

# Tiospa Zina Tribal School

## K-12 Student Handbook

2024-2025



### TZTS Mission Statement

The Mission of Tiospa Zina Tribal School, as a Dakota School, created from the vision of a few and supported by many, is to cultivate successful citizens by building positive relationships with families in our culturally diverse society with: **Wicake** - *Honesty*, **Tehinda** *Empathy*, **Waunsida** - *Compassion*, **Okciya** - *Generosity*, **Ohoda** - *Respect*, **Woksape** - *Understanding*, and **Waditake** – *Bravery*.

## **STAFF DIRECTORY:**

Tiospa Zina Elementary School      Phone: 605-698-3953      Fax: 605-698-7686  
Tiospa Zina MS/HS      Phone: 605-698-6954      Fax: 605-698-7766

### **POSITION:**

### **NAME:**

### **EXTENSION:**

|                                     |                      |     |
|-------------------------------------|----------------------|-----|
| Superintendent                      | Craig Peterson       | 204 |
| High School Principal               |                      | 274 |
| Middle School Principal             | Jasmin Zetina        | 306 |
| Elementary Principal                | Mindy Crawford       | 213 |
| Dakota Studies Director             | Rachelle Crawford    | 217 |
| Human Resources Director            | Jennifer Williams    | 208 |
| Central Office Exec. Assistant      | Brooke Dunham        | 212 |
| MS/HS Attendance Clerk              | Jerrilyn Rousseau    | 203 |
| MS/HS Administrative Assistant      | Izola Flying Horse   | 201 |
| K-5 Administrative Assistant        | Missy Renville       | 202 |
| K-5 Special Education Director      | Kara German          | 229 |
| MS/HS Special Education Director    | Heather Bainbridge   | 281 |
| MS/HS Counselor                     | Shobi Zetina         | 307 |
| MS/HS Counselor                     | Kim Coon             | 263 |
| HS Academic Counselor               | Megan Hilpert        | 220 |
| Athletic Director                   | Rich Crow Eagle      | 214 |
| K-5 Student Services Coord.         | Diantha Larson       | 240 |
| MS Student Services Coord.          | Wambdi Cook          | 271 |
| HS Student Services Coord.          |                      |     |
| Facilities/Transp. Supervisor       | Justin German        | 279 |
| IT Directory                        | Garryl Rousseau, Jr. | 303 |
| Kitchen Supervisor                  | Louella Cloud        | 300 |
| Instructional Coach K-5/Test Coord. | Jennifer Kaufmann    | 212 |
| Security                            | Steve Marks          | 203 |
| Security Officer                    |                      |     |
| Parent Committee Chairperson        | Nettie Kirk          | 201 |

\*Staff email: All staff have email in the following format firstinitiallastname@tzts.us  
(i.e.,jgerman@tzts.us)

## **MEANING OF SCHOOL NAME:**

TIOSPA... several families who are relatives living in a group. The first concern of the Tiospa was the proper education of the children. Children had to grow up to be able to take care of themselves and carry out their responsibilities. To accomplish this, everyone in the group was responsible for each child's development, both physically as well as spiritually. It is part of the "Tiospa" concept that is basic to the development and operation of the Tribal School.

ZINA... each of the four directions has an identifying color, each of which has its own meaning. The word "Zina" comes from the word "Zi", which in Dakota language means the color yellow. Yellow is the color of the east, the direction from which the sun rises, and the new day begins. It is to this direction that one prays for and receives knowledge, concern, caring, sharing, love, compassion, and spiritual growth so that one can develop their total being spiritually, physically, and live in harmony with the rest of Wakan Tanka's creations.

## **DAKOTA VALUES:**

**OHODA:** respect, admiration, esteem, consideration, favor, obey

- Learners exhibit "*Ohoda*" by holding in high regard of self, others, things, the earth, and everything related to living.

**OKCIYA:** sharing, generosity, giving, helping one another.

- Learners exhibit "*Okciya*" by sharing their thoughts, time and possessions with others and taking care of those in need.

**TEHINDA:** cherish, nourish, cultivate, foster, value, treasure, feel for children, treasure life, respect property.

- Learners exhibit "*Tehinda*" by showing extreme tenderness toward children and doing whatever is necessary to foster their development.

**WICAKE:** honesty, to esteem truth.

- Learners exhibit "*Wicake*" by telling and acknowledging the truth.

**WAUNSIDA:** compassion, love, caring, empathy, tenderness, kindhearted, soft-hearted. ➤

- Learners exhibit "*Waunsida*" by showing empathy to all living things.

**WOKSAPE:** Understanding

- Learners exhibit "*Woksape*" by gaining deep understanding through observation and participation.

**WADITAKE:** Bravery

- Learners exhibit "*Waditake*" by doing the right thing, speaking up for peers, being brave in all situations.

## **RIGHTS OF THE STUDENT:**

To maintain integrity, values and promote elevated ideals of education, students are expected to follow ambitious standards of personal conduct. Students have the following rights:

1. The right to a free and appropriate education.
2. The right to freedom of religion and culture.
3. The right to be free from unreasonable search and seizure of their person and property, to a reasonable degree of privacy, and to a safe and secure environment.
4. The right to freedom of the press, except where the material in student publications is libelous, slanderous, obscene, or prejudicial.
5. The right to freedom of speech and expression, including symbolic expression, so long as the symbolic expression does not disrupt the educational process or endanger the health and safety of students or others.
6. The right to freedom from discrimination.
7. The right to be free from cruel and unusual punishment.
8. The right to peaceable assembly and to petition for the redress of grievance.
9. The right to due process. Every student is entitled to due process in every instance of disciplinary action for alleged violation of school regulations for which the student may be subjected to a penalty of suspension, expulsion, or transfer.
10. Students with disabilities have the right to a manifestation determination hearing prior to a suspension/expulsion for more than 10 days in a semester.
11. Students have a right to an environment free of bullying and harassment, including but not limited to physical, sexual, emotional, verbal, cyber or any other form of inappropriate conduct towards others.

## **RESPONSIBILITIES OF THE STUDENT:**

The declaration of rights implies corresponding responsibilities. The student must accept these responsibilities and not infringe upon the rights of others within the school community.

1. **To obtain an education:** the student must regard the opportunity of obtaining an education as one of their duties to the community. It is their responsibility to attend class as scheduled and complete their assignments. Students' actions should not interfere with other students' ability to learn
2. **To follow school rules and policies:** The student must obey recognized laws, rules, policies, and procedures developed by the school and tribe. This includes attending/participating in all cultural gatherings as in: opening, closing and assemblies etc.
3. **To practice self-control:** The student must refrain from inflicting bodily harm on other individuals, self and respect the privacy of their person and property
4. **To practice respect for self, other students, staff and all school property.**
5. **To know the grievance procedure:** The student must be informed of the proper methods and channels of complaints and use them when necessary.

