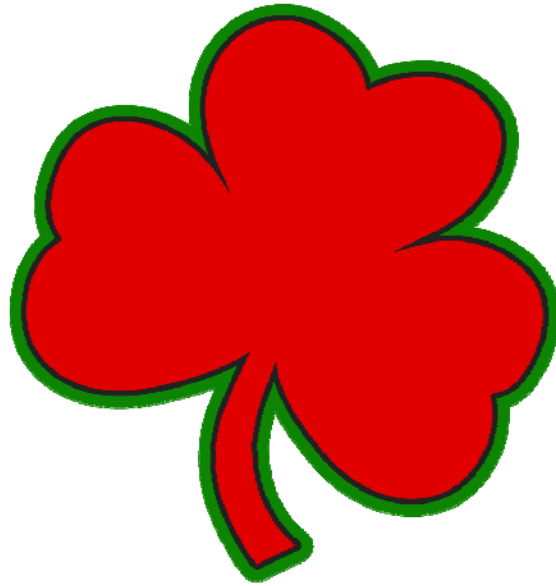


# Montrose Elementary School



## 2022-2023 Student Handbook

**Motto: We are the future success for all.**

**Mission Statement: We are here to touch the lives of others academically, socially, morally, physically, mentally, lovingly, and purposefully to help them become contributing individuals.**

Superintendent: Mr. Lonny Johnson  
Elementary Principal: Mrs. Shawnya McGregor  
Montrose Elementary School  
309 South Church Ave.  
Montrose, SD 57048

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## **A WORD TO THE PARENTS**

Parents and school faculty have something in common: a desire to see children receive the very best that our public school can offer. In this booklet parents will find many informative items.

Encourage your child to rise to the highest level of which they are capable. Good study habits and regular attendance are tools for achievement; if both are practiced diligently it will never need to be said, I wish I had another chance.

The rules and regulations in the Montrose Elementary School Handbook are subject to change if and when a change is deemed necessary to improve or solve any problems that may arise.

## **EDUCATIONAL PHILOSOPHY – File AD**

In today's society, education is a continuous process of learning, not only for the present but also for the future. Therefore, the Board will provide an educational environment that promotes and enhances learning as a life-long endeavor. In addition, the Board believes that education is not just the development and refinement of mental capacity but a process that assists the students in meeting their physical, social, aesthetic, and emotional requirements.

The Board will strive to provide stimulation and assistance so that each child develops in accordance to his/her individual abilities, interests and potential. The responsibility of the school, therefore, is to help guide the individual in the many and varied educational experiences so that he/she can develop into a wholesome, happy and productive human being.

The Board recognizes the importance of the home as an influence upon the child and believes that a sympathetic, cooperative attitude between the teacher and the parent is necessary in the development of the student's integrated personality.

The total staff of the school system constitutes an inestimable and lasting force in the development of the student. The teacher is the most significant influence in the school and, therefore, it is primarily the teacher's responsibility to provide the learning environment in the school that fosters maximum student growth and reflects individual differences.

It is further realized that mutual rapport among the home, student, staff, administration, school board, and total community is necessary to implement this policy.

## **NONDISCRIMINATION STATEMENT – FILE AC**

The Board is committed to a policy of nondiscrimination to race, sex, religion, national background, age, and disability (as disability is defined in federal and state law and regulations). Respect for the dignity and worth of each individual will be paramount in the establishment of all policies by the Board and in the administration of those policies. The Constitutions of our nation and state, pertinent legislation enacted at those two levels of government, as well as court interpretations regarding citizens' rights, undergird this statement. It is the policy of the Montrose School District that discrimination based upon race, sex, religion, national background, age, and disability (as disability is defined in federal and state law and regulations) is prohibited.

The school district shall:

1. Promote the rights and responsibilities of all individuals as set forth in the state and federal constitutions, pertinent legislation and applicable judicial interpretations.
2. Encourage positive experiences in human values for children and adults who have differing personal and family characteristics or who come from various socioeconomic, racial and ethnic groups.
3. Carefully consider, in all decisions made which affect the schools, the potential benefits or adverse consequences that those decisions might have on the human relations aspects of all segments of society.
4. Regularly review all policies and practices of this school district in order to achieve to the greatest extent possible the objectives of this policy.
5. Work toward a more integrated society and to enlist the support of individuals as well as that of groups and agencies, both private and governmental, in such an effort.

The Board's policy on nondiscrimination will extend to students, staff, the general public and individuals with whom it does business.

## **FEES**

Lunch Program The school lunch program will serve breakfast and noon meals. All lunch tickets should be purchased in the Business Office. The price per meal this year is \$1.80 for breakfast and \$2.50 for lunch for grades JrK-5<sup>th</sup> grade. Second entree will cost \$1.00. 40 cents for "reduced-price" meals. An extra milk is 50 cents. \*\*Please refer to "School Meal Policy" (File: DP).

5<sup>th</sup> grade: Band Maintenance Drums--\$30.00 per year

Renting School owned horns--\$50.00 per year

Activity Tickets \$30.00 per year for adults; \$10.00 per year K-12; Admission to individual activities: \$5.00 for adults; \$3.00 for K-12 students; Senior Citizens-NA.

## GRADING

Junior Kindergarten/Kindergarten – 2 <sup>nd</sup> grading uses the following Developmental Scale of Achievement			
3- Meets Standard	2- Approaching Standard	1-Below Standard	x-not assessed at this time

Grades 3-5 Percentage Scale			
A+ 100-99.5	B+ 92.4-90.5	C+ 84.4- 81.5	D 72.5-69.5
A 99.4-95.5	B 90.4-87.5	C 81.4-74.5	D – 69.4-64.5
A- 95.4- 92.5	B - 87.4-84.5		
Grades 3-5 PE/Health and Music:			
S+ Above Satisfactory	S -Satisfactory	S- Unsatisfactory	

## SEVERE WEATHER/EMERGENCY SCHOOL CLOSING

In case of severe weather or other emergencies the official announcement for school closing will be made through the school reach phone call, text message and posted on the school's Facebook page. School closing will also be broadcast over the following: radio stations KJAM(1390) and; television stations KELO, KSFY, and KDLT. The decision to call off school is never an easy decision. Parents and guardians are advised, that if you believe that conditions warrant not sending your child to school, that it is your right and responsibility to make that decision for your child.

## ATTENDANCE POLICY

A student's contribution to an achievement in class is directly related to attendance. Both students and parents must understand that students miss a vital portion of their education when they are absent from class. The entire process of education requires a continuity of instruction, classroom participation, learning experiences and individual study in order to reach the goal of maximum educational benefits for each student.

Attendance is a part of each student's permanent record and one of the major concerns of an employer when inquiring about a student's school record.

It is the duty of school officials to know the whereabouts of students during school hours. Students may be excused for specific purposes only through the office and with written permission from parent(s) or legal guardian(s). Failure to report to the office shall result in being charged with an unexcused absence.

If a student must leave school during the regular hours, the student will be released only to a parent, legal guardian, or to someone designated, in writing or by personal request, by the parent or guardian.

If a student will be absent, parents shall call the school between 8:00 and 8:30 a.m. unless the school has received previous written approval. If no phone call is received by 9:00 a.m., the school will call the home and make every effort to contact a parent and verify the absence.

In case of an excused absence, the student must make up the work to receive full credit. A grade of zero will be given in each class missed until make up work is completed. **IT IS THE STUDENT'S AND PARENTS' RESPONSIBILITY TO BE SURE THAT ALL MAKE UP WORK IS FINISHED ON TIME.**

Students who are absent for one day will have two days to make up the work. Students who are absent for two days will have four days to make up the work. Students who are absent more than two days will work out a schedule with the teacher to make up the work that was missed during the absence.

Generally the only absences excused are:

1. personal illness
2. family emergency
3. funerals
4. religious observances
5. dental or medical appointments that cannot be made on Saturdays or after school
6. school sponsored activities
7. parental request: Absences to accommodate family plans must be requested in advance by a parent or guardian and be approved by the administration. It is recommended that arrangements for absences to accommodate family plans be made at least two days in advance. When contact by a student, parent or guardian is made in advance for this type of absence, teachers will attempt to offer assistance to students in providing make-up assignments. There may be situations, however, when make-up of school work missed is not possible. Exceptions will be made only in case of an emergency.

If a student has an unexcused absence, the following will apply:

A conference will be set up with the student's parent(s), the student, and the Principal after the first violation. All school time missed will be made up. A second violation will result in suspension which could be in-school suspension or out-of-school suspension. All rules relating to makeup work and grading for excused absences will apply.

The principal (not the parent) will determine if absences are to be excused or unexcused and determine circumstances not covered in this policy.

### **ATTENDANCE AT BALL GAMES AND OTHER SCHOOL ACTIVITIES**

Students who attend any school related events are subject to the same regulations that they would be during the school day. The same regulations apply to both home and away activities. Students who attend any school related activities are expected to **stay seated** and **watch the event** except during intermissions or half-time breaks. The same regulations apply to both away and home activities. **Hats** are not to be worn inside the school buildings and this includes the gymnasium.

### **SCHOOL HOURS FOR STUDENTS**

Student hours for elementary school will be from 8:25-3:25. Parents are asked not to send students to school before 8:00am and should expect them to be home by 3:45 p.m. unless they ride a bus. Students who arrive early must report to the designated area assigned. From 8:00-8:20am students will report to the supervised commons area unless directed otherwise.

