his/her own behalf, and to appeal his/her case in event of disciplinary action.
- Expect that where he/she bears witness in a disciplinary case, the school will honor his/her anonymity.
- Be represented by an active student government selected by free school elections.
- Assist in the making of school rules.

It is the Student's Responsibility to:

- Attend school daily, except when ill and to be on time at all classes.
- Attend school until the age of eighteen (18) or high school graduation.
- Pay admission to activities if attendance therein is voluntary.
- Pursue and attempt to complete the course of study prescribed by the state and local authorities.
- Express his/her opinions and ideas in a respectful manner so as not to offend or slander others.
- Be aware of all rules and regulations for student behavior and conduct himself/herself in accordance with them.
- Dress and appear so as to meet fair standards of propriety, safety, health and good taste.
- Be willing to volunteer information in disciplinary cases should he/she have knowledge of importance.
- Be willing to volunteer information and cooperate with school staffs in disciplinary cases.
- Assist the school staff in running a safe school for all students enrolled therein.
- Take an active part in student government by running for office, voting for the best candidates; making his/her problems known to the staff through his/her representative.

Assume that until a rule is waived, altered or repealed that it is in full effect. Table of Contents

STUDY HALL REGULATIONS

Study hall provides the student with the opportunity to do homework and assignments and other studying during the school day. For the general good of all student body, study hall must be quiet.

- Each student must have schoolwork to study in study hall. Recreational reading is also permitted.
- If you have questions about assignments, you are encouraged to talk to the study hall proctor.
- Seating charts will be maintained in order to make taking attendance practical.

- Whenever you are in the hallway, with the exception of the time between classes, you must have a pass signed by the teacher to whose room or study hall you are assigned.
- With the study hall teacher's permission, students may sign out of study hall to: See another teacher. However, you must have an advance pass from the teacher you are going to see. OR See the guidance counselor. However, you must have an advance pass from the guidance counselor. OR Go to the library. (Limit of four students for 15 minutes). Table of Contents

SUSPENSION OR EXPULSION

The principal may dismiss a student form class for the day and prescribe or administrate any reasonable and legal punishment. Cases of suspension or expulsion are referred to the superintendent. In each case, immediate notice of suspension and reason therefore is given to the parents or guardians of the pupil and to the board. The board has the authority to expel a pupil for the reason given above until the end of the current school term. A student who is expelled may request a hearing and have his attorney present.

See "Due Process" for more information.

In School Suspension/Out of School Suspension General Guidelines

In-school suspension will require the student to be in attendance from 8:15 – 4:00. The student will be required to complete all class work for the day and can receive full credit for this work. Any student failing to complete work due to lack of effort may be dealt with using additional discipline inclusive of detention, in-school suspension, or out-of-school suspension.

In addition to being isolated from classes, students serving an in-school suspension will not be allowed to participate in extra-curricular or co-curricular activities for that day as an active participant. However, the student will be allowed to accompany, at the discretion of the advisor, the activity group as an in-active participant and fill a non-participatory role as deemed necessary. Students not involved directly in said activity will be allowed to attend such an event as a spectator. Students serving an out-of-school suspension will not be allowed to participate in school events as either a participant or as a spectator.

Whenever a pupil identified as in need of special assistance or pro-longed assistance pursuant to SDCL 13-37-1 is expelled or subjected to long-term suspension , a referral shall be made by the superintendent to the district's placement committee. The placement committee shall determine whether the action, behavior, or activity, which resulted in the long-term suspension or expulsion, is the result of the pupil's handicapped condition. If the placement committee determined that the long-term suspension of a pupils based upon action, behavior or activity by the pupil arising from the pupil's handicapped condition, the placement committee shall immediately prepare a revised individual education plan to provide educational services to the pupil. The pupil's long-term suspension or expulsion shall terminate upon implementation of the pupil's revised individual education plan. Table of Contents

TARDINESS

Tardiness of students to classes seriously interrupts classroom work. Not only does the student who is tardy lose by missing class, but also all students in the class lose out because of the interruption of a late arrival. Students must be in their classroom before the next period begins. The students not in their rooms by the start of the next class will be marked tardy on the attendance sheet. Students are to report to the office for a tardy slip**. Students who report tardy at the start of the school day will not participate in co-curricular or extra-curricular activities scheduled for that day.** The only exception is previously scheduled appointments or emergency situations which are cleared by the administration. Table of Contents

THEFT

Stealing school or student property may result in detention or suspension. Referral may be made to law enforcement officials and restitution will have to be made by the student or parents of the student. Students are encouraged to do the following: Table of Contents

- Use common sense and do not leave purses and other personal belongings in classrooms and gyms.
- Check valuable items into the office if they must be brought to school on any given day.
- Accept responsibility for belongs and valuables used each day in the classroom or school activities.
- Mark your gym clothes, shoes, and all other personal equipment or items with your name.
- Keep your school and locker room lockers locked at all times.