## **DAKOTA LANGUAGE/CULTURE/HISTORY:**

Tiospa Zina Tribal School is a cultural-based school of the Dakota people from the Sisseton Wahpeton Oyate, therefore, all students will be instructed in appropriate traditional and contemporary teachings of the Dakota language, culture, and history.

## **ADMISSION POLICY:**

1. Student must be living with parents/guardians within the boundaries of the Lake Traverse Reservation or be an independent residing within the Reservation boundaries.
2. *Not in District: Wilmot, Browns Valley, Waubay*
3. All students must complete prior grade level or class requirements prior to being enrolled in the next grade level or classes and must be in good standing academic, behavior and attendance to be re-enrolled the next year.
4. A transcript and all other necessary information from the previous school is required before a student is accepted for permanent enrollment.
5. The parent/guardian is required to complete all enrollment forms prior to the admission of student(s) to start school. The student may start school only after all forms are completed and enrollment processed.
6. Forms required:
  - Birth Certificate
  - Medical (Immunization) Form
  - Tribal Enrollment Card/Number
7. Students will be allowed to transfer in from another school system within 10 days into the first academic semester and 10 days into the second academic semester pending an administrative/ Multi-Disciplinary review.
8. All transfer students must meet academic, behavior and attendance requirements, which may take ten instructional days for a final decision.
9. Students 18 and under (per tribal juvenile code chapter 38) are classified as minors and require parental permission as such, unless they are living independently from their parents/guardians.
10. All students will require an administrative review/ Multi-Disciplinary Team.
11. A child must be 5 years old (or more) by September 1<sup>st</sup>, in order to meet the eligibility requirement for Kindergarten. Students may enroll in the first grade if they are 6 years old (or more) by September 1<sup>st</sup> of the ensuing year.

## **ACADEMIC GRADING SYSTEM:**

NOTE: Each teacher is responsible for notifying the student and parent(s) when a student's academic performance falls to "skilled" or below "C." (FILL IN THE GAPS)

| <b>Rubric</b> | <b>Percent</b> | <b>Letter Grade</b> | <b>GPA</b> |
|---------------|----------------|---------------------|------------|
| Exemplary     | 100+           | A+                  | 4.33       |
|               | 95-100         | A                   | 4.00       |

|             |       |    |      |
|-------------|-------|----|------|
|             | 92-94 | A- | 3.67 |
| Proficient  | 89-91 | B+ | 3.66 |
|             | 86-88 | B  | 3.00 |
|             | 83-85 | B- | 2.67 |
| Skilled     | 79-82 | C+ | 2.66 |
|             | 74-78 | C  | 2.00 |
|             | 70-73 | C- | 1.67 |
| In-Progress | 66-69 | D+ | 1.66 |
|             | 66-65 | D  | 1.00 |
| Not Yet     | 0-59  | N  | 0    |

**ACADEMIC ELIGIBILITY FOR PARTICIPATION IN ALL STUDENT ACTIVITIES:**

Students in grades 6-12 must be currently passing 5 classes at any time. TZTS will follow the S.D.H.S.A.A. eligibility requirements for participation in **ALL** student activities. Principal, Athletic Director, Teachers, and Coaches must monitor all athletic/extra-curricular eligibility. Eligibility will be checked monthly and at mid-terms, quarters and semesters. Eligibility will be pulled every Monday and if a student is not currently passing 5 classes, then the student will be ineligible for 1 activity.

**STUDENT ASSESSMENT:**

Tiospa Zina implements a student assessment program during each school term. Assessment includes achievement, self-concept, and other processes to enable the school to define the needs and interests of the students more accurately. Benchmark testing three times, per school year, is a key component in student assessment. As with any effort, students are expected to do their best in accurately completing items that assess or measure the various performance or needs of the student. Intervention classes may be required for students if they do not meet expectations.

**CONSEQUENCES OF ACADEMIC FAILURE:**

Classroom Teachers, Counselors, Administrators, Coaches, and the Athletic Director will monitor student progress on a weekly basis.

- Tutoring: All students will have access to their teachers for tutoring and teachers may recommend students to attend tutoring.

**COURSE: GRADUATION REQ: HONORS GRADUATION:**

|                                    |             |                       |
|------------------------------------|-------------|-----------------------|
| Communication                      | 4 credits   | 4 credits             |
| Mathematics                        | 3 credits   | 4 credits             |
| Science                            | 3 credits   | 4 credits             |
| Social Science                     | 3 credits   | 3 credits             |
| Dakota Studies (1 in Dakota Lang.) | 2 credits   | 3 credits (If Avail.) |
| CTE                                | 2 credits   | 2 credits             |
| Fine Arts                          | 1 credit    | 1 credits             |
| Personal Finance                   | 0.5 credit  | 0.5 credit            |
| Health                             | 0.5 credit  | 0.5 credit            |
| Physical Education                 | 0.5 credits | 0.5 credit            |
| Electives/Other Courses            | 2.5 credits | 3.5 credits           |

**Students Must Pass 22 Credits for Graduation:**

- **CTE classes include:** Service Learning, Approved Career, Technical, and World Language.
- Honors Graduation Requirements that consist of 26 credits (Please see the Academic Counselor).
- High School students must pass at least 5 credits in order to be classified as a sophomore, 11 credits as a junior, and 15 credits as a senior.

**Extra-curricular Activities offered at Tiospa Zina**

**Athletics:**

1. Girls 7/8 Basketball
2. High School Girls Basketball
3. Boys 7/8 Basketball
4. High School Boys Basketball
5. Jr. High Football
6. High School Football
7. Girls 7/8 Volleyball
8. High School Volleyball
9. Track & Field Head Coach
10. Track & Field Assistant/Jr. High Coach
11. Jr. High Wrestling
12. High School Wrestling
13. Football Cheerleading
14. Boys Basketball Cheerleading
15. Cross Country

16. Girls Golf
17. Boys Golf
18. Bowling
19. EA Sports

**Extra-Curricular:**

1. National Honor Society
2. Dakota Club
3. Yearbook
4. Drama/One Act Play
5. MS/HS Student Council
6. Hand Games
7. Dakota Language Bowl
8. Lacrosse
9. Hanpa Apena (Moccasin Team)

**STUDENT RECORDS:**

Each student has a confidential student file which contains information regarding grades, physical examinations, incident reports, immunization records, achievement and testing results, and other confidential information. Any release of student records/transcripts must be signed by the parent(s)/guardian(s) of a student who is under the age of 18. Students 18 years old (or older) may sign off on their own records. All other access to student records shall be confined to authorized school personnel. Unauthorized personnel shall not have access to student records without the student and his/her parent(s)/guardian(s) written permission, except when required by law. Any access to student folders must be signed, acknowledging having viewed the file.

