

Harvey Public School District

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Descriptor Code: FAAA Open Enrollment

Adopted Date: 8/10/2010

Amended Date:

Open enrollment applications received from residents of other North Dakota School Districts will be acted upon by the Board at a regular or special meeting prior to the deadline established by law. All applications will be reviewed and acted upon in the same chronological order as they were received.

Criteria for acceptance or rejection shall be based upon the capacity of a class, grade level, school building, or program to accept said open enrolled student(s).¹ The Board will not deny an application on the basis of previous academic achievement, participation in extracurricular activities, disabilities, English language proficiency, or previous disciplinary proceedings.

The District will not give or offer to give remuneration or directly or indirectly exert influence upon the student or the student's family, in order to encourage participation in the open enrollment program.

The Superintendent or designee will notify the parent or guardian and the resident district of the acceptance or rejection of an application within the deadline established by law.

The District reserves the right for the Superintendent to determine the class schedule for students who are accepted under this policy.

The District will not be responsible for transportation of resident students who have enrolled in other Districts through the open enrollment process or for students from other Districts admitted through the open enrollment process.

¹ Local policy may define the above criteria more specifically but cannot include additional criteria.

Descriptor Code: FAAB Early Entrance Requirements

Adopted Date: 8/10/2010

Amended Date:

Eligibility:

A child must be five years old before December 1st of the year of enrollment and possess special talents and abilities compared to the child's chronological age to be considered for early entrance into kindergarten. A child must be six years old before December 1st of the year of enrollment, possess special talents and abilities compared to the child's chronological age, and have completed kindergarten to be considered for early entrance into first grade.

Sequence of Activities:

1. Parents/guardians request early entrance for their child and pick up the appropriate materials at the School District office.
2. Parents/guardians complete the Early Entrance Application and return it to the school district office along with their signed permission to assess their child before the first of May prior to the fall in which early entrance is requested.
3. If it is determined that the screening phase should proceed, an interview with the child (without the parent/guardian present) will be conducted. Following the interview, the child will be given the following assessments: cognitive, auditory, verbal abilities, vision, auditory, fine and gross motor skills, and social-emotional maturity. These assessments will be conducted by members of the Early Entrance Assessment Team.
4. If it is determined that the child appears to meet the criteria for early entrance in kindergarten or first grade, a post evaluation conference will be held with the evaluators, parents and building administrator.
5. It is important that the parents/guardians apply early enough to give a chance for the assessments and the conference to be completed prior to August 1st. It is suggested that the parents/guardians submit the application before the first of May prior to the fall in which early entrance is requested.
6. Parents/guardians will be responsible for any cost incurred for the evaluation(s). There will be a minimum charge of \$20.00. Costs may be higher if personnel complete the evaluation(s) during the summer when not on contract.

- 7. Parents/guardians will be responsible for any other procedures that cannot be administered by the public school staff (e.g. vision check, physical examination, etc.)**
- 8. After screening is complete, the majority decision of the Early Entrance Assessment Team and other evaluators is final.**

Descriptor Code: FACB Transfer & Withdrawal Records

Adopted Date: 8/10/2010

Amended Date:

All transfers and withdrawals are handled through the applicable principal's office. Students transferring into the District will be required to present proof of identity.

For students entering from other School Districts, transcripts shall be requested from the school previously attended. Records are transferred when pupils move from one school to another within our system. Should a pupil enter from a school outside our system who has at one time attended within the Harvey Public School District, his/her old records shall be combined with records received from the District where the student was previously enrolled.

Transfers between public and private schools within the District are handled in the same manner as out-of-district transfers in regard to the transfer of records.

The Superintendent shall establish procedures for transfer and withdrawal of student records to ensure uniformity. The procedure shall be consistent with District policy on student records and shall conform to all applicable state and federal laws, including the Federal Education Rights and Privacy Act (FERPA) and the Individuals with Disabilities Education Act (IDEA).

If a parent/guardian is unable to produce identifying information required by law for enrollment and if the District is unable to obtain appropriate school records from the student's previous District by the deadline in law, the District shall follow missing child reporting requirements in law.