### **SCHOOL/PLAYGROUND RULES – Positive Behavioral Interventions and Supports (PBIS)**

1. Be Respectful - I promise to:
  - Follow the game rules
  - Use polite words
  - Use polite tone of voice
2. Be Responsible - I promise to:
  - Bring in what I took out
  - Line up when the whistle blows, walk on the sidewalks, & enter the building quietly
  - Mediate problems
3. Be Safe - I promise to:
  - Use equipment safely
  - Keep hands, feet and objects to myself

### **BUS RULES FOR STUDENTS**

1. The driver is in full charge of the pupils and the bus. The driver's relationship with the students should be on the same line as that of a teacher in the classroom. Bus transportation for the students is not entirely a right, but more a privilege, conditioned upon courteous behavior and obedience to the established rules. The safety of the bus and its passengers demands complete cooperation from the students. It shall be the duty of the driver to report to the Principal the names of any students who persist in violating the rules and regulations. The Principal may find it necessary to withhold the privilege of riding on the bus from those students who fail to cooperate.
2. Students shall obey all instructions from the school bus driver.
3. Students must occupy the **seat assigned** to them.
4. The same courteous conduct as is expected in the classroom must be observed while on the bus. Ordinary conversation is permitted.
5. Students must refrain from unnecessary talk with the bus driver. His/her job requires his/her full attention.
6. Students must be on time at the designated bus stops.
7. Students must not stand in the traffic lanes while waiting for the bus.
8. Students will assist the driver in keeping the interior of the bus clean.
9. Students will not open or close windows without their permission of the bus driver.
10. Students must not at any time put hands, arms, or legs out of the bus windows.
11. Students must stay seated and must not move about inside the bus or try to get on or off while the bus is in motion.
12. Students will immediately report to the driver any damage occurring on the bus.
13. Students must follow the instructions when entering or leaving the bus and when they must cross the road or highway.
14. Students must await the signal from the driver to cross a road or highway, then cross promptly. The crossing should be made approximately 10 feet in front of the bus in full view of the driver
15. Students desiring to leave the bus at other than their designated bus stop must present the bus driver with written permission to do so from their parents.
16. The school bus will not deviate from its regular route, unless road conditions or student absence dictates otherwise. A group of students going to one student's home for a birthday party, etc. will only be allowed if safe seating space is available, after regular riders are seated, and prior parental permission slips have been given to the bus driver. (Special note to parents: Bus capacity may not allow a group or birthday children to ride the bus to your home. Therefore, be certain to check with your

child's bus driver well in advance of the party or, to be on the safe side of not having party spoiled, make other arrangements for transportation.)

17. If a student is riding a bus home that is not normally rode, the student must have a parental note both for the classroom teacher and for the bus driver stating where the child is to be let off.

### **RIDING BUS TO SCHOOL EVENTS**

All students who ride the bus to school functions will return on the bus. If you do not wish to return on the bus, do not go on the bus. The only exception to this rule will be when a parent or guardian personally request permission to take his/her son or daughter home. A note will not be accepted, only personal request from parent or guardian.

### **HOMEWORK**

The amount of homework will vary from class-to-class, and child-to-child. An approximate amount would be ten minutes times the child's grade. (Example: 10 minutes X 6 (student's grade)=60 minutes). This may not always be true. Variables that may make this more could be: a shortened school day, where study time might not be available; or possibly the child is not using his/her time wisely.

If your child experiences an extended period of time with what the parent may think is too much homework, you are encouraged to contact the teacher to arrange a meeting to discuss the issue.

Homework is expected to be completed each day and available for evaluation/grading the next school day.

### **PARENTS CAN HELP WITH THEIR CHILD'S ACADEMIC SUCCESS**

1. Cooperate with the school to establish desirable attitudes towards school for the children.
2. Avoid criticism of the school program or faculty in front of the children
3. Respond promptly to requests for parent-teacher conferences.
4. Show an interest in your child's work. Provide the child with opportunities to talk with you about school activities.
5. Read to the primary age and younger children at home. There have been many research studies completed that have proven that reading aloud at home or beginning to read aloud prepares a child for reading.
6. Help your child set up a daily schedule or routine for homework.
7. Academic success can also be helped by insuring that each child has enough sleep at night and a proper diet.

### **CHURCH NIGHT**

There are to be no scheduled school events on Wednesday nights. Any deviation from the established procedure, which is mentioned above, must be cleared through the Superintendents/CEO's office.

### **PARENT-TEACHER CONFERENCES/REPORT CARDS**

The school hopes to adequately inform the parents of their child's academic, social, and emotional growth through report cards and parent-teacher conferences. Report cards will be prepared after each 9-week period and parent teacher conferences will be scheduled twice a year. If more conferences are desired by the teacher, or by the parent, either party can schedule these individual conferences.

### **GUM AND CANDY**

Students are discouraged from bringing chewing gum or candy to school except for special occasions as determined by the classroom teacher.

### **DRESS CODE**

File: JFCA

#### **STUDENT DRESS CODE**

The responsibility for the dress and appearance of students enrolled in the Montrose School District primarily rests with parents/guardians and the students themselves. However, some student apparel may not be appropriate to wear to school even though that same apparel may be appropriate to wear in other settings. In general, students shall not dress or groom themselves in a manner that causes a disruption, poses a significant risk of a disruption to the orderly operation of the school, or subject other students to the presence of inappropriate clothing being worn at school.

One of the main objectives of the Montrose School District is to assist students in presenting themselves in a manner that promotes a positive and productive school environment, personal pride, academic success, and also to ensure the right of all students to not be subjected to inappropriate clothing worn by other students. The school, as a center of learning, shall provide for the development of habits and attitudes conducive to acceptable wearing apparel, and good grooming. Wearing apparel shall not be of the type that would detract from the primary purpose of the school, which is academic instruction, nor shall accessories carried by student to school be disrupting to the conduct of the school, have the potential of creating a serious risk of disruption, or hazardous to student welfare. Student's dress shall be modest, neat, clean, and in keeping with health, sanitary, and safety practices.

Inappropriate clothing and appearance are disruptive to the school program and Principal's or Principal designees shall enforce compliance with this policy by those students within their jurisdiction. When it is determined that a student's clothing does not comply with the dress code, the student will be required to cover or change the article of clothing and a parent/guardian may be asked to bring an appropriate change of clothes to school. The student may, with parental/guardian permission, be sent home in order to change clothes. If the student refuses to cover the inappropriate clothing or is unable to change into appropriate clothing, the student will be placed in in-school suspension for the remainder of the school day. In addition, the student will also receive a disciplinary consequence for violating the school's dress code policy.

This policy does not apply to clothing provided to students by the school for student school activities.

#### **Violations of this Policy:**

Violations of this policy shall be addressed with the following consequences:

##### **First Offense:**

A warning will be issued to the student and will be recorded as a first offense.

The student will be required to cover or change the article of clothing or the parent/guardian of student will be called asking them to bring an appropriate change of clothing. The student with parental/guardian permission may be sent home in order to change clothing. Any class time missed will be an unexcused absence. If for any reason a student refuses to comply with the directive to cover or change the inappropriate clothing the student will be placed in In-School Suspension for the remainder of the school day and is subject to Short-Term Suspension.

##### **Second Offense:**

Parents/Guardians will be notified that their student has had a second offense of not following the proper dress code. The student will be required to cover or change the article of clothing or the parent/guardian of student will be called asking them to bring an appropriate change of clothing. The student with parental/guardian permission may be sent home in order to change clothing. Any class time missed will be an unexcused absence. The student will be placed in In-School Suspension for the remainder of the school day. If for any reason a student refuses any of the above consequences the parents/guardians of that student will be notified and the student will be sent home that day as an unexcused absence and will be subject to Short Term Suspension.

##### **Third Offense and Subsequent Offenses:**

Parents/Guardians will be notified that their student has had a third offense of not following the proper dress code. The student will be required to cover or change the article of clothing or the parent/guardian of student will be called asking them to bring an appropriate change of clothing. The student with parental/guardian permission may be sent home in order to change clothing. Any class time missed will be an unexcused absence. The student will be placed in In-School Suspension for the remainder of the school day. The student will be subject to Short Term Suspension for a Third Offense and subsequent offenses will subject the student to Long Term Suspension or Expulsion. If for any reason a student refuses any of the above consequences the parents/guardians of that student will be notified and the student will be sent home that day as an unexcused absence and will be subject to Expulsion.

#### **Student Dress Code General Guidelines:**

1. Undergarments may not be exposed.
2. The size of shirts and blouses shall be appropriate to the student's body size and shall not be unduly oversized or undersized.
3. Spaghetti straps and tank tops with appropriate neck lines, may be worn with an outer shirt covering, but may not be worn alone.
4. Halter-tops, midriff tops, tube tops, or clothing that exposes the upper torso are not allowed.
5. The size of the pants/jeans shall be appropriate to the student's body size and shall not be unduly "oversized and/or undersized."
6. Students may wear hemmed walking shorts, athletic shorts or Bermuda shorts but they cannot be shorter than the tip of the thumb when both arms are extended by the side.
7. Garments must be pulled up high enough to cover undergarments and backside.
8. The hem of girl's skirts or dresses shall not be shorter than the tip of the thumb when both arms are extended by the side
9. Hooded sweatshirts will be allowed, but hoods of any type are not allowed to be up in the building.
10. All students shall wear appropriate shoes/footwear (no slippers).
11. Wearing and displaying any items that identify gang activity or gang association is prohibited (as gang activity/affiliation is determined by law enforcement).
12. Clothing encouraging the use of drugs, alcohol, or violence and clothing which refers to sexual conduct is prohibited.
13. Clothing associated with discrimination of the basis of age, color, handicap, national origin, marital status, race, religion, or sex is prohibited.
14. Clothing (or lack thereof) exposing any portion of the torso or upper thighs such as see-through garments, mini-skirts, or mini-dresses, halters, or backless dresses is prohibited.

15. Tube tops, tank tops, spaghetti straps or shirts and blouses that have necklines so low that they are provocative, are not allowed.
16. The mid section of the body shall have no skin exposed at any time.
17. Spandex-style “bicycle” shorts are not permitted.
18. Overalls worn with one or both straps unfastened are prohibited.
19. The wearing of sunglasses, gloves, caps, stocking caps, hoods, scarves, hairnets, or bandanas is prohibited from the time classes begin to the time classes end during the school day.
20. The wearing of trench coats by students during school hours and at school activities is strictly prohibited.

#### Exemptions to the Dress Code Policy:

Exemptions to the Dress Code Policy shall be permitted by the Principal upon appropriate documentation:

In the event the wearing of clothing in compliance with the Dress Code violates a student’s sincerely held religious belief, or materially impacts a student’s documented medical condition, then such student and the student’s parent/guardian shall submit a signed affidavit setting forth the religious or medical issue and the requested exemption to the Dress Code Policy. The Principal may request additional documentation to substantiate the requested exemption and the student and student’s parent/guardian shall provide the additional documentation as requested. The Principal, within the reasonable exercise of his or her discretion, shall determine if an exemption to the Dress Code Policy is appropriate, and communicate that decision to the student and student’s parent/guardian.