**SCHOOLWIDE EXPECTATIONS:**

S.O.A.R. (Safety. Ownership. Achievement. Respect)

Our SOAR Expectations are part of a framework from Positive Behavior Intervention and Support (PBIS). PBIS/ SOAR is a process for creating school environments that are more predictable and effective for achieving academic and social goals. SOAR enhances the current systems and practices and changes the culture for the better. A key strategy of the PBIS process (SOAR) is prevention. Through definition, instruction, comprehension, and regular practice, all stakeholders use a consistent set of behavior expectations and rules. When students do not respond to behavioral rules, it is viewed as an opportunity for re-teaching, not just punishment.

Look at later

**EXPECTATIONS FOR ALL SETTINGS:**

**Safety:**

- Keep hands, feet, and objects to self
- Use materials appropriately **Ownership:**
- Have needed materials
- Clean up after self
- Recycle **Achieve:**
- Give your best effort
- Ask for help when needed
- Encourage others to do their best **Respect:**
- Use kind words with an appropriate voice
- Listen and follow instructions

**HALLWAY EXPECTATIONS:**

**Safety:**

- Use inside voices
  - Walk
  - Keep all body parts to yourself
  - 
  -

**Ownership:**

- Be on time for all classes
- Follow the dress code
- Put trash in the trash cans

**Achieve:**

- Get where you need to be on time

**Respect:**

- Use kind words and an appropriate voice
- Follow procedures

**ASSEMBLY EXPECTATIONS:**

**Safety:**

- Sit in your designated area with your class

**Ownership:**

- Choose a positive attitude

**Achieve:**

- Listen to the presentation and think about the information that was presented

**Respect:**

- Applaud when appropriate
- Give the speaker/presenter your full attention

## **BATHROOM EXPECTATIONS:**

### **Safety:**

- Wash your hands with soap and water

### **Ownership:**

- Clean up after self

### **Achieve:**

- Return to class as quickly as possible

### **Respect:**

- Wait your turn
- Flush when finished

## **CAFETERIA EXPECTATIONS:**

### **Safety:**

- Use utensils appropriately
- Keep your area clean
- Stay seated when eating
- Walk in the cafeteria
- 

### **Ownership:**

- Try new food

### **Achieve:**

- Make healthy choices

### **Respect:**

- Use kind words and an appropriate voice

## **POSITIVE BEHAVIOR RECOGNITION:**

Periodically, students will be recognized and acknowledged for their positive behavior in each class (*Tiwahe*).

## **STUDENT DRESS CODE:**

### **STUDENTS**

The school does not specifically subscribe to any particular dress code for students. Students are expected to dress in accordance with acceptable community standards. Clothing items that contain obscenities (pictures, emblems, words) and endorsements of alcohol and drugs, are prohibited. Students will keep hoods off their heads while on campus. Anything that distracts or disturbs the learning environment is subject to discipline.

Rules concerning student dress may be established by the administration to assure that student dress meets standards of healthfulness and safety and does not disrupt the educational process. Otherwise, the responsibility for the dress and appearance of student will rest with individual student and their parents. Student, faculty or parents groups may recommend appropriate dress for school occasions, but no student will be prevented from attending school or a school-sponsored activity because of appearance in style, or taste is the sole criteria for such action.

### **PASSES:**

Restroom passes will be given one student at a time with teacher approval for grades 6-12.

### **AFTER SCHOOL TUTORING Grades 6-12:**

Students must sign in by 3:15 pm with all required materials and make-up work from the designated teacher.

Students who stay after school for tutoring are to sign in, use the school-wide expectations, and stay in the classrooms until their parent/guardian picks them up or until the activity bus leaves.

### **FALSIFICATION OF INFORMATION, MISREPRESENTATION:**

Students are to refrain from plagiarizing or copying assignments and tests from other students on individual assignments or testing procedures. Students are also to submit assignments that reflect their own ideas unless proper acknowledgment of resources is indicated. Students may receive a zero for any of these infractions.

### **INTERNET ACCESS AND USE:**

The Tiospa Zina Tribal School Network and Internet Access is established for a limited educational purpose. All students are required to sign a "Use Agreement." Failure to comply with the "Use Agreement" will result in disciplinary action up to and including long term suspension.

### **MEDICATION:**

Students needing occasional medication, such as antibiotics, etc., for colds, earaches, and/or sore throats, are to take these medications at home if possible. Prescribed medication must be personally delivered (in the original container) by the parent/guardian and accompanied by a written authorization that includes the student's name, the name of the medication and

instructions for its administration (time and dosage). All medication and authorization will be given to the school nurse. The nurse will distribute the medication. Parents will need to pick up all medications on Friday. Medications will not be sent home with students. Misuse of over-the-counter medication will be subjected to disciplinary procedures.

### **LAW ENFORCEMENT:**

It is the duty of all citizens to assist law enforcement investigation; however, such assistance does not include any of the sovereign rights of the Sisseton-Wahpeton Oyate. Law enforcement officials, who are seeking the cooperation of the school in their investigations, must inform proper school authorities concerning the focus and scope of the activity to be pursued on school premises prior to any action occurring.

**Parents/guardians will be notified when it is necessary to remove their child from the school premises by law enforcement.**

### **SCHOOL ACCESS:**

School hours are from 8:00 am to 3:24 pm each day. Students should NOT arrive earlier than 7:45 am or remain on campus later than 3:30 pm, unless they are participating in a supervised school activity. These procedures are designed for the safety and well-being of the student.

### **VISITORS:**

For the safety of our students and staff, we have automatic locking mechanisms installed on the main doors and doors to the K-5 and MS/HS areas. These doors will remain locked during the school year. Any person who is not currently enrolled as a student or employed by the school shall not be allowed upon school premises without the knowledge/permission of the security.

Unauthorized persons are to be reported to the security personnel. They will authorize any visitors during school hours. Visitors are required to ring the buzzer, state their name and who they are here to see, check in with the Security Officer, and must wear a visitor's badge.