Descriptor Code: FBA Student Fees

Adopted Date: 8/10/2010

Amended Date:

The Board will establish and reassess student fees in accordance with law on an as needed basis at least annually. The Board shall establish school fine amounts as permitted by law.

When a parent/guardian is unable to pay a fee in full, the Superintendent is authorized to waive or reduce this fee.

The Board has adopted the following specific policies with relation to student fees:

- **Fees for Driver's Education and for courses that generate products that become the personal property of the student must be paid prior to the start of the course.**

The Harvey Public School District will vigorously pursue the collection of any outstanding bills, including use of a collections agency and/or filing a claim in small claims court. The Superintendent, in accordance with law, may impose further penalties on students for failure to pay fees/fines.

Descriptor Code: FC Student Safety & Supervision

Adopted Date: 8/14/2013

Amended Date:

The Superintendent is responsible for the District's overall safety program. As part of this program and within the constraints of the adopted budget, the Superintendent shall develop a procedure for integrating safety education into the curriculum and for ensuring adequate supervision of students during the school day. The District will notify parents when supervision is available before and after school.

Staff will receive appropriate training on student safety measures and will be required to follow student safety precautions subject to disciplinary consequences for willful disregard of these rules.

In accordance with NDCC Ch. 14-09, any classified or support staff member directly responsible for a student's supervision (i.e., a student under 18) shall inform the building Principal or his/her designee as soon as possible if the employee knows or has reasonable cause to believe that the student:

1. Has/is believed to been missing for 24 hours if the student is under 13 years of age.
2. Has/is believed to been missing for 48 hours if the student is ages 13 through 17.

If the employee is uncertain of the student's age, s/he should inform administration as soon as possible 24 hours after the employee knows or believes a student is missing.

As soon as possible, the Principal/designee shall attempt to contact the student's parents/guardians to verify the student's whereabouts and should document this attempt and findings. If the Principal/designee is unable to verify the student's whereabouts, s/he shall assist the District employee with reporting the missing student to law enforcement. Staff members required to comply with this policy provision include, but are not limited to, bus drivers, paraprofessionals, coaches, and after-school care providers employed by the District. Teachers and administrators are not covered by this provision but must report a child in violation of compulsory attendance laws.

Complementary Documents

- **ACAB, Emergency Plans & Drills**
- **ACAC, Accident Reporting**

Descriptor Code: FCA Immunization Requirements

Adopted Date: 8/10/2010

Amended Date:

The parents or guardian of each child admitted to the schools shall present a certification from a licensed physician or authorized representative of the State Department of Health that the child has received or is in the process of receiving those immunizations required by law except as exempted by law.

Complementary Documents

- **FCA-E ~ Recommended Immunization Schedule Exhibit**

Descriptor Code: FCAA Accommodating Students with Allergies & Special Dietary Needs

Adopted Date: 8/10/2010

Amended Date:

Each building principal shall implement procedures for identifying students with life-threatening allergies and shall develop general exposure avoidance measures.

The Board recognizes that students with medically documented life-threatening allergies are considered disabled and are covered by the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act. A clearly defined 504 Accommodation Plan will be developed and implemented for all such identified students. Appropriate staff, the parent/guardian of the student, and the student's physician shall sign these plans.

All relevant staff shall be made aware of 504 plans, the measures needed to implement them, methods to reduce risk of exposure, and emergency response procedures in the event of exposure.

Descriptor Code: FCAB Administering Medication to Students

Adopted Date: 8/10/2010

Amended Date:

The Harvey Public School District will not deny educational opportunities to students who require administration of medication in order to remain in attendance and participate in the educational program. The District will work in collaboration with students, parents/guardians, and healthcare providers to ensure medication is administered safely in accordance with medical orders.

Self-Administration:

If a healthcare provider believes that self-administration of prescription medication is in the best health interest of the student, the District will require medical certification, which shall include verification that the student has been properly instructed in administration; authorization from the student's parent/guardian; and other pertinent information concerning the medication, including, but not limited to, the medication's name, dosage requirements, required frequency of use, and possible side effects.

Staff Administration:

In the event that no reasonable accommodation exists or in compliance with a student's Section 504 plan, a designated school staff member shall administer medication in compliance with the board-approved procedure for administering medication.