#### CONSEQUENCES, SCHEDULE OF (ELEMENTARY)

OFFENSES	1 <sup>ST</sup> OFFENSE	2 <sup>ND</sup> OFFENSE	3 <sup>RD</sup> OFFENSE	4 <sup>TH</sup> OFFENSE
<b><u>Class One (per qtr)</u></b> Tardiness, failure to complete assignments	Student conference	Student conference, parent contact	Student/parent conference	Detention, student/parent conference
<b><u>Class Two (per qtr)</u></b> Classroom, bathroom, hallway, lunchroom, disruption; verbal aggression, cheating, unresolved student mediation conflict, cell phone usage	Student conference; Determined by school principal	Student/parent conference; Determined by school principal	Detention, student/parent conference; Determined by school principal	ISS (1-3 days) Determined by school principal
<b><u>Class Three (per qtr)</u></b> Physical aggression, insubordination, pornographic materials, disrespectful or obscene language, threatening to harm others	Student conference, parent contact; Determined by school principal	Detention, parent conference; Determined by school principal	ISS (1-3 days); Determined by school principal	OSS (1-3 days); Determined by school principal
<b><u>Class Four (per Sem)</u></b> Physical injury, theft, destruction of property	Detention, parent conference, (restitution and police referral when appropriate)	ISS (1-2 days)	OSS (1-3 days)	OSS (4-10 days)
<b>Bullying</b>	Pursuant to bullying policy			

#### DEFINITION OF TERMS

Terms used on this handbook, unless the context plainly requires otherwise, mean:

1. “Short-term suspension”, the exclusion of a student by the Principal or Superintendent from class or from school for not more than 10 days. Short-term suspension includes in-school suspension or out-of-school suspension.
2. “Long-term suspension”, the exclusion by the School Board of a pupil from a class or classes for more than ten school days.

3. "Expulsion", the action of the School Board to terminate a pupil's membership in school for a period of time not to exceed beyond the end of the school year.
4. "In-school suspension", Removal from the classroom setting. Students are required to do all class assignments and turn in the work for grading as scheduled by the teacher.
5. "Out-of-school suspension", Removal from the school setting. Students will receive a 25% automatic reduction of grade for all class assignments during the suspension and will be counted as absent for that time.

### **STUDENT COMMUNICABLE DISEASES – File JHCC**

Students who are afflicted with a communicable contagious, and/or infectious disease and who are infected with communicable parasites or who are liable to transmit such a disease or parasite may be excluded from school attendance.

The board recognizes the need and right of all children to receive free and appropriate education. The board further recognizes its responsibility to provide a healthy environment for all students and school employees.

A determination of whether an infected students be excluded from the classroom or school activities shall be made on a case-by-case basis, under the direction of the principal/building administrator or designee.

In situations where the decision requires additional expertise and knowledge, the building administrator will refer the case to an advisory committee for assistance in the decision making.

The advisory committee may be composed of:

- 1) a representative from the State Health Dept.
- 2) the student's physician;
- 3) the student's parents or guardian(s)
- 4) the school principal or designee;
- 5) the school health service's supervisor;
- 6) the superintendent or designee; and
- 7) primary teacher(s).

In making the determination, the advisory committee shall consider;

- 1) the behavior, developmental level, and medical condition of the student;
- 2) the expected type(s) of interaction with others in the school setting;
- 3) the impact on both the infected student and others in to that setting;
- 4) the South Dakota Department of Health guidelines and policies; and
- 5) the recommendation of the County Health Officer, which may be controlling.

The advisory committee may officially request assistance from the State Department of Health.

If it is determined that the student will not be permitted to attend classes and/or participate in school activities, arrangements will be made to provide an alternate educational program. If that requires personal contact between student and school employees, only trained volunteer employees shall be utilized.

Public information will not be revealed about the student who may be infected. If the student is permitted to remain in the school setting the following procedure will be followed by the principal:

Information will provided, as appropriate to school employees who have regular contact with the student as to the student's medical condition and other factors needed for consideration in carrying out job responsibilities.

Health guidelines for school attendance are established and interpreted within the context of the case. The guidelines are not inclusive but are available to be used as a resource. School personnel will refer to health professionals for specific judgments in interpreting the guidelines.

Appropriate handling of blood and body fluids, hand washing after contamination, food preparation and health/hygiene care performed in different sick and work areas, maintenance cleaning and other personal hygienic measures are part of creating a healthy environment.

Specific health concerns may require the advisory committee to make a determination on school attendance or participation in school activities.

### **STUDENT COMMUNICABLE DISEASE GUIDELINES – File JHCC-R**

Numerous communicable diseases may affect a school-age population and/or school staff. Some of these have a high degree of communicability. Some are life threatening in nature. Some are both.

Disease and

Incubation

Period

Rules for School Attendance

Acquired Immune Deficiency Syndrome (AIDS)	Determination will be made by the Advisory Committee as outlined in the Communicable Disease policy.
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6 month-five years

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Chicken Pox

14-21 days

The student may attend school after all pox are dry and scabbed.

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Cytomegalovirus  
(CMV) Salivary  
Gland Viruses

The student may attend school.  
Precautions should be taken by  
contacts with immunosuppression as anti-cancer or organ transplants as well as anyone with suspected  
or known pregnancy. Good hand washing in all cases should eliminate risk of transfer of infection.

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Fifth Disease  
(Erythema Infectiosum)  
6-14 days

The student may attend school with  
physician's permission.

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Giardiasis  
(Intestinal Protozoan  
Infection)  
5-25 days or longer

The student may attend school if  
the student practices independent  
and hygienic bathroom skills.  
Other students may attend school after the third day of drug treatment. Good hand washing in all cases  
should be eliminate risk of transfer of infection.

-----  
Herpes Simplex  
2-12 days

The student may attend school  
during an active case if the student has the ability and practices personal hygiene precautions and the  
area of lesion is covered.

-----  
Impetigo  
variable 4-10 days

The student may attend school if  
treatment is verified and covered or dry

-----  
Infectious Hepatitis  
15-40 days  
Average 25 days

The student may attend school  
with physician's written  
permission and if the student has the ability to take appropriate personal hygiene precautions.

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Measles (Red, Hard,  
Rubeola, 7 day)  
8-14 days

The student may attend school  
after a minimum of 7 days.  
Students who have had contact with measles may attend school if immunization is up to date.

-----  
Infectious  
Mononucleosis  
(Glandular Fever)  
2-6 weeks

The student may attend school  
with physician's permission.  
The student may need adjusted  
school days and activities

-----  
Mumps  
12-21 days

The student may attend school  
after swelling has disappeared.

-----  
Pediculosis  
(Lice, Crabs)

The student may attend school  
after treatment. After repeated infestation of the same student, the student may be excluded until all  
nits are removed.

-----  
Pink Eye  
(Conjunctivitis)

The student may attend school  
after the eye is clear, under treatment or with physician's written permission.

-----  
Plantar's Wart

The student may attend school. Students should not be permitted to walk barefoot.

-----  
Ring Worm  
(Scalp, Body,  
Athlete's Foot)

The student may attend school  
if the area is under treatment  
and covered. Restrict known cases of athlete's foot from pools and showers until under treatment.

-----  
Rubella (3 day German  
measles) 14-21 days

The student may attend school  
after a minimum of 4 days. Prevent exposure of pregnant women.

-----  
Scabies (7 year  
itch, Mites)

The student may attend school  
after treatment.

-----  
Streptococcal Infections  
(Scarlet Fever,  
Scarletina, Strep Throat)  
1-3 days  
-----

The student may attend school 24 hours after initiating oral  
antibiotic therapy, and clinically well.

\*All communicable and chronic disease should be reported to  
Health Services.

\*Time interval between initial contact with an infectious agent and the first sign or symptom of the disease.

## **MEDICATION**

Parents are asked to consult with their physicians to administering medications outside of the school day. The school day is very busy and every effort needs to be made to not complicate it more by having to deal with medications that can be scheduled to be administered at home.

The teacher will administer no medication, but a parent may request the teacher to assist with self-administration of medication by reminding your child to take his/her medication. Please send only enough medication for the doses needed during school. The medication must be accompanied by the form, which is signed by a doctor, stating the name of the medication, amount and times to be taken along with a signed parental request/authorization form requesting the teacher to assist their child with self-administration of the medication. (form is found at the back of this handbook) School personnel will not provide aspirin, nor should any student ask for or offer any type of medication from/to a staff member or other student.

## **CHEMICAL ABUSE**

### **STUDENT IN POSSESSION OF ALOCHOL/ILLCIT DRUGS**

Students who are caught using or in possession of a controlled substance such as any drug, drug paraphernalia, tobacco, or alcoholic beverages during school time or during any school activity can expect the following procedure to be taken:

- A. The building administrator or person designated notifies parents and police, detaining the student until police arrive.
- B. A student in possession of alcohol/illicit drugs is immediately suspended (in accordance with South Dakota Administrative Rules Chapter 24:07:02 and Chapter 24:07:03) from all school extracurricular contests and performances.
- C. A parent conference is held as soon as possible after the offense occurs.
- D. The parent and the student are given the following options:

Depending upon the severity of the circumstances, the student may be subject to the penalties for the second offense on the first offense, or the penalty for the third offense on the second offense.

### **FIRST OFFENSE:**

Option One: Evaluation and, if deemed appropriate, possible admittance to a chemical abuse treatment program. All costs will be at the legal guardian's expense.

Option Two: Three-day in-school suspension. There will be a follow-up by the building administrator.

### **SECOND OFFENSE:**

Option One: Evaluation and, if deemed appropriate, possible admittance to a chemical abuse treatment program. All costs will be at the legal guardian's expense.

Option Two: Five-day out-of-school suspension. There will be a follow-up by the building administrator.

### **THIRD OFFENSE:**

Suspended until school board expulsion hearing is held.

- E. It is forbidden for any student to possess alcohol/illicit drugs or anything purported to be a drug with the intent to distribute it to other students while on school grounds or at a school related activity. Distribution is defined as selling, giving, or raking orders for an illicit drug/alcohol. Any student intending to distribute an illicit drug by reason of its quantity and packaging or any reliable information as to the fact the student actually distributed the illicit drug or anything purported to be a drug, may be suspended immediately and referred to the Board of Education for reprimand, suspension, expulsion or any other action which the Board of Education deems appropriate.

## **STUDENT UNDER THE INFLUENCE**

Staff member's reports students suspended of being under the influence to an administrator immediately.

- B. Administrator follows the procedures cited in the section “Students in Possession of Alcohol/Illicit Drugs.” Procedures followed will be dependent upon whether it is a first or second offense for either chemical use or possession of alcohol or illicit drugs.