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### **9-12 ELECTRONIC DEVICES:**

**All electronic devices (excluding chromebooks) must be kept in the student lockers except during breakfast and lunch.**

The consequence for not following electronic violation will result in

- confiscating the device for the remainder of the day and held by student services or designated staff person. Parent will be notified

Second offense

Parent will have to come pick up the phone

Third offense: will result in turning in cell phone to the student support staff or designated staff member for the entire day.

### **FOOD AND DRINK:**

Students will be allowed to have food, drink when approved by school staff.

No unapproved drinks, sunflower seeds, etc. will be allowed unless authorized by school staff. (No energy drinks will be allowed on the school campus that includes beverages containing energy drinks) Parents will be notified.

No food allowed outside of the cafeteria unless staff approved.

### **STUDENT BUS CONDUCT:**

To ensure safety for all students on the bus, they must always follow the directions of the bus driver to minimize distractions.

Basic bus conduct expected of all students includes:

1. Students are to be on time; the bus will wait no more than (3) minutes.
2. No student is to extend arms, legs, or head out of bus windows at any time while on the bus.
3. Students must throw all trash in the trash can on the bus.
4. Students are not to mark on or damage any portion of the bus.
5. Students are not allowed to get on a bus without permission from the parent and principal or designee.
6. Students in grades K-5 are required to have assigned seats on the bus.

Failure of students to comply with the listed expectations may result in termination of bus transportation services for that student until the following semester and other disciplinary action, up to and including, suspension from school for the remainder of the school day.

**\*Transportation Supervisor will meet with Student Support and/or Principal to determine the consequence for each bus infraction. Discipline/Infraction Form must be filled out and provided to parents and filed accordingly.**

### **BUS/AFTER SCHOOL CHANGE MESSAGES:**

Phone calls must be received no later than 2:00 pm to change their child's bus route or afterschool destination calls after this time will not be accepted.

### **PERSONAL TRANSPORTATION:**

Any students who drive vehicles onto the school campus must hold a valid driver's license and provide copies of licensure and proof of insurance to the Student Services personnel. When they present documentation, they will be given a plastic decal to display in their car (must be displayed)

Students who drive to school, must follow the safety, traffic laws and follow the speed limit of 15 mph. Any abuse of these laws will result in loss of privilege and reported to tribal police. If a student is caught driving to school without proper documentation and permission: First offense is verbal warning and parent contact by Student Services. Second violation will be parent meeting with Administrative Designee. Any further violations may result in loss of driving privileges.

### **FIRE ALARMS AND EXTINGUISHERS:**

Fire extinguishers are designed to suppress a fire. When they are released by students, they can cause a hazardous situation. Any student found guilty of such conduct may pay for the cost of recharging and will be suspended out of school for one day. Law Enforcement Agency will be notified of infraction.

### **FIRE AND DISASTER DRILL:**

There will be fire and disaster drills during the school year for the express purpose of practicing safety exercises. All students and teachers will immediately leave the building according to the designated plan during a drill exercise. Students will remain with their classroom group and teacher outside the school building. Roll call will be taken by classroom teacher.

### **EMERGENCY EXIT:**

Detailed instructions for emergency exit from the school building will be posted in each individual classroom. Teachers are responsible for making sure their students know these rules and how to safely exit the classroom(s)/school.

1. NEVER assume it is just a drill.
2. WALK...Do NOT run.
3. MOVE QUICKLY in single file out of the building.
4. BE QUIET and listen closely to directions.
5. STAND at least one hundred (100) feet from the building.
6. Always REMAIN with your classroom group.
7. WAIT for a signal from authorized personnel before re-entering the school building.

## **"SCHOOL CLOSING" ANNOUNCEMENTS:**

If, for any reason, there is a closing of the school, announcements will be made via the Infinite Campus Messenger Reach System (robot calls) KELO-Sioux Falls, KSFY-Sioux Falls, KABY-Aberdeen, TV stations, KSWB 89.9 radio station, and on our official Facebook page.

### **Virtual/E-learning Day**

High School and Middle School students must take their chrome books and chargers in case of bad weather. On days that we do use e-learning students must:

1. Attend the zoom or google meet scheduled by their teacher.
2. Complete the assignment scheduled by the teacher.
3. The work must be made up on your own time (for some or no credit).

If the student does not attend the scheduled zoom or google meet, then they will be marked absent unexcused, affecting their attendance.

## **ABSENCES AND EXCUSES:**

1. **Habitually Truant:** when a student is absent unexcused for more than 10 days in a semester.
2. **Tardy:** a student is counted "tardy" when he/she arrives after 8:35 am to school or is less than 5 minutes late to class.
3. **Unexcused Absence (Skipping):** when a student is absent from class for more than 5 minutes without a pass.
4. **Absent From Class:** If a student is absent for more than 15 minutes from a class, they will be considered absent from the class.
5. **Excused Absence:** includes one of the following with verifiable proof:
  - a. Hospitalization/extreme medical condition
  - b. Medical/dental appointments
  - c. Death/funeral (3 consecutive days)
  - d. Cultural activities (3 per school year)
  - e. Court appearance
6. **Explained Absence:** includes one of the following with administration approval
  - a. Family emergencies
  - b. Family vacations
  - c. Extended Excused Absences
7. **Extra-Curricular Absents:** Participation in school-sponsored activities

## **EXCUSED ABSENCE:**

Parents/Guardians must contact the attendance clerk for excused absences within 48 hours the students absents, failure to do so will result in an unexcused absent.

1. Illness, of either self or immediate family members, in which staying home is necessary to ensure the well-being of fellow students and school faculty

2. When a student's physical or mental condition renders attendance at school unsafe, impractical, or harmful to self or others. Evidence, of such condition, must be provided from a certified physician, dentist, or mental health professional.
3. Death/funeral, 3 consecutive days.
4. Prior approved Dakota cultural activities, with a max of 3 days per school year.
5. Court appearance
6. Admin designee or nurse verification for excusal

Students must go to their teachers and request make-up work immediately upon their return. The number of days absent, plus one day will be allowed for every consecutive day missed. Illness absences are excused for the first three consecutive school days will require a phone call to the attendance clerk to be excused. However, any absences after the three will require a call and a doctor's note upon the return of the student to be excused. Medical absence will only be excused when the appointment documentation is received within 10 days of the absence. It is the parents or guardians responsibility to provide all documentation and notification of absence(s).

### **EXPLAINED ABSENCE:**

An explained absence (not an absence due to illness, doctor's appointment, serious illness, or death of a family member) is when a parent/guardian takes the student out of school with the principal's prior knowledge and approval. Students will be required to obtain assignments for classes to be missed and an assignment form completed prior to leaving the school. The assignments will be due on the day the student returns to school. Failure to follow this policy will result in the absence being recorded as an unexcused absence. Repeated absences will require a parent meeting and/or doctor verification.