Confidentiality:

Each student's medical and treatment records shall be maintained in the student's educational record and kept confidential. Only school personnel with a legitimate need to know shall have access to the records. The records shall not be disseminated outside district schools without parental consent.

Non-Prescribed Over-the-Counter Medication:

Over-the-counter medication not prescribed by a healthcare provider will only be permitted on district property with the written consent of a parent/legal guardian. Students will be prohibited from possessing non-prescribed over-the-counter medication. Non-prescribed medication shall be deposited in the office and administered to students by designated staff in accordance with board regulations.

Prohibitions:

Students found to be in violation of this policy, found to be intentionally

misusing prescribed or non-prescribed medication on school property or at school-sponsored activities, and/or students who disseminate any form of medication to others while on school property or at a school-sponsored activity shall be in violation of the student drug and alcohol use policy and shall be subject to the disciplinary consequences contained therein.

Descriptor Code: FCAB-BR Procedure for Administering Medication
Adopted Date: 8/10/2010
Amended Date:

The following procedure shall be followed when administering medication to students:

1. Prescribed medication sent or brought to the school must be accompanied by medical certification from a healthcare provider and signed consent from the parent/legal guardian. This consent must grant permission for school personnel to administer the medication.
2. Medication shall only be administered from the original pharmacy container. The following information must be included on the *ORIGINAL PHARMACY LABELED-CONTAINER*:
 - a. The student's name;
 - b. Amount of dosage;
 - c. Time of administration;
 - d. Name and strength of medication and route (i.e., oral, eye drops, ear drops, inhaler, nebulizer);
 - e. The instructions for administration ;
 - f. Special care, such as refrigeration;
 - g. Name of physician or other legally designated health care professional;
 - h. Major side effects of the medication must be listed on the information accompanying the medication.

A new pharmacy label/container must accompany any new prescription order, change in prescription, or refill. Parental consent and medical authorization must be on file for any new prescription or change in prescription. Parental consent must be current for each medication.

3. All medications must be deposited in the office. This regulation does not apply to students who have received permission to carry inhalers and/or epinephrine.
4. All labeled medications shall be kept in a secure, locked, clean container or cabinet to protect the safety of the student receiving the medication and other students. The administrator of the school shall

determine who within the school will be given the responsibility to check in and administer the medication.

5. The administrator shall establish a check-in procedure for medication brought to the school. This procedure shall include: recording the date the medication was deposited, recording the amount of medication deposited¹, ensuring that a parental consent is on file, ensuring proper medical documentation and prescription information is on file, and notifying the person who has been designated to administer the medication.
6. A separate record for each student shall be kept of the administration of the medication, noting date, time, dosage, and signature of the person administering it. Staff shall ensure the following criteria are met each time medication is administered:
 - a. Right student;
 - b. Right medication;
 - c. Right dosage;
 - d. Right route;
 - e. Right time;
 - f. Right frequency.
7. Medications must be picked up by the parent(s)/legal guardian at the end of each school year, when the medication is no longer needed by the student, or when the student withdraws from school. If a parent/guardian does not pick up medications by the end of the school year, the school will consult with the pharmacy that filled the medication or the local health department for proper disposal of the medication.

Personnel Responsible for Administering Medication:

- All personnel having responsibility for supervising students shall be given adequate information about the student, including any related medical problems, suspected allergies, emergency contact persons, and shall be informed of anticipated circumstances for which school personnel may need to be in touch with out-of-school personnel (e.g., medical personnel).
- A list of personnel within the school building who are responsible for administering the medication should be kept on file. Personnel on the

list must receive instruction about the administration of medication and a specific review of instructions for a given student's medication needs.

- ***ALL PERSONNEL*** should be familiar with the policy and procedures for administering medication in the school and must be informed of proper procedures in emergencies and of circumstances in which they are expected to directly call the emergency medical assistance number.

Medication for Emergency Use:

In emergency cases, such as acute allergic reactions, school personnel shall promptly notify emergency medical personnel and the parent(s)/legal guardian.