#### **REASONABLE USPICION THAT A STUDENT IS UNDER THE INFLUENCE**

- A. A staff member reports the problem to an administrator immediately.  
B. An administrator, and/or reporting staff member and/or guidance counselor confer with the student as soon as possible. The following will apply:

If it is determined that the student is not under the influence, administrator or his/her designee calls the student’s parents or the guardian of the student. In the conference the following issues will be addressed:

- 1) A review of the circumstances (behavior), which necessitated the conference.
- 2) A request for information from both the student and parents or guardian to aid in determining the possible reasons for the student’s behavior.
- 3) Review possible referral sources within the school and community, both medical and counseling, that may help the parents or guardian and student in dealing with the behavior exhibited. All costs will be at the legal guardian’s expense. Follow-up with the guidance counselor.

#### **PARENTAL PERMISSION REQUIRED**

Parental permission is necessary prior to a student leaving school by any means other than his/her regular destination, such as (going home to a friend’s home, neighbor driving your child home instead of riding the bus, etc.) It is important for your child’s safety that you keep the classroom teacher informed of any deviations from normal routine. A written note, **prior to the event**, briefly explaining the change or reason for your child’s absence is the most appropriate. In the event that a prior written note is not possible, direct parental notification (in person or by telephone) to the classroom teacher or school official is necessary.

#### **ACTIVITIES-PARTICIPATION**

Students who plan to attend any school activity whether as a participant or an observer must be in school on that day, unless permission not to be in attendance was granted by the Principal prior to the absence.

#### **TELEPHONE CALLS**

Only in case of emergency or permission of a faculty member may students use the telephone during the school day. Plan, if possible to make any necessary calls before or after school or at noon. Unless cases of emergencies arise, messages will be taken on incoming calls and given to the student(s) at a specific time during the day. Parents are asked to study the child’s schedule and make necessary calls during study periods. If cellular phones are brought to school they must remain on silent and turned into the front of the classroom at the beginning of the day. Cellular phones will be returned at the end of the day to elementary students.

#### **TEXTBOOKS**

Basic textbooks are furnished by the school district at no cost to you. Students will be fined if the textbooks are not returned in good condition considering reasonable wear and tear. Teachers will collect the fines and turn them in at the Business Manager’s office.

#### **SCHOOL PROPERTY**

Care of school property should be the responsibility of each student. When students are observed contributing to vandalism or destruction, disciplinary action will be taken in accordance with the act.

#### **TITLE I PROGRAM**

The Title I Program is a federally funded program to assist eligible students in the areas of reading and math. If your child is experiencing difficulty in either of these areas you are encouraged to visit with your child’s classroom teacher or the Title I teacher.

The Title I Program will operate under the following guidelines:

1. An advisory committee will be appointed as needed.
2. An ongoing screening/referral process will be conducted to identify eligible students.
3. There will be communication with parents if a child is identified and is eligible.
4. Parental permission will be received before a child will be served.
5. Timely communication and information regarding the student’s progress will be provided to the parents/guardian.
6. An annual evaluation of the Title I Program will be conducted.

**MONTROSE SCHOOL DISTRICT  
TITLE I PARENTAL INVOLVEMENT  
LOCAL EDUCATIONAL AGENCY POLICY**

The Montrose School District shall:

- Post each school's parental involvement policy in board approved student handbooks distributed to all parents/students in the district each year.
- Establish District Parent Advisory Council that meets at least annually to plan, review, and improve the program. The Parent Advisory Council membership shall consist of the Federal Programs Coordinator, Administration, teachers, Special Education representation, and parents who represent each one of the Title I project schools in the district.

The purpose of the council shall include:

1. Involve parents in the joint development of the annual consolidated plan, and the process of school review and improvement.
2. Provide coordination, technical assistance and other support necessary to assist Title I schools in the planning and implementing effective parental involvement activities to improve student performance and attendance.
3. Coordinate and integrate parental involvement strategies with other programs, such as the Head Start Program.
4. Provide all parents the opportunity to annually evaluate the content and effectiveness of the Parent Involvement Policy in improving the academic quality of the Title I schools, including identifying barriers to greater participation by parents. Surveys will be explained at the annual meeting.
5. Involve parents in the activities of the schools through such activities as the monthly Reading Rally, Title I meetings and Book Fairs.

Reference: Elementary and Secondary Education Act of 1965 as amended.

Adopted: August 12, 1996

Reviewed: October 8, 2007

Amended: June 14, 2010

Also reference district policies for School Level Parental Involvement

File: ABAA-R1 – Montrose Elementary School

File: ABAA-R2 – Orland Colony School

**PARENTS RIGHT TO KNOW NOTICE**

Parents of students in the Montrose School District have the right to know and may request the following information:

1. Whether the teacher has met the State requirements for licensure and certification for the grade levels and subject matters in which the teacher provides instruction.
2. Whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived.
3. The college major and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree.
4. Whether the child is provided services by paraprofessionals, and if so, their qualifications.
5. Parents will be given notice if their child has been assigned to a teacher who is not highly qualified.

Parents of students in the Montrose School District may obtain this information by contacting the Superintendent.

**PARTIES**

Three scheduled school parties are held during the school year. These are a Fall Party, Christmas, and Valentines Day. When a child has a birthday, a parent sometimes wishes to send a treat to the class. The parent should contact the teacher to make arrangements for this. Please keep the treat simple and consider the dietary and/or health needs of all students in the class. Snacks need to be store bought/pre-packaged.

When children have birthday parties please be considerate of everyone. The school encourages parents to mail party invitations rather than bringing them to school as feelings are often hurt when some students are excluded. FERPA guidelines do not allow the school to give out student addresses.

## **FIRE AND TORNADO DRILLS**

There will be occasional fire and tornado drills throughout the school year. Students are to leave the building quickly and orderly at the sound of the alarm. Students will leave the classrooms single file while keeping to the right. When out of the building move at least 100 feet away from the building. In the event of a tornado go to your designated location, crouch down, place hands over head and face the wall until an “all clear” is given.

## **VISITORS TO THE SCHOOLS – FILE KK**

The Board and staff of the school district welcome members of the community and other interested persons to visit the district schools. School improvements often come from suggestions originating in such visits.

The superintendent will encourage visitors to observe our schools; provide for appropriate hospitality for visitors; channel expressions of approval as well as constructive criticism to the Board; ensure that such visits will enhance the effect of the educational program.

All visitors must report to the school office and receive the superintendent’s or principal’s permission to be on the school grounds. Any person on school property who has not registered with the school office will be requested to report to the superintendent’s or principal’s office for permission to remain. Any request to be on school property for any purpose deemed by the school superintendent or principal or his designee to be disruptive of the educational process will be denied permission to remain.

If a visitor refuses to leave the school grounds, creates any disturbance, or attempts to disrupt the educational process, the principal is authorized to request aid from the local law enforcement agency.

## **SEVERE WEATHER/EMERGENCY SCHOOL CLOSING**

In case of severe weather or other emergencies the official announcement for school closing will be made through the school reach phone call, text message and posted on the school’s Facebook page. School closing will also be broadcast over the following: radio stations KJAM(1390) and; television stations KELO, KSFY, and KDLT. The decision to call off school is never an easy decision. Parents and guardians are advised, that if you believe that conditions warrant not sending your child to school, that it is your right and responsibility to make that decision for your child.

## **RETENTION POLICY**

Letters of recommendation for retention are sent to parents during the second week in March. A conference involving parents, teachers and administration is held before a student is retained.

## **POLICY PROHIBITING SEXUAL HARASSMENT – FILE ACAA**

**FILE ACAA-1**

### **SEXUAL HARASSMENT REGULATIONS**

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

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

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

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

Students who violate the policy prohibiting sexual harassment shall be subject to appropriate disciplinary action, up to and including expulsion.

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

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

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

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

1. An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual’s participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient’s education program or activity; or

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

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

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

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

- C. Other definitions. Other definitions applicable to these Regulations are the definitions as set forth in Policy ACAA, Sexual Harassment, Section V.

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

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

Shawnya McGregor, Title IX Coordinator 309 S Church Ave, Montrose, SD 57048 [shawnya.mcgregor@k12.sd.us](mailto:shawnya.mcgregor@k12.sd.us) 605-363-5025

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

The written complaint or Sexual Harassment - Complaint Report Form, ACAA-E(1), must include the following:

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

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

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

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

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

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

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

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

1973, or the Americans with Disabilities Act. Additionally, nothing in the policy or regulations prohibits the District from placing an employee respondent on administrative leave during the pendency of a grievance process, however, nothing in the policy or regulations may be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

B. Confidentiality

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

C. Informal Resolution:

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

D. Formal Complaint:

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

E. Investigation of a Formal Complaint

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

7. Prior to completion of the investigative report, the District must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least ten (10) calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report. The District shall make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.
8. The investigator shall create an investigative report that fairly summarizes relevant evidence and, at least ten (10) calendar days prior to a determination by a decision-maker regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