### **EXTRA-CURRICULAR ACTIVITY ABSENCE:**

Extra-curricular absence is any absence that is school related or school sponsored. Extracurricular activities include, but are not limited to, field trips, competitive events, and student activities.

### **TRUANCY:**

A student who leaves school without parental consent, is absent from school on a regular basis without school authorization, or has a high rate of absenteeism, will be reported to the Sisseton Wahpeton Oyate Tribal Education Department. The SWO Tribal Education Code 66 will be followed.

According to 25 CFR 39:210 If a student is absent for 10 consecutive days, the school must drop that student for ISEP membership purposes of that school on the 11<sup>th</sup> day. To be considered for

re-enrollment a parent or guardian meeting must held and a re-enrollment packet filled completed.

### **UNEXCUSED ABSENCE:**

An absence in which the student is out of school and does not qualify as excused or explained. All missing work must be made up and submitted to the teacher. When a parent or guardian does not call to report an absence by 9:30 am, the morning of the absence, the school will send out an automated call at 10:00 a.m. to the numbers and emails listed in Infinite Campus.

Attendance letters will be mailed out when a student reaches the following number of unexcused absents: 3 days, 6 days, and 9 days. When a student reaches 6 unexcused absents in a semester they will be referred to M team and the parents/guardian will be contacted to set up a success plan. If a student reaches 12 unexcused days and are not passing 4 classes, a 2 week warning letter will be mailed out and the parents/guardian will be contacted to set up a plan to improve.

### **LEAVING EARLY FROM SCHOOL:**

Students will not be allowed to leave school unless a parent/guardian signs them out. Phone calls provided by the parent/guardian requesting leave must be approved by the principal.

#### ***\* Children who attend school consistently:***

Get better grades

- Behave better at school and home
- Are successful in middle and high school
- Are more likely to go to college
- Hold higher paying jobs as adults

#### ***\* Acknowledgement/Recognition of Excellent Attendance***

Tiospa Zina Tribal School recognizes and acknowledges excellent attendance in each Tiwahe periodically recognizes and acknowledges excellent attendance by individuals.

### **DISCIPLINARY PROCEDURES:**

Students are expected to adhere to reasonable standards of behavior and conduct themselves in an acceptable manner. To describe acceptable behaviors, Tiospa Zina Tribal School has identified DAKOTA VALUES, which when exhibited, would demonstrate acceptable behavior and conduct. The school administration is empowered and directed to use its discretion in the enforcement and application of the provisions stated in the discipline policy. The range of disciplinary action that may apply to infractions serves only as a guideline. *The range of*

*disciplinary action may not be applicable to all behavior infractions, incidents, and/or circumstances.*

**BULLYING:** A person is bullied when he or she is exposed repeatedly, over time to negative actions on the part of one or more people, and he/she has difficulty defending himself/herself.

A. Definition:

Bullying is a 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.

**CYBERBULLYING:** The use of information and communications technology (ICT), i.e. mobile phones (or electronic devices) and the internet, to deliberately harass or upset someone else.

**\*Bullying is NOT tolerated at Tiospa Zina Tribal School!**

### **ANTI-BULLYING RULES:**

- RULE 1: We WILL NOT bully others.
- RULE 2: We WILL try to help students who are bullied.
- RULE 3: We WILL include students who are left out.
- RULE 4: If we know that somebody is being bullied, we will tell an adult at school and an adult at home.

The Dakota Values are what need to be used

### **MINOR INFRACTIONS:**

- |                          |                        |
|--------------------------|------------------------|
| • Inappropriate language | • Property misuse      |
| • Physical contact       | • Tardy                |
| • Defiance               | • Electronic violation |
| • Disruption.            | • Bullying             |
| • Dress code             |                        |

### ***Intervention for Minor Infractions:***

An **intervention** is a continuum of support provided to students when challenging behaviors occur. The staff will use a variety of interventions to redirect students including, but not limited to:

- Alternative seating
- Allow brief breaks
- Assign a buddy/partner
- Behavior chart w/rewards
- Break down directions
- Composure walk
- Daily planner
- Fidgets
- Increased supervision
- Modeling
- Movement
- Offer reasonable choices
- Parent contact
- Planned ignoring
- Positive intent
- Positive notes home
- Precision requests
- Pre-correction/prompts for appropriate behavior
- Provide non-verbal cues/secret signals
- Proximity
- Reflection/Refocus form
- Repeat directions
- Reteach and practice appropriate behavior
- Safe space/place
- Social stories
- Speak privately
- Stress reduction
- Task modifications
- Visual reminders
- Visual schedule

### ***Possible Consequences for Minor Infractions When Students are Unsuccessful at Refocusing:***

- Loss of privilege
- Time out
- Conference with student
- Parent contact
- Noon detention
- Parent conference
- Student Support/ In School Suspension
- Send home for the remainder of the day
- Out of School Suspension

**\*VIOLENCE WILL NOT BE TOLERATED AT TIOSPA ZINA TRIBAL SCHOOL!**

### **MAJOR INFRACTIONS:**

- Abusive language
- Fighting
- Physical aggression
- Defiance/Disrespect
- Harassment/Bullying
- Inappropriate Display of Affection
- Electronic Violation
- Lying/Cheating
- Skipping class
- Recording or encouraging a fight

***Intervention Strategies for Multiple Infractions:***

- Check-in/Check-out
- Direct instruction
- Parent in class
- Behavior contract
- Referrals
- Student success plan
- Behavior intervention plan
- Reward system
- Social skill instruction
- Counseling

➤ **Level I**

- Abusive language
- Inappropriate display of affection
- Electronic violations
- Lying/Cheating
- Skipping

***Possible Consequences for Level I Major Infractions:***

- Loss of privilege
- Time out
- Conference with student
- Parent contact
- Detention
- Parent conference
- Student Support (In school suspension)
- Send home
- Out of school suspension
- No credit
- Other

➤ **Level II**

- Possession of a weapon other than a firearm (the use may cause a fatal wound)
- Battery/Assault i.e., fighting (willful use of force and violence upon another person)  
Physical violence -against another person that does bodily harm or
- disregards potential harm
- theft of school or person's property (Restitution)  
Vandalism against property - any act that damages or disregards potential damage to public or private property ( Restitution )

***DISCIPLINARY ACTION:***

**Initial Infraction:**

- Students will be suspended out of school for the remainder of the day and the following 2 days.
- Upon student return, a parent meeting will be held with the principal to discuss the infraction and discipline action (Possible Restitution).
- Superintendent may file a criminal complaint (SWO Chapter 38-Juvenile Code and/or Chapter 24 PENAL CODE).
- Bully/victim physical violence will be investigated.
- Consequences to be determined by Administration.