- **Epinephrine:** Personnel who have been trained according to rules established by the local board of health may administer epinephrine without written parental consent. Epinephrine should be kept in a location quickly accessible in the event of an emergency.
- **Other Emergency Medication:** Administration of other emergency medication shall be done in accordance with a student's Section 504 Plan. When a student does not have such a plan, the building principal or designee, in consultation with the student's parent/guardian and physician, shall develop an emergency medication administration protocol. Staff responsible for implementing or assisting with this protocol or emergency portions of the 504 Plan shall review these procedures frequently. These procedures and emergency medication should be kept in an area quickly accessible in the event of an emergency.

Field Trips:

Personnel responsible for administering medication shall be provided ample advance notice of field trips in order to make necessary arrangements and accommodations to meet participating students' medication needs. Medication given on field trips shall be administered from the original medication container and documented in accordance with #6 above. The trip's supervising teacher or adult designee shall be responsible for maintaining control of student medications throughout the course of the field trip.

For any field trip that is longer than one day in length, a student's prescription shall be provided by the student's parent/guardian in a properly labeled prescription vial, which has been dispensed from a pharmacy and contains information about the quantity, frequency, and dosage needed for the duration of the trip.

¹ *It is recommended that no more than one month's supply of any medication be brought to school at one time. It is the parent or guardian's responsibility to replenish the medication supply if necessary.*

Descriptor Code: FCAD Student Accidents

Adopted Date: 8/10/2010

Amended Date:

The Harvey Public School District shall follow its medical emergency response procedure if a student is injured while at school or during a school-sponsored event. The District shall develop a protocol for notifying a student's parent/guardian in the event of an injury. This protocol shall contain notification procedures for injuries that occur on school-sponsored trips and during extracurricular activities.

In the event of a severe injury, an ambulance shall be called. When an ambulance is unavailable, a medical or school official will transport the student to a medical facility.

Descriptor Code: FCBA Student Dismissal Precautions
Adopted Date: 8/10/2010
Amended Date:

To assure that children are released only for proper reasons and into proper hands, each school shall set up procedures for dismissal, entering and exiting schools during the school day and at lunchtime, and establish procedures to approve requests for early dismissal. No staff member shall excuse any student from school prior to the end of the school day without a request for the early dismissal by the student's parents or without contacting the parents prior to releasing the child.

Dismissal Precautions for Children of Separated/Divorced Parents:

When the parents of a child are separated, involved in divorce proceedings, or are divorced, the building principal will comply with the provisions of any court order concerning special restrictions on access to the child during school hours but will not otherwise distinguish between the custodial and non-custodial parent. A copy of any court order containing such restrictions shall be provided to the appropriate administrator at the time any special request is made.

Descriptor Code: FCBB Student Transportation Safety & Supervision

Adopted Date: 8/10/2010

Amended Date:

Although the District provides transportation to and from school for rural students, parents are responsible for supervision of their children until students board the bus and after students leave the bus at the end of the school day. The responsibility for District supervision of a student begins upon a student boarding a District vehicle at the beginning of the school day and ends when the student exits the vehicle.

The Superintendent shall develop regulations containing additional transportation-related safeguards for students.

Complementary Documents

- **FCBB-AR ~ Student Transportation Safety & Supervision Regulations**
- **FFC ~ Bus Conduct**
- **FFC-AR ~ Bus Conduct Regulations**
- **IEAA ~ Bus Safety**

Descriptor Code: **FCBB-AR** **Student Transportation Safety & Supervision Regulations**

Adopted Date: **8/10/2010**

Amended Date:

Cold Weather Precautions & Requirements:

All students being transported by school transportation during the winter months shall be properly dressed to protect them from the extreme weather conditions. This precaution is necessary so that the students will be prepared for any mishaps that may expose them to inclement weather. Proper clothing includes protective head covering, winter coat or jacket, mittens or gloves, and footgear.

Bus Loading, Unloading & Riding:

Students shall be instructed as to the proper procedure for boarding and exiting from a school bus and in proper and safe conduct while aboard School District transportation.

Emergency Drills:

Emergency evacuation drills shall be conducted periodically to acquaint student riders with procedures in emergency situations.

Descriptor Code: FDA Education of Home-Schooled Students
Adopted Date: 8/10/2010
Amended Date:

The Harvey Public School District acknowledges the right of a parent to provide their own child's education in a home-based setting. The Superintendent will accept as correct the information on the statement of intent filed with the district in accordance with North Dakota Century Code.