F. Determination

1. The decision-maker shall not be the same person as the Title IX Coordinator or investigator(s).
2. After the Investigator has sent the investigative report to the parties, and before reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. All parties shall have ten (10) calendar days from the date the investigatory report was sent to the parties to submit written, relevant questions to the decision-maker, who shall forward the questions to the other party following the ten (10) period, unless all parties submitted questions prior to the end of the ten (10) day period and in such case the decision-maker shall forward the questions upon receipt of questions by all parties. All parties shall have (5) calendar days to submit to the decision-maker and the other parties any written responses to the questions.
3. The decision-maker shall have fourteen (14) calendar days, after the expiration of time frame set forth in E.8. above, to issue a written determination as to the complaint.
4. The decision-maker shall not conduct an adversarial hearing unless the Board conducts a hearing following an appeal of the Superintendent's decision to the Board, or following the Superintendent's recommendation to the Board that a student determined to have sexually harassed another person be suspended long-term or expelled or recommend to the Board that an employee determined to having sexually harassed another person be suspended without pay or the person's employment with the District be terminated.
5. Standard of evidence. For all formal complaints of sexual harassment filed against students and employees, the standard of evidence to be used to determine responsibility is the preponderance of the evidence standard.
6. Upon recommendation of a decision-maker, on following an appeal of the decision-maker's determination, the Superintendent may make a recommendation to the Board that a student determined to have sexually harassed another person be suspended long-term or expelled (ARSD 24:07:01:01). The Superintendent may also make a recommendation to the Board that an employee determined to having sexually harassed another person be suspended without pay or the person's employment with the District be terminated. Should either recommendation be given by the Superintendent, a formal adversarial hearing shall be held before the Board.
7. Disciplinary sanctions. Following any determination of responsibility the District may implement disciplinary sanctions and remedies that include, but are not limited to:
  - a. if a student:
    - i. loss of privileges;
    - ii. detention;
    - iii. in-school suspension;
    - iv. long-term suspension;
    - v. expulsion.
  - b. if an employee
    - i. written reprimand;
    - ii. written plan of improvement, which may include directive to obtain training related sexual harassment and the prohibition against sexual harassment;
    - iii. suspension without pay;
    - iv. termination of employment.
  - c. if a guest or vendor
    - i. restrict access to school property;
    - ii. deny access to school property.
8. The decision-maker must issue a written determination regarding responsibility. To reach this determination, the decision-maker shall apply the preponderance of evidence standard of evidence.
9. The written determination shall include:
  - a. identification of the allegations potentially constituting sexual harassment;
  - b. a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
  - c. findings of fact supporting the determination;
  - d. conclusions regarding the application of the District's code of conduct to the facts;
  - e. a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the District to the complainant; and
  - f. the District's procedures and permissible bases for the complainant and respondent to appeal.
10. The District shall provide the written determination to the parties simultaneously.
11. The determination regarding responsibility becomes final either on the date that the recipient provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

G. Appeal

1. Both parties have the right to appeal to the Board the Superintendent's determination regarding responsibility, and from a dismissal of a formal complaint or any allegations therein, on the following bases:
    - a. Procedural irregularity that affected the outcome of the matter.
    - b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
    - c. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
  2. As to all appeals, the Title IX Coordinator shall:
    - a. notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
    - b. ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
    - c. ensure that the decision-maker(s) for the appeal complies with the standard of evidence as required in this policy;
    - d. give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
    - e. ensure that a written decision is issued describing the result of the appeal and the rationale for the result, and provide the written decision simultaneously to both parties.
  3. Appeal to the Superintendent. The following procedure shall be used to address an appeal of the decision-maker's determination to the Superintendent:
    - a. If a party is not satisfied with the decision-maker's determination, or if the decision-maker's determination does not without good cause render a written decision within fourteen (14) calendar days of the expiration of time frame set forth in E.8., that party may appeal to the Superintendent by filing form ACAA-E(2), Sexual Harassment - Complaint Appeal to the Superintendent. The appeal must be filed within ten (10) calendar days of receipt of the decision-maker's written decision, or ten (10) days of the deadline for the decision-maker's written decision, whichever comes first. The appealing party must attach the decision-maker's written determination.
    - b. Within fourteen (14) calendar days from the date the appeal was filed, the Superintendent shall render a decision in writing. All parties shall receive copies of the decision. The Superintendent shall uphold, reverse, modify the decision-maker's decision, or the Superintendent may refer the matter back to the decision-maker for further investigation and supplemental decision which decision may restate, modify or reverse the decision-maker's initial decision. A supplemental decision by the decision-maker after a referral back to the decision-maker may be appealed to the Superintendent.
  4. Appeal to the School Board. If a party is not satisfied with the Superintendent's decision, or if the Superintendent does not without good cause render a written decision within fourteen (14) calendar days of the receipt of the appeal, that party may appeal to the School Board by filing with the Business Manager using Form ACAA-E(3), Sexual Harassment – Complaint Appeal to the School Board, within ten (10) calendar days of receipt of the Superintendent's written decision, or ten (10) days of the deadline for the Superintendent's written decision, whichever comes first. The appeal shall be in writing and the appealing party must attach to the appeal the decision-maker'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 sexual harassment complaint:
1. Upon receipt by the Board President/Chairperson of an appeal by the Complainant, a copy of the appeal shall be given to the person alleged to have violated the sexual harassment policy;
  2. Upon receipt of an appeal, the Board shall at its next meeting schedule a date, time and location for the appeal hearing.
  3. The following procedure shall be applicable at the appeal hearing before the Board:
    - A. The Board shall appoint a board member or a person who is not an employee of the school district as the hearing officer;
    - B. Within thirty (30) calendar days of an appeal being filed with the Board, the Board shall conduct a hearing in executive session;
    - C. The Complainant, person alleged to have violated the sexual harassment policy, and Superintendent each have the right to be represented at the hearing;
    - D. The Board shall make a verbatim record of the hearing by means of an electronic or mechanical device or by court reporter. This record and any exhibits must be sealed and must remain with the hearing officer until the appeal process has been completed;
    - E. The issue on appeal is whether the Superintendent's decision should be upheld, reversed or modified;
    - F. All parties shall be given the opportunity to make an opening statement, with the appealing party being given the first opportunity, followed by the other party, and then the Superintendent;
    - G. The appealing party shall present his or her case first, and the other party shall then present his or her case. Both parties shall have the opportunity to ask questions of the other's witnesses. The hearing officer and board members may ask questions of any witness;
    - H. The Superintendent shall present the basis of his/her decision which led to the appeal. Both parties shall have the opportunity to ask the Superintendent questions. The hearing officer and board members may also ask questions of the Superintendent;
    - I. Unless a witness is a party to the appeal, witnesses may be present only when testifying unless the hearing officer rules otherwise. All witnesses must take an oath or affirmation administered by the School Board president, hearing officer or other person authorized by law to take oaths and affirmations;
    - J. The hearing officer shall admit all relevant evidence. The hearing officer may limit unproductive or repetitious evidence. The strict rules of evidence do not apply. *Moran v. Rapid City Area School Dist.*, 281 N.W.2d 595. 602 (S.D. 1979).
    - K. All parties shall be given the opportunity to make a closing statement, with the appealing party having the first opportunity, followed by the other party, and then the Superintendent. The appealing party shall be given the opportunity for a brief rebuttal;
    - L. After the evidentiary hearing, the Board shall continue to meet in executive session for deliberations. No one other than the hearing officer may meet with the Board during deliberations. The Board may seek advice during deliberation from an

attorney who has not represented any of the parties to the hearing. Consultation with any other person during deliberation may occur only if a representative of both parties and Superintendent are present. The Board may, in its sole discretion, continue the proceedings and make a final decision on the appeal at a later date. Within twenty (20) calendar days of the hearing, the Board shall render its decision and issue its written Findings of Fact, Conclusions of Law and Decision. The time frame for rendering a decision may be extended by the Board President for good cause and upon written notification to both parties and the Superintendent, and the notification shall identify the reason for the extension and the date on or before which the decision shall be rendered;

- M. The decision of the School Board must be based solely on the evidence presented at the hearing and must be formalized by a motion made in open meeting. The Board will convene in open session and a motion to uphold, reverse, or modify the Superintendent's decision shall be made and voted upon. Findings of Fact, Conclusions of Law and Decision, consistent with the Board motion shall be in writing and approved by the Board. Both parties, the decision-maker and the Superintendent will receive copies after the Findings of Fact, Conclusions of Law and Decision are approved by the Board.
- N. Following the Board hearing, should the Board determine there has been a violation of this policy prohibiting sexual harassment, Board action may include but is not limited to the following: (1) suspend or expel a student from any or all school programs, including but not limited to classes, extracurricular activities, or attendance at school activities; (2) pursuant to statute, reprimand, suspend without pay, or terminate the contract of an employee, or (3) prohibit a third person from being on school property or at school activities for such time as may be determined by the Board.
- O. If either party is dissatisfied with the Board's decision, that party may appeal the decision by filing an appeal pursuant to law.

## **SECTION 6 - Miscellaneous**

- A. Consolidation of formal complaints. The District may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references in this section to the singular "party," "complainant," or "respondent" include the plural, as applicable.
- B. Dismissal of Complaint:
  - 1. The District may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing:
    - a. a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
    - b. the respondent is no longer enrolled in or employed by the District; or specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
  - 2. Upon a dismissal required or permitted pursuant to B.1. above, the District shall promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties.
  - 3. Any party whose participation is invited or expected, shall be given written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
  - 4. Both parties shall have equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

## **STUDENT DUE PROCESS RIGHTS AND STUDENT SUSPENSION/ EXPULSION – File JGD**

### **STUDENT SUSPENSION AND EXPULSION**

Serious breaches of standards of behavior may result in suspensions or expulsions from school. A principal is authorized to suspend pupils for not more than ten school days and a Superintendent is authorized to suspend pupils for not more than 90 days. The period of expulsion may extend beyond the semester in which the violation, insubordination, or misconduct occurred. Any expulsion for consumption or possession of beer or alcoholic beverages may not extend beyond ninety school days.

Any student bringing a 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 to school, except as authorized by law, shall be expelled for not less than twelve months and will be referred to law enforcement authorities. The Superintendent shall have the authority to decrease the length of expulsion on a case-by-case basis. This policy shall be implemented in a manner consistent with IDEA and Section 504.

A suspension may be imposed, but is not limited to, when a student's behavior creates a threat to his own or other's safety or imposes a threat to property or premises or creates a serious disruption of the school environment. Behavior such as fighting or committing an assault on another; stealing; vandalism; possessing weapons, explosives or other prohibited materials; making a false alarm or terroristic threat; lewd or threatening behavior or language; possession of drugs; or possession of beer or alcoholic beverages on the school premises or at school activities may result in suspensions.

Hearing procedures as established by state regulations will be followed for all students who receive long-term suspensions or expulsion.

- In case of a suspension by the Superintendent for more than ten school days, the Superintendent will schedule a hearing before the Board of Education and the hearing shall be scheduled within ten (10) school days of the first day of the student's suspension.

- Additional procedures mandated by state and federal law apply to special education students.