**Final Infraction:**

Student will be referred to the Superintendent for a suspension for the remainder of the school year. The student will have the right to a due process hearing before the Sisseton-Wahpeton School board. The Superintendent may report the violation to law enforcement (SWO-Juvenile Code and/or Chapter 16-Penal Code).

**Infraction:**

- **Possession and/or Use of Firearm** (as defined by USC Title 18-Section 9Z1)
- **Use of a weapon other than a firearm** (that may cause a fatal wound)
- **Threats of and/or use of explosives**

***DISCIPLINARY ACTION:***

Student will be referred to the Superintendent for an expulsion for the remainder of the school year. The student will have the right to a due process hearing before the Sisseton-Wahpeton School board. The Superintendent may report the violation to law enforcement (SWO-Juvenile Code and/or Chapter 24 PENAL CODE).

**\*Any student who is expelled or suspended for the final infraction, must meet with the SWO School Board prior to continuing education.**

## **TOBACCO, VAPING, ALCOHOL, AND DRUGS (JUVENILE CODE 38)**

### **Possession and/or use of Tobacco and/or Vaping:**

Tribal law (Juvenile Code 38-03-36-8) states that a neglected child is one who is under 18 and is allowed to have access to alcoholic beverages, drugs or tobacco.

Child neglect (Penal Code 26-16-01 and 02) is defined as any person who willfully fails or refuses to provide care necessary for the child's health. Child neglect is punishable by a fine of up to \$350 and/or jail time of up to 90 days.

#### **Possession/Use/Vaping or Distribution of TOBACCO Products:**

The parent(s)/guardian(s) will be notified. The Superintendent/Administrator will notify law enforcement pursuant to SWO Juvenile Code, Chapter 38.

### **DISCIPLINARY ACTION:**

#### **1st Infraction:**

- The student will be on ISS or OSS for the remainder of the day and up to 5 days with a mandatory parent/guardian conference.
- homework will be available upon request for the time period the student is out of school.
- The student will not participate in extracurricular activities for 2 weeks or two consecutive activities per SDHSAA bylaws.
- The student will be referred to a certified chemical dependency counselor for assessment and/or smoking cessation classes. A copy of the referral assessment will be given to the school.
- Upon the student's return to school, a parent/guardian meeting will be held with the principal to discuss the infraction and any potential future infractions.

#### **2nd Infraction:**

- The student will be on ISS or OSS for the remainder of the day and up to 5 days with a mandatory parent conference. ISS or OSS will be enforced. Progressive discipline applies.
- Homework will be available upon request for the time period the student is out of school.
- The student will be suspended from participation in all student activity events for 28 consecutive calendar days, or four student activity events, whichever is greater per SDHSAA bylaws. Sisseton Wahpeton School Board Policy Manual Rev. 2023
- Upon the student's return to school, a parent/guardian meeting will be held with the principal to discuss the infraction and any potential future infractions.

#### **3rd Infraction:**

- The student will be dropped/removed from Tiospa Zina for the remainder of the school year. The student will have the right to a due process hearing before the Sisseton-Wahpeton School Board.
- Student would need to “reapply” to Tiospa Zina Tribal School at the beginning of the next calendar year.

**Possession/Use or Distribution of Illegal Drugs on School Property (38-33-01 JUVENILE CODE):**

The Superintendent/Administrator will report the violation to law enforcement pursuant to SWO Juvenile Code, Chapter 38-33-01 and Chapter 24 Penal Code. Included within the definition of illegal drugs is any marijuana derivative, (i.e. Delta 8, Delta 9, and Delta 10). Medical cannabis/marijuana is not permitted on school property. Students who are suspected of being under the influence of illegal drugs will be screened. Parents will be notified, and the student will be subject to a mandatory onsite drug test. Drug tests will be administered by a certified staff. A refusal of an immediate drug test by parent and/or student will be considered a positive result and the school will follow policy. *\*\*\*Note: When issues of possession/distribution or usage of illicit drugs occur on Tiospa Zina Tribal School property, administration reserves the right to move to 2nd infraction or expulsion proceedings based upon infraction. In all illicit drug incidents, law enforcement, child protection and social services will be notified.*

**1st infraction:**

- The student will be suspended out of school for the remainder of the day and for a mandatory 5-day suspension.
- A drug assessment must be completed, and results brought to the school officials prior to being readmitted to school. Parent/Guardians are responsible for contacting external agencies and for appointment attendance.
- Any refusal of evaluation or intervention services will result in the Final Infraction process to be followed.
- Homework will be available upon request for the time period the student is out of school. • Students will not participate in extracurricular activities for 6 weeks per SDHSAA bylaws.
- Upon the students return, a parent/guardian meeting will be held with the principal to discuss the infraction and any potential future violations.

**2nd & Final Infraction:**

Students will be removed/dropped by the Superintendent for the remainder of the school year. The student will have the right to a due process hearing before the Sisseton-Wahpeton School Board. The Superintendent will report the violation to law enforcement pursuant to SWO Juvenile Code, Chapter 38-33-01 and Chapter 24-09-06 Penal Code

**DRUG (CHEMICAL) USE**

One of the major goals of the school is to provide the structure and resources necessary to provide for health, safety, and individual development of students. It is a goal to provide a structure in which students learn to become responsible for their

own behavior. As the use of mind-altering substances is illegal, the Board is obligated to provide policies created to enforce existing ordinances governing such use, and is obligated to provide resources for students which will enable them to have an awareness of the concept of abuse of controlled substances and the legal implications of use, abuse, and possession of chemical substances. Parent and law enforcement agency will be notified and student will be subject to drug test before the student is readmitted to the school. To provide the structure and resources necessary to provide for the above learning experiences, the Student Council and the Board will implement processes and procedures governing student use, abuse, and possession of chemicals while on campus during the school day, and while participating in school-sponsored activities of the School.

**Possession and/or use of alcohol (may include, but are not limited to: mouthwash, hand sanitizer, cough syrup, etc.)**

Students who are suspected of being under the influence of alcohol will be screened. Parents will be notified, and the student will be subject to a mandatory onsite alcohol test.

Alcohol tests will be administered by certified staff. A refusal of an immediate alcohol test by parent and/or student will be considered a positive result and the school will follow policy. Law Enforcement Agency will be notified.