Students who are being home-educated are eligible to participate in individual classes within the Harvey Public School District curriculum and in all extra-curricular activities on the same basis as students who are enrolled in the Harvey Public Schools.

The parent of any student seeking to transfer from home-education to the Harvey Public School District Schools will provide the District with all records concerning the courses taken by the child and the child's academic progress assessments that the parent has maintained according to law. These records, along with those of the standardized achievement tests that have been filed with the District, will be considered in placing the child in appropriate classes. Students who arrive without transcripts or other educational records which would indicate proper placement will be given standardized tests in the basic skills areas within 3 weeks of enrollment to facilitate proper placement.

Students thought to be individuals with disabilities as defined by 20 U.S.C. 1413, Section 504, and/or North Dakota law will be referred for testing and will receive an assessment within 30 days of the time the child was referred.

Evaluation resources used to determine placement will be the current achievement test and competency test for each required subject for the particular grade being transferred into. For instance, a senior transferring to the Harvey Public School District from a home-school will be placed according to the principal's recommendation, after the student has taken the competency and achievement tests. Results of the competency tests will be weighed against the results of the achievement tests and class averages for both. A minimum course selection will be English, Math, Social Science, and Science (for the appropriate grade level). The same resources will be used to determine eligibility for any credits that the student may be awarded toward high school graduation.

Diplomas:

The Harvey Public School District shall not award diplomas to home-schooled students. Students must enroll full-time in the regular Harvey Public School District's educational program and complete all the necessary requirements to be eligible for a Harvey High School diploma.

Descriptor Code: FDB Education of Homeless Students
Adopted Date: 8/10/2010
Amended Date: 2/20/2019

The Harvey Public School District shall comply with the McKinney-Vento Education of Homeless Act. The District shall seek to eliminate barriers to school attendance for homeless students as defined by law. When feasible and consistent with a parent/guardian/unaccompanied youth's wishes, the homeless student shall be enrolled in his/her school of origin and transportation shall be provided at the District's expense.

When not feasible for a homeless student to attend his/her school of origin, as determined by the Superintendent in consultation with the parent/guardian/unaccompanied youth, the student shall be placed in a school that is in the "best interest of the student." The Superintendent shall submit such placement decisions to the parent/guardian in writing along with notice of the right to appeal and a dispute resolution procedure.

Dispute Resolution:

The District shall comply with all interim measures required by law during the dispute resolution process. Parent/guardian/unaccompanied youth wishing to file an appeal shall notify the homeless student liaison. The liaison shall follow the dispute resolution procedure created by the state.

Homeless Student Liaison:

The District Superintendent and the Board designates the Guidance Counselor as the homeless student liaison. This individual shall perform all duties required by law.

Descriptor Code: FDB-BR Education of Homeless Dispute
Resolution Procedure

Adopted Date: 8/10/2010

Amended Date:

District Resolution Procedure:

The Board has adopted the following dispute resolution procedure for disputes related to the inner-district placement of homeless students:

1. A parent/guardian/unaccompanied student wishing to dispute the Superintendent's school placement decision shall contact the homeless student liaison to file an appeal.
2. The homeless student liaison shall notify the Superintendent of the appeal, and the Superintendent shall take measures necessary to immediately enroll the homeless student in the school in which s/he is seeking enrollment, pending resolution of the dispute.
3. The homeless student liaison shall present the appeal to the Board in a timely manner.
4. The Board will make an independent school placement determination based on feasibility and the student's best interest. When making this determination, the Board shall at least consider the following criteria:
 - a. The age of the student;
 - b. The distance of the commute;
 - c. The impact of the commute on a student's education;
 - d. The student's safety;
 - e. If the student has special needs and which school best serves those needs;
 - f. The amount of time left in the school year.
5. The Board shall issue a placement determination within 30 days of receiving the appeal request. The determination shall be made in writing and issued to the parent/guardian/unaccompanied student who initiated the appeal.