*NOTE: Statute states that no school board may impose a lesser consequence than those established in SDCL 13-32-9 but may by board policy adopt more strict consequences for adjudication, conviction, informal adjustment or court-approved diversion program, or a suspended imposition of sentence or suspended adjudication of delinquency, for possession, use, or distribution of controlled drugs or substances or marijuana. Statute also says the suspension “may” be reduced and the student “may” be allowed to practice during the period of suspension. To avoid discriminatory application, it is ASBSD’s recommendation that the Board decide, for policy purposes, if the suspension period is to be reduced upon the student meeting the requirements, and if reduced to what extent, and whether the student may participate in practice during a period of suspension.*

### **Suspension from Extra-Curricular Activities:**

If a student is adjudicated, convicted, the subject of an informal adjustment or court-approved diversion program, or the subject of a suspended imposition of sentence or suspended adjudication of delinquency, for possession, use, or distribution of controlled drugs or substances or marijuana, or for ingesting, inhaling, or otherwise taking into the body any substance as prohibited by statute, the student shall be suspended as follows:

**First offense:** The student shall be suspended one year which shall be reduced to thirty calendar days if the student participates in an assessment with a certified licensed addiction counselor. If a suspension for a first offense is reduced to 30 calendar days, the student is ineligible for a minimum of two South Dakota High School Activities Association sanctioned events. If two sanctioned events for which the student is ineligible do not take place within the reduced suspension period, the student's suspension remains in effect until two sanctioned events for which the student is ineligible have taken place. Students who are ineligible to participate in activity events, competitions, and performances shall be allowed to participate in practices.

**Second offense:** The student shall be suspended one year. The one year suspension for a second offense shall be reduced to 60 calendar days if the student completes an accredited intensive prevention or treatment program. If the suspension for a second offense is reduced, the student is ineligible for a minimum of six South Dakota High School Activities Association sanctioned events. If a suspension is reduced pursuant to § 13-32-9, a suspension for a second offense shall make the student ineligible for a minimum of six South Dakota High School Activities Association sanctioned events. If six sanctioned events for which the student is ineligible do not take place within the reduced suspension period, the student's suspension remains in effect until six sanctioned events for which the student is ineligible have taken place. Students who are ineligible to participate in activity events, competitions, and performances shall be allowed to participate in practices.

A suspension begins on:

1. The day following the notification to a school administrator by the Unified Judicial System that a student has been adjudicated, convicted, the subject of an informal adjustment or court approved diversion program, or the subject of a suspended imposition of a sentence or a suspended adjudication of delinquency for possession, use, or distribution of controlled drugs, substances, or marijuana as defined in chapter 22-42, or for ingesting, inhaling, or otherwise taking into the body any substance prohibited by § 22-42-15 and the school administrator gives notice to the South Dakota High School Activities Association and the students; or
2. The day following the student's admission to a school administrator that the student committed an offense enumerated in subdivision (1), which shall be made with the student's parent or guardian present if the student is an unemancipated minor, and the school administrator gives notice to the South Dakota High School Activities Association.

A suspension that is reduced pursuant to this policy is only in effect during the South Dakota High School Activities Association's activity year, which begins on the first day of its first sanctioned event and concludes on the last day of its last sanctioned event.

A reduced suspension that is not completed by the end of one activity year shall carry over to the next activity year.

In order for events to count toward the minimum number of events for which the student is ineligible following a reduction in the suspension for a first or second offense, the student must participate in the entire activity season. Failure of a student to complete the entire activity season results in the student being ineligible for one year from the date of adjudication, conviction, the subject of an informal adjustment or court approved diversion program, or subject of a suspended imposition of sentence or suspended adjudication of delinquency. A suspension that is not completed by the student during one activity season carries over to the next activity season in which the student participates.

**Third offense:** Upon a third or subsequent adjudication, conviction, diversion, or suspended imposition of sentence for possession, use, or distribution of controlled drugs or substances or marijuana, or for ingesting, inhaling, or otherwise taking into the body any substances as prohibited by statute, by a court of competent jurisdiction, the student is ineligible to participate in any extracurricular activity.

### **STUDENT CONDUCT – File JFC**

Students in the District are expected to act in an appropriate and responsible manner. Such behavior will reflect favorably on the student and on the school, will show consideration for other students, school employees and guests at the school, and will create a

positive school environment in which to learn and work. All students have individual responsibilities and obligations in their conduct toward other people and with respect to property.

Examples of student conduct on school grounds, on school buses or at school activities which will subject a student to suspension, expulsion or other disciplinary action, and which may be reported to the legal authorities and subject to legal consequences, include, but are not limited to:

1. causing or attempting to cause damage to school property, or stealing or attempting to steal school property.
2. causing or attempting to cause damage to private property, or stealing or attempting to steal private property.
3. causing or attempting to cause physical injury to another person, except in self-defense, or threatening to do so.
4. threatening (verbal or physical) a student or staff member with bodily harm.
5. possession of any firearm, knife, explosive or other weapon or dangerous object.
6. possession, use, or being under the influence of any controlled drug or substance without a physician's prescription.
7. possession, use or under the influence of alcohol or illegal drug or substance.
8. possession, or use of any tobacco product.
9. making false fire alarms or bomb threats or similar threats.
10. cheating (including plagiarism) with respect to school work or tests.
11. inappropriate use of computers, networks, Internet, Distance Learning, etc.
12. using lewd, profane or obscene language, or displaying lewd, profane or obscene language or pictures.
13. sexually harassing any other person.
14. defying the valid authority of school employees.
15. conduct in a classroom, hallway, or any other location on school property or on a school bus which is disruptive.
16. harassment (including hazing) of any other student or staff member of the Montrose School District or any other person who is on the property of the Montrose School District.
17. bullying (to harm or to threaten to harm another student) is prohibited during the school day or at any school activity or function.

Copies of this policy shall be made available to parents and to all students, either through being reprinted in student handbooks or through some other means.

## **POLICY PROHIBITING BULLYING – File JFCK**

### **SECTION 1**

The Montrose School District 43-2 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 by Montrose School District students of other persons, including other students of the Montrose School District, students of other schools who are at a Montrose School District activity, school employees, and guests and visitors of the Montrose School 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. 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.

This policy shall apply to persons on school property and at school activities and events on non-school property, including when the person is in any school vehicle or when in a private vehicle located on school property. The prohibition against bullying shall also apply to Montrose School District students when not on school property or at a school event off school property when the bullying conduct results in substantial interference with the work of the school, causes material and substantial interference with school work and discipline, or reasonably causes school authorities to forecast substantial disruption of or material interference with school activities.

Montrose School District students who violate this policy shall be subject to appropriate disciplinary action, up to and including expulsion. Third persons who violate this policy may be prohibited from being on school property.

### **SECTION 2**

#### **Definitions:**

**1. Bullying:** "Bullying" is defined as any physical, verbal, written or electronic conduct directed toward a student that is sufficiently severe and offensive to a reasonable person that it:

\*\* has the purpose or effect of creating an intimidating, hostile or offensive school environment for one or more students, and/or

\*\* 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).

The definition of bullying specifically includes stalking, harassment and threatening/harassing contacts by telephone or other communication devices as set forth in SDCL 22-19A-1, SDCL 22-19A-4 and SDCL 49-31-31:

SDCL 22-19A-1. Stalking: No person may:

- (1) willfully, maliciously, and repeatedly follow or harass another person;
- (2) make a credible threat to another person with the intent to place that person in reasonable fear of death or great bodily injury; or
- (3) willfully, maliciously, and repeatedly harass another person by means of any verbal, electronic, digital media, mechanical, telegraphic, or written communication.

SDCL 22-19A-4. Harasses defined. Harasses means 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

SDCL 49-31-31. Threatening or harassing contacts by telephone or other electronic communication device. No person may use or knowingly permit 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.

Examples of bullying prohibited by this policy include, but are not limited to intentional or reckless verbal, nonverbal, physical, written or electronic conduct that

- is threatening in nature (implied or explicit)
- is demeaning in nature
- causes fear, suffering, discomfort or injury to a student;

**2. Electronic:** “Electronic” is defined as any communication involving the transmission of information by wire, wireless broadband, radio, optical cable or similar means, and includes but is not limited to communication via electronic mail, internet-based communications, pager service, cell phones, land-line telephones, electronic text messaging or similar technologies. Bullying through electronic means is often called “cyberbullying.”

**3. Third Parties:** “Third parties” is defined as persons, including but not limited to, school volunteers, school guests and visitors, students from other schools when at a Montrose School District activity, and contractors (including contractor’s employees).

### **SECTION 3**

**A. 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 being subject to bullying should immediately report it to a school administrator. The report initially may be made verbally or in writing. If the person making the complaint wishes the District to take disciplinary action against another person, the individual making the complaint will be required to either submit a signed written complaint or sign an information reporting statement written by the person to whom the report was given and verifying the contents of the reporting statement. The written complaint or reporting statement must include the name of the person making the complaint, the person(s) alleged to have bullied the complaining party or another person, the date(s) and the specific conduct giving rise to the bullying complaint. The District shall investigate all written reported instances involving bullying.

**B. PROCEDURE FOR ADDRESSING COMPLAINTS:** The District strictly prohibits retaliation against any person because he or she has made, reported, 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 a third person) harass, pressure, or retaliate against any other person because of the complaint being reported and 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 complaint should immediately contact a school administrator.

(1) Should there be a written complaint of bullying which alleges a Montrose School District student has been subjected to bullying or has bullied by a third person and the person alleged to have committed the bullying act(s) is subject to this policy, an investigation of the alleged incident(s)/behavior(s) 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 of the victim (and if so, in what manner), identifying prior history of a similar nature by any of the individuals involved, and attempting to obtain possible verification and from other persons. If the alleged conduct may constitute a violation of SDCL 22-19A-1 (Stalking), SDCL 22-19A-4 (Harassment) or SDCL 49-31-31 (threatening or harassing contacts by telephone or other electronic communication device) the District shall notify local law enforcement or state’s attorney.

(2) The person alleged to have bullied another person will be notified in writing 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 the investigation results in a determination that there is reasonable cause to suspect that bullying did occur.

(3) Pending the outcome of the investigation the Superintendent may take such action consistent with law as deemed appropriate in order to facilitate the investigation and protect the rights of all persons involved.

(4) Upon reasonable suspicion by the person responsible for the investigation that the allegation of bullying may be true, the student or third 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).

(5) 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 investigating the complaint determine there is reasonable cause to suspect that bullying did occur which could result in administrative discipline or a referral to the Board of Education, the person alleged to have abused the other person has the right to know the identity of the person(s) making the complaint in order that he/ she may have an opportunity to defend himself/herself against the complaint.

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

(7) At the conclusion of the investigation, the administration may up to the extent of administrative authority impose disciplinary action or alternatively refer the matter to the Board of Education. Should the administration impose discipline upon the student and not refer the matter to the Board, the student disciplined may file an appeal (grievance) directly with the Board of Education pursuant to the applicable grievance policy.