***DISCIPLINARY ACTION:***

**Initial Infraction:**

- Students will be suspended out of school for the remainder of the day and up to 5 days (parent conference mandatory). ISS MAY BE IMPLEMENTED. Please refer to the athletic activities handbook
- Students will not participate in extracurricular activities for 2 weeks or two consecutive activities. Please refer to the athletic activities handbook
- Student may be referred to an outside agency for a drug/alcohol assessment. (PARENT(S) MAY BE RESPONSIBLE FOR ASSESSMENT COSTS.)
- Upon student return, a parent meeting will be held with an administrator to discuss the infraction and disciplinary action.
- The Superintendent may report the violation to law enforcement (SWO Juvenile Code and/or Chapter 38-33-01 JUVENILE PENAL CODE).

**Final Infraction:**

Student may be dropped for the remainder of the school year. The student will have the right to a due process hearing before the Sisseton-Wahpeton School board within 5 days. The Superintendent may report the violation to law enforcement (SWO-Juvenile Code and/or Chapter 38-33-01 JUVENILE CODE).

Any refusal of evaluation or intervention services will result in the Final Infraction process to be followed.

**➤ POSSESSION OF WEAPONS, ILLEGAL DRUGS, AND ASSAULT/BATTERY-FIGHTING COULD RESULT IN BEING DROPPED AND/OR EXPELLED FOR THE REMAINDER OF THE SCHOOL YEAR.**

### **K- 5 SUPPLEMENT:**

All consequences for inappropriate behavior will be determined by the handbook and Administrative Team.

### **Procedures and Consequences:**

- Classroom teachers will do intervention skills when dealing with inappropriate behaviors in the classroom. Classroom teachers will have classroom rules and management procedures that will be shared with parents. If interventions have been exhausted and there are no positive results, student(s) may be referred to the Student Support Services and interventions with the School Administrator.
- All students will be encouraged to return to class and have specific goals for appropriate behavior in the classroom. If, at any time, the Administrative Team feels that a parent needs to spend some time in the classroom with their child(ren), there will be a conference with specific goals for each infraction.
- It is the intent of Tiospa Zina Tribal School that all children are safe. Parents are encouraged to meet with classroom teachers and the school Principal on a regular basis when inappropriate behavior is frequently displayed by student(s). Student(s) may be referred to the Child Study Team when frequent inappropriate behavior is displayed by student(s).
- When students are suspended from school for any number of days, parents are required to return with their child(ren) prior to classroom admittance. A Conference will be set up by the principal with the possibility of a student behavior contract which will be monitored by classroom teacher(s), parent(s), and the principal.

**On-going communication between the classroom teacher, parent(s), and Principal will be the focus to ensure positive relations between the school and home. It is the intent of Tiospa**

**Zina Tribal School's intent to communicate with all parents on a regular basis to build positive relations.**

**DISCIPLINE OF SPECIAL EDUCATION STUDENTS:**

A student who is defined as having a disability under the Individuals with Disabilities Education Act (IDEA) discipline procedures shall be handled in accordance with IDEA regulations. The district shall make manifestation determinations disciplinary decisions, and placement decisions of such students in accordance with IDEA regulations.

All children with disabilities will be accorded rights as required by federal and state law. See also 34 CFR 300.39- Special Education.

The board encourages parents, guardians, surrogate parents, custodians, eligible students, and school employees to work cooperatively to ensure that the special needs of students are met. Parents will be provided with information about their rights, the rights of their child, and the responsibilities of the school system toward meeting the special needs of their child in the Parental Rights and Procedural Safeguards from the State of South Dakota.

**DUE PROCESS PROCEDURES:**

It will be the responsibility of the Administrative team to ensure that students are offered a fair and impartial hearing for students facing allegations that could result in being dropped and/or expulsion. The following steps will be taken for the hearing.

- The student may appeal against the expulsion decision of the Superintendent within five (5) school days to the Sisseton-Wahpeton School Board.
- Allegations must be made within 48-hours (school days) of the incident or when first discovered. Person involved must specify the violation, the date, and the person alleging the violation. The Administrative team will conduct the investigation at this time.
- A request for a hearing must be made within 5 school days of the allegation.
- The Superintendent may recommend an expulsion for up to the remainder of the school year.
- The student has the right to be represented by legal counsel of his/her choice. Attorney fees for student is the responsibility of the guardian.
- The student has the right to always have his/her parent(s) /guardian(s) or their designee present.
- If the student fails to appear at the hearing on the appointed date, the school shall proceed with the expulsion process.
- In the event the student is found not guilty of the allegations, the allegations of misconduct and information pertaining thereto will be expunged from the student's school record.

## **STUDENT EXPULSION:**

The School Board may drop a student for the remainder of any school year for conduct that disrupts the educational process or endangers the health or safety of the student, other students, or school staff. In this process:

- The Superintendent may give the accused student and their parent(s), written notice of charges against the student and the nature of evidence supporting those charges.
- The Superintendent must inform the student in writing of the date, time, and location of the expulsion hearing within five (5) school days prior to the hearing.
- The Superintendent shall inform the students of their procedural rights prior to the hearing and provide the student with a written copy of their procedural rights at that time.
- The School Board shall conduct a hearing in accordance with the basic principles of due process.
- If the School Board determines, they may forego the expulsion and set an appropriate reprimand.

## **SEXUAL ASSAULT AND HARASSMENT:**

All students are assured a safe and healthy environment, free of unwarranted and unsolicited sexual assault and harassment. Staff has a responsibility to monitor the school and protect students from sexual assault and harassment. If a student feels that a violation has been committed by a fellow student or staff member, the student should file a written or verbal complaint with his/her Principal.

Sexual Assault is defined as an attempt or offer, with force or violence upon another person with intent of performing any sexual activity as defined by Sisseton-Wahpeton Oyate Penal Code Section 26-15-02 or the Sisseton-Wahpeton Oyate Juvenile Code Section 38-03-05.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature.

- The Principal is to document the date and time of the complaint.
- If the complaint is a verbal complaint the Principal is to take detailed notes and have the complainant sign the detailed notes.
- The Principal will notify the parents of the alleged victim and alleged perpetrator within 2-hours of the complaint.
- The Principal will also notify the Sisseton-Wahpeton Law Enforcement within 2-hours of the complaint.
- The Principal will also notify the Superintendent within 2-hours of the complaint.
- The Superintendent will suspend the alleged perpetrator until an internal investigation is completed.
- An internal investigation will be completed within 48-hours of the complaint.