State Resolution Procedure:

The Board has adopted the following dispute resolution procedure for individuals who have exhausted the District level appeals process and/or for disputes that involve more than one School District:

- 1. A parent/guardian/unaccompanied youth shall inform the homeless liaison in the District of residence of his/her intent to file a state level placement appeal.**
- 2. The homeless liaison shall assist the parent/guardian /unaccompanied youth with filing the appeal and notify the state homeless coordinator of the appeal.**
- 3. The homeless student liaison shall notify the affected Superintendent(s) of the appeal, and the Superintendent(s) shall take measures necessary to immediately enroll the homeless student in the school in which s/he is seeking enrollment, pending resolution of the dispute.**
- 4. The homeless liaison in the affected district(s), the enrollment officer in the affected district(s), parents of the student, homeless service providers, and the state homeless coordinator shall meet at the direction of the state coordinator to resolve the issue.**

The District will comply with the state homeless coordinator's placement determination.

Descriptor Code: FDC Education of Migrant Students

Adopted Date: 8/10/2010

Amended Date:

The Superintendent will develop and implement a program to ensure that migratory students receive appropriate services in the same manner as other students selected to receive services. The program shall contain a means to:

- 1. Identify migrant students and assess their educational and related health and social needs.**
- 2. Provide a full range of services to migrant students including applicable Title I programs, special education, gifted education, vocational education, language programs, counseling programs, and elective classes.**
- 3. Provide migrant children with the opportunity to meet the same statewide assessment standards that all children are expected to meet.**
- 4. Provide advocacy and outreach programs to migrant children and their families and professional development for District staff.**
- 5. Provide parent/guardians an opportunity for meaningful participation in the program.**

Parent Involvement in the Migrant Education Program (MEP):

The District in conjunction with parents/guardians of migrant students shall develop a parental involvement plan and compact, which shall be adopted by the Board. The MEP parental involvement plan shall contain procedures for consulting and communicating with parent(s)/guardian(s) about student achievement and the migrant program's development, implementation, operation, and evaluation.

**Descriptor Code: FDE Education of Special Education / Disabled
Students**

Adopted Date: 8/10/2010

Amended Date:

The Harvey Public School District assures that all students with disabilities, ages 3 through 21, have the right to a free and appropriate public education in accordance with the Individuals with Disabilities Education Act (IDEA) and North Dakota law. In addition, the District complies with Section 504 requirements. For the purpose of compliance with state and federal laws concerning special education / disabled students and providing this assurance, the Harvey Public School District is a member of the Lonetree Special Education Unit and subscribes to its policies and procedures. These policies and procedures include those required to comply with IDEA and Section 504 such as, but not limited to, childfind and procedural safeguards.

Descriptor Code: FECA Honor Roll
Adopted Date: 8/10/2010
Amended Date: 7/26/2017

At the conclusion of each semester grading period, an honor roll will be published for students in grades 7-12. Honor Roll listings will be by school grade, by categorical honor, in alphabetical order. Students will be categorized in the following:

- **Highest Honors (96.00-100%)**
- **High Honors (92.50-95.99%)**
- **With Honors (87.00-92.49%)**

All classes for which credit is granted will be included in determining honor roll status.

Honor roll publication will be considered directory information for purposes of the Family Education Rights and Privacy Act (FERPA). Any student may decline publication of his/her name on the honor roll by making a written request to the principal. If the student is under 18, a parent or guardian must cosign the request.

Descriptor Code: FEDC Senior Privileges

Adopted Date: 8/10/2010

Amended Date:

The Board authorizes the Superintendent to develop criteria for granting privileges to high school seniors. The criteria shall contain minimum standards for granting these privileges, shall delineate the types of privileges that may be granted, and shall delineate the terms under which privileges may be revoked.

Descriptor Code: FEE Student Organizations

Adopted Date: 8/10/2010

Amended Date:

Recognition of School-Sponsored Student Organizations:

School-sponsored student organizations function to enhance the participants' educational experience and supplement the course materials within the educational program of the schools. The activities of these organizations should bear a clear relationship to the regular curriculum. The Superintendent shall develop further criteria and a procedure for approving school-sponsored student organizations.