(8) If the administration refers the matter to the Board of Education the student alleged to have bullied another person a hearing will be held before the Board of Education consistent with due process procedures.

(9) If there is reasonable suspicion to believe that a third person bullied a Montrose School District student, employee or guest 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.

#### **C. BOARD HEARING:**

(1) Should the matter be referred by the Administration to the Board, a formal hearing shall be held before the Board in executive session.

(2) At the hearing, the Administration shall present evidence relative to the allegation of bullying and the student accused of violating this policy will have an opportunity to present evidence in his/her defense.

(3) The standards of Due Process shall be adhered to at the Board hearing, including the right of the person accused of violating this policy to have representation and to cross-examine the complaining party.

**D. BOARD DISCIPLINARY ACTION:** If following the Board hearing the Board determines there has been a violation of this policy prohibiting bullying, Board action may include but is not limited to the following:

(1) if the person found violating this policy is a student, the Board may suspend or expel the student from any or all school programs, including but not limited to classes, extracurricular activities, or attendance at school activities.

(2) If the person found violating this policy is a third person that person may be prohibited from being on school property or at school activities for such time as may be determined by the Board.

#### **STUDENT INTERVIEWS- File JFGA**

##### **LAW ENFORCEMENT AND DEPARTMENT OF SOCIAL SERVICE STUDENT INTERVIEW POLICY**

When students are at school or involved in a school activity off school ground, the school has an obligation to the students and their parents, and also an obligation to authorities such as law enforcement and the Department of Social Services. This policy balances the rights of students and parents with the rights and responsibilities of law enforcement and the Department of Social Services as those entities investigate juvenile delinquency/criminal matters and matters related to suspected child abuse and neglect. It is therefore the policy of the District that:

1. should a law enforcement officer wish to talk with a student under the age of 18\* while the student is at school or at a school activity and interview the student for a reason other than investigating suspected child abuse or neglect, the District will not grant permission for the law enforcement officer to talk with the student unless the school has first notified the student's parent(s)/guardian(s) and received permission from a parent/guardian for the student to talk with the law enforcement officer. Parents/guardians have the right to deny the request from law enforcement to talk with the student. Parents/guardians shall also be afforded the opportunity to be present during the interview should permission be granted by parent/guardian for a law enforcement officer to talk with the student. However, should the law enforcement officer order school personnel to present the student so the officer may talk to the student, after documenting the law officers order to present the student, the school personnel shall comply with

the officer's order and an administrator shall then immediately contact the student's parent.

2. should the Department of Social Services (DSS) or a law enforcement officer be investigating suspected child abuse or neglect and wish to talk with a student under the age of 18\* while the student is at school, the request to talk with a student shall be documented by the school administrator, including the name of the person making the request, date of request, date of interview, and that the request is made for the reason of investigating suspected child abuse or neglect. The law in South Dakota requires investigation of suspected child abuse to be kept confidential and can be done without notification to parents. Therefore, the school will not notify parents of a request by the Department of Social Services or law enforcement to talk with a student in such instances.

\* Upon the student reaching the age of 18, the student is a legal adult and has the authority to make the decision whether or not to talk with the law enforcement officer or DSS and without parental involvement. However, the student shall be afforded the opportunity to contact his/her parents for advice before responding to a request by the authorities to meet with and talk to law enforcement and/or the Department of Social Services.

### **DANGEROUS WEAPONS IN THE SCHOOL – File JFCJ**

State and federal law and board policy prohibits any person except law enforcement officers from the bringing of dangerous weapons to school or school sponsored activities, on school premises, including in any vehicle on school property, and at school activities at a site other than on school district property. A dangerous weapon is defined as any firearm, air gun, knife or device, instrument, which is calculated or designed or intended to or has the risk of inflicting death or bodily harm. For purposes of this policy, the term "firearm" includes any weapon which is designed to expel a projectile by action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for a weapon, or any explosive, including any poison gas. This policy does not apply to starting guns while in use at athletic events, firearms or air guns at firing ranges, guns shows and supervised schools or sessions for training in the use of firearms.

Any weapon taken from a pupil shall be reported to the pupil's parents and may be reported to the police. Discipline and/or legal action shall be pursued by the District.

Any student found to have a firearm on school grounds or at a school activity shall be expelled for not less than 12 months and will be referred to law enforcement authorities. The student, prior to the expulsion, shall be entitled to a hearing pursuant to the District's student suspension/expulsion procedure. The superintendent shall have the authority to recommend to the school board that the one year expulsion be modified on a case-by-case basis.

### **STUDENT RECORDS POLICY – File JFE**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day the Montrose School District receives a request for access. Parents or eligible students should submit to the school principal a written request that identifies the records they wish to inspect. The school principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of 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 Montrose 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 of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to provide written consent before the school discloses personally identifiable information (PII) from 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) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer 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 without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. [NOTE: FERPA

requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.]

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the [School] 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

FERPA also permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student –

a. To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(I) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1));

b. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2));

c. To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35);

d. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4));

e. To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5));

f. To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6));

g. To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7));

h. To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8));

i. To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9));

j. To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10));

k. Information the school has designated as "directory information" under §99.37. (§99.31(a)(11)). "Directory information" is student information in educational records which may be disclosed without prior written consent unless the parent or eligible student informs the Montrose School District in writing such information is not to be disclosed. The law authorizes the Montrose School District to identify what constitutes Directory Information which may be disclosed without prior written consent **unless** the parent or eligible student informs the Montrose School District in writing to not disclose any or all of the information designated as Directory Information.

The Montrose School District designates the following information as personally identifiable information contained in students' education record. The following information may be released without prior written consent from the parent or eligible student (student age 18 or older) unless the parent or eligible student has given written notice that the information is not be disclosed without prior written consent.

1. Student's name
2. Name of student's parents
3. Student's address
4. Student's date of birth
5. Student's class designation
6. Student's extracurricular/co-curricular activities (and height and/or weight in sports activities)
7. Student's height and/or weight
8. Student's photograph

Parents and eligible students shall receive notice annually of their right to refuse the disclosure of any or all of the directory information. Except for the above designated directory information, all other confidential educational records shall not be released without prior written consent from the parent or eligible student or unless authorized or required by law.

Adopted: September 10, 2007

Amended: June 11, 2012

## **SECTION 504 OF THE REHABILITATION ACT OF 1973 ANNUAL NOTICE**

Section 504 is an Act, which prohibits discrimination against individuals with disabilities in any program receiving federal financial assistance. The Act defines a person with a disability as anyone who:

1. has a mental or physical impairment which substantially limits one or more major life activities (major life activities include activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working);
2. has a record of such impairment; or
3. is regarded as having such impairment.

In order to fulfill obligations under Section 504, the Montrose school district has the responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability should knowingly be permitted in any of the programs and practices of the school system.

The school district has responsibilities under Section 504, which include the obligation to identify, evaluate, and if the student is determined to be eligible under Section 504, to provide appropriate educational services. If the parent or guardian disagrees with the determination made by the professional staff of the school district, he/she has the right to a hearing with an impartial hearing officer.

If there are questions, please feel free to contact the high school principal, Section 504 Coordinator for the district at phone number 363-5025.

## **ASBESTOS NOTIFICATION**

TO STAFF, CLIENTS, AND PARENTS OF MONTROSE PUBLIC SCHOOL:

In 1986, the United States Government passed a law relating to asbestos in school buildings. This law (called AHERA) states that every school building must be inspected for asbestos and it is required that this inspection be done by an EPA certified inspector. The law also requires that each school building have an "Asbestos Management Plan". The purpose of this plan is to assure building occupants that any asbestos-contained material that may be present in the building are kept in a "safe, undamaged" condition.

Part of this new law requires that each school keep a copy of the "Asbestos Management Plan" on file, and that this plan be available for public viewing. The school district must provide all building occupants (both staff and students) with annual notification as to the following: (1) what is being done in the District's buildings with regard to asbestos, and (2) availability of the "Asbestos Management Plan." It is therefore the intent of this letter to inform you that the following steps are being taken in regard to asbestos in our school district.

### 1952 Building

- 9 x 9 Floor tile in the primary gymnasium

In general, asbestos-containing materials that are hard (such as vinyl flooring, floor tile and linoleum) are not dangerous. Therefore, the floor tile, vinyl flooring and linoleum are of little concern as long as they are maintained intact. The floor tile has been put under O & M. All asbestos-containing materials, including those which are to be repaired, will be placed under an ongoing surveillance and maintenance program which mandates the materials be kept intact and free of damage. Should any materials become damaged, they will be repaired promptly.

It is the intention of the Montrose Public Schools to keep all building occupants informed as to the exact nature of this health hazard as it is related to our school district. The public is advised that the "Asbestos Management Plan" is available for viewing during normal business hours at the Montrose School District Administrative Office. It is also possible to receive a copy of this plan for the cost of copying.

## **OMISSIONS**

School policies relating to several other areas may have been omitted and will be covered by what is reasonably and customary. If any policy in this handbook is contrary to School Board policy, then Board policy shall take precedent. The rules and regulations printed in this handbook may be subject to change (By adding or deleting) if and when the need arises for the occasion as directed by the Board of Education.

**POLICY ON COMPUTERS, NETWORK & E-MAIL USE AND ELECTRONIC DEVICES**

The Children's Internet Protection Act (CIPA), 47 U.S.C. §254(h)(5), and South Dakota Consolidated Statutes Section 22-24-55 require public schools to implement certain measures and actions to ensure that students are restricted from accessing inappropriate materials online using school-owned computers. The District's Acceptable Network and Internet Use Policy (hereinafter "AUP") is intended to set forth specific obligations and responsibilities of all users, including students and staff, who access the District's Network, and to ensure such use complies with the CIPA requirements. This AUP applies even when District provided equipment (laptops, tablets, iPads, etc) is used on or off premises.

**ACCEPTABLE USE:** The Network may be used only as a tool to support and advance the functions of the District as well as its curriculum and educational programs. Access to the District's Network is privilege not a right. Users of the Network are responsible for their behavior and communications over the Network and access to Network services will be provided only to those staff and students who agree to act in a considerate and responsible manner and in accordance with the District's AUP.

Students may use the Network only in support of educational activities consistent with the educational objectives of the Districts. Faculty and staff may use the Network primarily in support of education and research consistent with educational objectives of the District. Faculty and staff may access the Network for limited personal use but not for any commercial or business use; however, such personal use may not violate any applicable rules and regulations or interfere with job performance. Use of the Network must be in compliance with applicable laws, including all copyright laws and all materials on the Networks should be presumed to be copyrighted. Students and staff will only be allowed access to the school internet via their district issued device, no personal devices will be granted network access.