- At a minimum the investigation will include interviews of all persons in and around the area where the alleged assault or harassment happened and the collection of any physical evidence.
- The Superintendent will review the evidence immediately after it is collected to determine disciplinary action.
- The Superintendent will turn over the evidence collected to law enforcement.
- The Superintendent is authorized to suspend the perpetrator until the next Sisseton-Wahpeton School Board meeting.
- The Superintendent will recommend long-term suspension, expulsion or present evidence that the student is an enrollment concern.

All discipline actions are at the discretion of the administration. Any disciplinary action that effects the school climate may be subject to disciplinary action.

## **EDUCATION CODE TRUANCY SECTION**

As adopted by Motion on February 4, 2021

By the Sisseton-Wahpeton Oyate Council

### **22-12-02-MANDATORY ATTENDANCE**

A child between the ages of five (5) and eighteen (18) must be in attendance in school 90% of scheduled school days or participating in school sanctioned remote learning sessions. A child on an Individual Education Plan (IEP) may be provided alternative education services until the age of twenty-two (22).

### **22-12-03 - EXCEPTIONS TO MANDATORY ATTENDANCE AND SCHOOL MEMBERSHIP**

A child and his parent or guardian shall be excused from the requirements of the Mandatory Attendance Policy and will not be subject to the penalties if the school attended by the child has excused that child from attendance because the school is providing alternatives for all legally required education services. The student must be currently enrolled, be following policies and procedures, and remain current on the educational requirements according to the education institute enrolled in and Tribal Education Codes. Non-compliance will result in the child and their parent/guardian becoming subject to penalties as stated in the Tribal Education, Juvenile and Penal codes.

### **22-12-04 - School Membership**

#### **A. Compulsory School Attendance**

##### **a. Parents:**

- i. Parents, guardians, or custodians having charge or control of a child attending school on the Lake Traverse Reservation between the ages of five (5) and eighteen (18) must continuously have their child enrolled and attending school 90% of the school year. A child on an IEP may be provided education services until the age of twenty-two (22).
- ii. All tribal members residing on the Lake Traverse Reservation are subject to tribal law and enforcement of the law by the agents and employees of the Sisseton-Wahpeton Oyate.

##### **b. Students:**

- i. Students are required to be enrolled and attending 90% of the school year or be enrolled in an alternative educational program leading to a high school diploma or General Equivalency Degree (GED).
- ii. Participate in school to the fullest of their capabilities.

#### **B. Mandatory Attendance**

- a. The parent, guardian, or custodian of a child shall notify the educational institute of the reason for each known absence of the child, in accordance with the tribal

law. No person shall encourage, entice, or recommend any child of compulsory school age to be unlawfully absent from school. Violation of this subsection will result in criminal charges.

- b. Excessive absences during a school year is defined as more than 10% of the days absent from school or failure to log into virtual learning for 10% of the school year.
- c. When a child reaches the threshold limit of accumulated absences of 5 (five) days and again at 10 (ten) days of absences, the education institution must notify the Tribal Education Director and/or truancy office. After attendance reaches less than 90% the Child Protection Program will be notified by the Tribal Education Department for further intervention, follow-through and/or action(s). The education institution will provide all documentation of communication to parent, guardian, or custodian from the education institution and copies of documentation provided to the Tribal Education Department and/or truancy office regarding the absences.

**C. TED Truancy Restoration Circle:**

- a. The Education Department (TED) will engage a circle comprised of tribal program representatives to meet with the student and their parents, custodian or guardian to ensure the family has no impediments to keep the student from succeeding in both in person or online classes.
- b. Peer Mentors or Truancy Interventionists may be hired by TED for both the student or parents to provide daily coaching or encouragement by phone, text, or socially distancing in-person visits.
- c. The Sisseton-Wahpeton Oyate Council may appropriate funds as necessary to support the costs of the Peer Mentors or Truancy Interventionists and to address any unmet needs the family may have that are impediments to the student learning and attending in-person or online classes.

**D. Truancy Court:**

- a. There is hereby established a special Truancy Court in the Sisseton-Wahpeton Oyate Court system to address the increased truancy problem.
- b. Upon request of either the Child Protection Program Manager or the Education Director, the SWO Prosecutor shall file a complaint for Failure to Attend School in the Truancy Court against the parent, custodian or guardian of the child who is not in compliance with the in-person attendance or virtual learning policies.
- c. The Truancy Court Judge, or his or her designee, shall meet with the parents, custodians or guardians and students to devise a court mandated plan to address ongoing chronic truancy issues.
- d. The Truancy Court Judge, or his or her designee, shall meet with the family at the minimum once weekly to provide ongoing monitoring of the student's progress.

**E. Penalties**

- a. Violation penalties the Truancy Court may impose for failure to send children in grades K-12 to school are:
  - i. Parents/Guardians: Violation penalties for failure to send children in

grades K-12 to school shall include the following:

- 1.** First Violations for a Parent's failure to send their children to school or participate in online classes may include:
    - a.** Compulsory attendance in Parenting Classes that may be completed on-line or in-person. The Truancy Court may order that documentation of Completion of Parenting Class will be provided to the court system.
    - b.** Mandatory Community service at the educational institute the children are enrolled in or at the Tribal Education Department. Background and safety policies shall be adhered to by a volunteer. The Truancy Court may order that Documentation of participation will be provided to the court system
  - 2.** Second Violations for ongoing, willful offenses in violation of Truancy Court orders by Parents who fail to send their child(ren) to school or adhere to homeschool/virtual learning guidelines may result in a Class E Misdemeanor. Sentences may range from one (1) day to a maximum five (5) days incarceration, with a maximum \$50.00 fine, and/or both.

Repeated Violations for failure to send children to school with repeated offenses (3 or more offenses). Any person who shall willfully and unlawfully fail to send their child(ren) to school or to adhere to homeschool/virtual learning guidelines shall be deemed guilty of a Class 1 Misdemeanor. Sentences may range from one (1) day to a maximum five (5) days incarceration, with a maximum \$1,000.00 fine and/or or both.
- ii. Students: Violation penalties for students who refuse to attend in-person or online classes that may be ordered by the Truancy Court include:
- 1.** Mandatory participation in Peer Mentoring
  - 2.** Supervised volunteering (1 hour for each hour of class missed) for up to two (2) semesters
  - 3.** Supervised probation until the student demonstrates a clear pattern of in-person or on-line school attendance
  - 4.** Mandatory tutoring (if failing classes)
  - 5.** Mandatory enrollment in summer school (if missing credits)
  - 6.** Involvement in a minimum of one (1) extra-curricular activity