Membership in school-sponsored student organizations shall be voluntary and shall be open to and limited to all students currently enrolled in the school. Membership shall be granted in a nondiscriminatory manner, consistent with the District's nondiscrimination policy; however, organizations may establish qualifications based on gender only where necessary to preserve the health, safety, or welfare of students, or where gender is a bona fide and integral qualification for the activities of the organization. These organizations may also establish academic qualifications for membership where necessarily related to the purposes of the organization.

Non-Curricular Student Led Groups:

Secondary school students are also permitted to organize and conduct non curricular-related meetings on school property, subject to the provisions of this policy. Any other persons who are not students enrolled in the District are prohibited from directing, controlling, conducting, or regularly attending the meetings of such organizations except as delineated below and in federal law.

Non curricular-related student organizations shall not be deemed to be school sponsored or endorsed. The fact that such organizations are permitted to conduct meetings under this policy shall not constitute an expression of District support for the purposes of such organizations or the content of any meetings thereof.

Faculty Supervision:

School-sponsored student organizations shall be sponsored and supervised by one or more members of the school faculty, approved by District Administration. Faculty sponsors shall participate in the supervision and direction of all activities of the organization and shall attend all meetings.

Compliance with Law and Policy:

Student organizations shall not engage in any activity that is contrary to law, District policy or school rules; which disrupts or clearly threatens to disrupt the orderly operation of the school; or which would adversely affect the health, safety, or welfare of any students or staff members.

School-sponsored student organizations shall comply with the purchasing policy of the District and may not extend the credit of the District. Failure to comply with these provisions shall be grounds for revocation of recognition.

Meetings:

All meetings held on school grounds by student groups shall be held in accordance with the District's facility use regulations developed by the Superintendent. Non-school sponsored groups meeting on school grounds shall also comply with the District's non-curricular use of school facilities policy.

Descriptor Code: FF Student Conduct & Discipline
Adopted Date: 8/10/2010
Amended Date:

Conduct Standards:

Students will be expected to conduct themselves in a manner fitting their age level and maturity, in a manner that will not impede on the orderly conduct of District schools, and will be expected to respect the rights of others on District property, including, but not limited to, District owned/leased/chartered vehicles, at school-sponsored events, and off-campus when student conduct has or is reasonably predicted to have a substantially disruptive effect on District operations and/or the educational environment.

Disciplinary Standards:

Consequences for misconduct will be fair and developmentally appropriate in light of the circumstances. The Superintendent shall develop age-appropriate disciplinary standards in consultation with principals and other applicable District personnel. In addition, the Superintendent shall develop administrative regulations to assist administrators/their designees with investigating potential conduct violations.

Disciplinary policies, procedures, and guidelines need not be identical in content District-wide but must:

- Be identical in content for all District elementary schools;
- Be identical in content for all District middle schools;
- Be identical in content for all District high schools.

Disciplinary Standards for Special Education Students:

District employees are required to comply with the Individuals with Disabilities Act when responding to violations of student conduct standards by special education students.

Prohibited Disciplinary Actions:

The Board recognizes that reasonable physical force may occasionally be necessary to guard the safety and well being of students or employees or to deliver a student to an administrator's office; however, the use of corporal punishment, defined as the willful infliction of physical pain on a student, is not allowed in the Harvey Public School District. Corporal punishment does not include action taken by an employee for self-defense, protection of persons or property, obtaining possession of a

weapon or other dangerous object, to quell a verbal disturbance, for the preservation of order, or pain or discomfort caused by athletic competition or recreational activities voluntarily engaged in by a student.

Complaints alleging that a District employee inflicted corporal punishment will be dealt with in accordance with school board policy on personnel complaints.

Disciplinary Authority:

Regulations on disciplinary standards and investigation procedures shall delineate the degree of disciplinary authority that the district shall grant to teachers and principals.

Other school personnel shall be granted disciplinary authority by the building principal or Superintendent on a case-by-case basis based on the nature and scope of the employee's duties. Personnel granted such authority shall be required to comply with this policy and any disciplinary authority limits established by regulations. Employees unauthorized to administer student discipline shall report student misconduct to the appropriate school authority.

Any District employee who acts outside the scope of his/her assigned level of disciplinary authority may be subject to disciplinary action, including but not limited to, discharge from/termination of employment in accordance with law and/or the negotiated agreement.