All members of the staff who wish to use the Network must sign this AUP whenever requested by the district, to confirm that the staff person has read and understands this policy and agrees to abide by it. Each student must sign this AUP annually to confirm that the student has read and understands this policy and agrees to abide by it. Students who are under 18 must have their parents or guardians sign this AUP and submit it to the District.

**INTERNET SAFETY:** It is the policy of the District to protect computer users from harassment and unwanted or unsolicited electronic communications. The District cannot guarantee that users will not encounter inappropriate or offensive material on the Internet. If offensive material would cause the user embarrassment or other damage, the user should not use the system or report it to a teacher or administrator. The Montrose School District will make every reasonable effort to provide access to educationally appropriate resources, including Internet sites. However, it may not be technologically possible to limit Internet access to only those educationally appropriate sites that have been designated for the purpose of instruction, and research related to the curriculum.

It shall be the responsibility of all personnel of this district to monitor students' online activities and use of the network to ensure that their uses is in compliance with CIPA and this policy. The state issued FortiAnalyzer program will be used to look at students and staffs internet history if needed.

**NETWORK ETIQUETTE:** Users are expected to abide by generally accepted rules of network etiquette. These include but are not limited to:

- a) Be polite and don't become abusive to others. Do not send or encourage others to send messages that are abusive or harassing.
- b) Use appropriate language. Swearing and use of vulgarities will not be tolerated.

**INAPPROPRIATE USE PROHIBITED**

Inappropriate use includes, but is not limited to: intentional uses that violate the law, that are specifically named as violations in this policy, that violate the regulations of the school district or any other use that hampers the integrity or security of the school district's computer network or any computer networks connected to the Internet. The district reserves the right to define prohibited use of the Network, adopt rules and regulations applicable to Network Use, determine whether an activity constitutes a prohibited use of the Network, and determine the consequences of such inappropriate use. Prohibited use includes but is not limited to the following:

- a) Violating any state or federal law or municipal ordinance, such as: Accessing or transmitting pornography of any kind, obscene depictions, harmful materials, materials that encourage others to violate the law, confidential information or copyrighted materials.
- b) Criminal activities that can be punished under law
- c) Illegal installation or transmission of copyrighted material
- d) The unauthorized collection of email addresses ("harvesting") of e-mail addresses for the Global Address List and other Districts directories
- e) Obtaining and/or using anonymous email sites: spamming, spreading viruses
- f) Bypassing of the District's filter to access blocked sites or use of anonymous proxy servers to negate firewall/filtering system

- g) Disclosure of minors personal information without proper authorization
- h) Causing harm to others or damage to their property, such as:
  - a. Deleting, copying, modifying, or forging other users names, emails, files, or data; disguising one's identity, impersonating other users, or sending anonymous emails
  - b. Damaging computer equipment, files, data or the network in any way, including intentionally accessing, transmitting or downloading computer viruses or other harmful files or programs, or disrupting any computer system performance
  - c. Using any District device to pursue "hacking" internal or external to the District, or attempting to access information protected by privacy laws
  - d. Accessing, transmitting, or downloading larges files, including "chain letters" of any type of "pyramid schemes"
- i) Engaging in uses that jeopardize access or lead to unauthorized access to others' accounts or other computer networks, such as:
- j) Using another's account password(s) or identifiers(s)
- k) interfering with other's ability to access their account(s)
- l) Disclosing your own or anyone's password to others or allowing them to use your or another's account
- m) Using the network or Internet for Commercial purposes

#### OFF-SITE USE OF NETWORK

Students under the age of 18 should only access District-assigned email accounts and/or other Network components including but not limited to school-assigned computers laptops, tablet, or iPads off-site if a parent or legal guardian supervises their usage at all times. The students' parent or guardian is responsible for monitoring the minors off-site use of the Network and ensuring use complies with this AUP. Off-site filter will be in place on all devices leaving the district.

#### VIOLATIONS AND CONSEQUENCES

Violations of school district policy or the law through the use of the school district's e-mail and Internet access may result in disciplinary action. Disciplinary action may be suspension or revocation of email and/or internet privileges, detention, in-school suspension, out-of school suspension, or expulsion. Students shall be afforded due process consistent with school district policy and state law. Suspected violations of law shall be reported to the proper authorities.

The Montrose School District will educate all students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, blogging, and cyber-bullying awareness response. The superintendent is delegated authority to implement these educational requirements.

Adopted: January 13, 1997

Amended: April 14, 2008

Amended: June 11, 2012

Amended: March 11, 2019

## USE OF COMPUTERS, NETWORKS, E-MAILS AND ELECTRONIC DEVICES

### Parents/Guardians' Agreement

As parent/guardian of the student who has signed above, I have read the school district's Policy on Computers, Networks, E-mails and Electronic Devices. I understand that the school district's Internet use is designed for educational purposes. Further, I recognize it is possible that my child may procure material that is not consistent with the educational goals of the district. I hereby give my permission to the school district to provide Internet access for my student.

STUDENT(S) NAME(S): \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_ PARENT/GUARDIAN SIGNATURE

### Permission Form

Throughout the year, teachers will be updating their website and newspaper with photographs of the class or examples of student work/projects. The school's website can be viewed at <http://montrose.k12.sd.us> No last names will be used with any of the photographs placed on the website. Please read through the following options and check the appropriate box or boxes

☐ Yes, My child's picture may be displayed on the school's website/newspaper. I understand that no last names will be use.

☐ Yes, my child's work samples, art work or pictures of their completed projects may be displayed on the school's website/newspaper.

☐ No, neither my child's picture, nor any work completed by him/her may be displayed on the school's website/newspaper.

### Student's Agreement

I understand and will voluntarily abide by the school district's Acceptable Use Policy on Computers and Networks. I further understand that any violation of this policy may result in the loss of my Internet access privileges and school disciplinary action may be taken. The signature on this document indicates that I have read the school district's Acceptable Use Policy, understand its significance, and voluntarily agree to comply fully with all its terms and conditions.

Date \_\_\_\_\_

\_\_\_\_\_ STUDENT'S SIGNATURE

Adopted: January 13, 1997

Amended: April 14, 2008

Amended: May 11, 2012

Amended: March 11, 2019

## **CELL PHONE AND PORTABLE DIGITAL MEDIA DEVICES**

The School District, as part of a commitment to upholding academic integrity and providing a safe learning environment free from distraction, limits student use of cellular phones and portable digital media devices.

Students may possess cellular phones and portable digital media devices on school property, while in school-owned or school-operated vehicles and while students are attending or engaged in school-sponsored activities, subject to limitations of this and other policies and regulations of the District.

Unless specific permission is granted by school personnel, cellular phones and portable digital media devices are:

1. turned in to the teacher at the beginning of every class period, and will be returned at the end of the class period.

Students found to have violated this policy shall be subject to disciplinary action, which may include confiscation of the cellular phone or portable digital media device. The Board acknowledges that certain violations of this policy pose severe risks to academic integrity or student safety. Students found in severe violation of this policy shall be subject to appropriate disciplinary action, up to and including expulsion. Severe violations of this policy involve highly inappropriate activities including, but not limited to:

1. Electronic communication that contains inappropriate content, profanity, intimidation or threats to others;
2. Sexting, which includes intentionally creating, producing, distributing, presenting, transmitting, posting, exchanging, disseminating, or possessing, through any computer or digital media, any photograph or digitized image or any visual depiction of a person in any condition of nudity, or involved in any prohibited sexual act;
3. Academic dishonesty or cheating;
4. The use of camera or recording features of cellular phones and portable digital media devices in restrooms, locker rooms or for any use constituting an invasion of any person's reasonable expectation of privacy;
5. Communicating in any way with outside groups or individuals to participate in violent acts or other inappropriate or unlawful activities on school property or at school-sponsored activities; or
6. Refusal to relinquish phone to persons of authority upon request.

This policy shall not be interpreted to justify unreasonable searches of cellular phones or other digital media devices by school personnel. Any search of a student's cellular phone or portable digital media device by school personnel shall be:

1. Justified at its inception and based on reasonable grounds that the search would reveal evidence of a student's severe violation of this policy;
2. Reasonably related to its objectives and not excessively intrusive in light of the nature of the infraction; and
3. Conducted in accordance with district policy and in the presence of a student's parent or guardian.

As necessary for the implementation of this policy, the superintendent may establish regulations, consistent with this policy, further limiting or prohibiting the possession and use of cellular phones or portable digital media devices.

The District assumes no responsibility for loss, damage or theft of cellular phones and digital media devices, whether in the possession of students, on school property or if confiscated by school personnel pursuant to this policy.

## REQUEST AND AUTHORIZATION FOR MEDICATION

FILE JHCD-E(1)

### ADMINISTRATION OF MEDICATION TO STUDENTS CONSENT FORM

If a student is 18 or older the student signature is required

Name of Student: \_\_\_\_\_

Student's Address: \_\_\_\_\_

Student's Phone Number: \_\_\_\_\_

Parent's Phone Number: \_\_\_\_\_

Physician's Statement (required only if school personnel are to supervise medication at school)

1. Name of Medication: \_\_\_\_\_

2. Reason for Medication: \_\_\_\_\_

3. Dosage and time(s) student is to take medication at school: \_\_\_\_\_

4. Duration (week, month) \_\_\_\_\_

5. Precautions and reactions to observe and report: \_\_\_\_\_

\_\_\_\_\_  
Physician's Signature

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Date

Parent's Statement (Initial Agreement Statement)

\_\_\_\_\_ I request and authorize personnel at the Montrose School District to supervise the self-administration of medication prescribed on this form to my child. I understand that the medication must be provided in a bottle, identifying the name and telephone number of the pharmacy, the student's name, physician's name and dosage of the drug the student is to take. I understand that the school district and individuals involved will not be held liable for any adverse effects of the medication.

\_\_\_\_\_  
Parent's signature

\_\_\_\_\_  
Date

## **HANDBOOK PARENT / STUDENT SIGNATURES**

**We have read the Student/Parent Elementary Handbook\***

\_\_\_\_\_  
Parent's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student's Signature

\_\_\_\_\_  
Date

\*This signature indicates that you have read this handbook.  
It does not indicate that you agree with its entire contents.