TRANSFERRING OUT OR WITHDRAWING

Every student who changes schools or withdraws for any purpose should notify the office two (2) days ahead of time.

- The office will give the student a withdrawal form, which he/she must present and have signed by each of his/her teachers, showing the student has made satisfactory clearance.
- The parent is asked to fill out a release form. Transfer will then be given and credits forwarded to the school of his or her request.
- No confirmation regarding the status of a student will be released until all obligations have been satisfied. These obligations include rental fees, fines for lost or damaged books and equipment, unreturned books and equipment, and costs incurred in take-home projects in art classes.

TRANSPORTATION

Since the Elk Point-Jefferson School District provides bus transportation for its students, there are very few instances where it becomes necessary for students to have to drive to school. Therefore, no student may sit in, start, or move his vehicle during the school day without the principal's permission. Table of Contents

TRUANCY

Students who are not in school or who are tardy without parental or school consent will be considered truant. Truancy violates state and local attendance laws and will be considered a serious offense. Continued truancy may result in legal action inclusive of contacting law enforcement or expulsion from school. Table of Contents

VISITATION

We maintain an "open door" policy for adult visitation. It is wise to call before you visit to ensure your child is involved with an activity that you wish to observe. Pre-school children unaccompanied by an adult are not permitted to visit. Due to the potential for distraction that school age visitors present, they are not encouraged to visit and may do so only at the discrepancy of the building principal. Table of Contents

WEAPONS AND DANGEROUS INSTRUMENTS

A student shall not knowingly possess, handle, or transmit, any object that can reasonably be considered a weapon:

- On the school grounds during and immediately before or immediately after school hours.
- On the school grounds at any other time when the school is being used by a school group.
- Off the school grounds at any school activity, function or event.

This rule does not apply to normal school supplies like, pencils or compasses, but does apply to any firearm, any explosives, including firecrackers, any knife other than a small pocketknife, any explosive and other dangerous objects of no reasonable use to the pupil at school. In addition to school discipline and in accordance with SDCL 13-32-7, students found in violation will be referred to law enforcement. As well, any student found in violation of the Gun-Free Schools Act (GFSA) will be expelled from the school for a period of not less than one year and referred to the criminal justice or juvenile delinquency system. The superintendent may modify the expulsion requirement on a case-by-case basis.

13-32-7. Possession of firearms on or in elementary or secondary school premises or vehicle as misdemeanor--Exceptions. Any person, other than a law enforcement officer or school sentinel acting pursuant to § 13-64-1, who intentionally carries, has in his possession, stores, keeps, leaves, places, or puts into the possession

of another person, any firearm, or air gun, whether or not the firearm or air gun is designed, adapted, used, or intended primarily for imitative or noisemaking purposes, or any dangerous weapon, on or in any elementary or secondary school premises, vehicle, or building or any premises, vehicle, or building used or leased for elementary or secondary school functions, whether or not any person is endangered by such actions, is guilty of a Class 1 misdemeanor. This section does not apply to starting guns while in use at athletic events, firearms, or air guns at firing ranges, gun shows, and supervised schools or sessions for training in the use of firearms. This section does not apply to the ceremonial presence of unloaded weapons at color guard ceremonies.
Source: SL 1961, ch 49; SL 1979, ch 120; SL 1982, ch 86, § 145; SL 1990, ch 129; SL 1991, ch 147, § 1; SL 1993, ch 142; SL 2002, ch 90, § 1; SL 2013, ch 93, § 8.

Water Bottle Use

Students will be allowed to use a personal transparent (Clear) water bottle to carry with them throughout the school day. The water bottle cannot exceed 24 fluid ounces. (Water Only-No Juice, Pop, Flavor Enhancers, etc.)

We hope you have a great year being a Husky! Any questions or comments relating to the policies and guidelines within this handbook should be directed to the principal's office by phone 605.356.5901 or through email at skyler.eriksen@k12.sd.us.

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