Descriptor Code: FFA Alcohol & Other Drug Use / Abuse
Adopted Date: 8/10/2010
Amended Date:

Philosophy:

The Harvey Public School District shall strive to provide a learning environment that is safe, drug free, and conducive to learning. This policy is designed to help eradicate the influence of drugs and alcohol within the school environment, promote awareness and health, and protect students in the school environment by imposing consequences for drug and alcohol related violations.

Prohibited Activities:

It shall be against school policy for any student to:

1. Sell, deliver, or give, or attempt to sell, deliver, or give to any person any of the substances listed in this policy or sell, deliver, or give, or attempt to sell, deliver, or give to any person substances the student represents or believes to be a substance(s) listed in this policy.
2. Possess, procure, purchase, or receive, or to attempt to possess, procure, purchase or receive the substances listed in this policy or what is represented by or to the student to be any of the substances listed in this policy or what the student believes is any of the substances in this policy. A student will be determined to be "in possession" when the substance is on the student's person or in the student's locker, car, handbag, or when s/he owns it completely or partially.
3. Be under the influence of (legal intoxication not required), use, consume or attempt to use or consume the substances listed in this policy or what is represented by or to the student to be any of the substances listed in this policy or what the student believes is any of the substances in this policy.

This policy applies to any student who is on school property, who is in attendance at school or at a school-sponsored activity or whose off-campus conduct is reasonably predicted to substantially disrupt the operations of the School District, District safety, or welfare of students or employees.

Prohibited Substances:

1. Alcohol or any alcoholic beverage;

- 2. Any controlled substance or dangerous drug as defined by NDCC Sections 19-03.1-05 through 19-03.1-13 and 19-03.1-26 (paraphernalia) or as defined by Section 812, Schedules I-V, of Title 21, United States Code, Section 801, et seq., including but not limited to marijuana, any narcotic drug, any hallucinogen, any stimulant or depressant, and all other illicit drugs;**
- 3. Any glue, aerosol paint, or any other chemical substance used for inhalation;**
- 4. Any prescription or non-prescription drug, medicine, vitamin or other chemical including, but not limited to aspirin, other pain relievers, stimulants, diet pills, multiple or other type vitamins, pep pills, "no-doze" pills, cough medicines and syrups, cold medicines, laxatives, stomach or digestive remedies, depressants, sports or muscle-building supplements, and sleeping pills not administered and/or taken in accordance with the medication administration policy;**

The Harvey Public School District has a separate policy dealing with tobacco use.

Violation:

Disciplinary sanctions will be imposed on any student violating this policy. These sanctions may include suspension or expulsion, intervention (as described below), and notification of proper authorities for prosecution. Prohibited substances will be confiscated and illegal substances will be turned over to law enforcement authorities.

Any student who is observed to be under the influence of a prohibited substance will be taken immediately to the principal's office. The student's parents will be notified and asked to pick up the student. If there appears to be imminent danger to other students, school personnel, and/or the student involved, the principal may have the student removed from the school by school, medical, or law enforcement personnel.

Intervention:

It is acknowledged that the public school has neither the authority nor the responsibility to make medical or health determinations regarding chemical dependency; however, when observed behavior indicates that a problem exists which may affect the student's ability to learn or the educational climate of the school, the school has a right and a responsibility to refer the student for a formal chemical dependency diagnosis. The Superintendent shall develop a procedure for chemical dependency identification and referral for treatment.

Referral for treatment shall be a constructive not punitive action; however, use of the treatment program shall not override or prohibit the District from taking disciplinary action for violations of this policy.

The school will make a reasonable effort to cooperate with a therapy program if one is recommended for the student. The Board believes that if a student is involved in a chemical dependency program and is successfully addressing his/her harmful involvement with chemicals, s/he may continue in the regular school setting and continue to participate in any extracurricular program unless participation is in conflict with rules and regulations set forth by the Board and the North Dakota High School Activities Association.

Confidentiality:

The District shall maintain the confidentiality of students referred for counseling and chemical dependency treatment in accordance with the district's policy on counseling records.

Education:

This District will teach about drugs and alcohol in an age appropriate developmentally based education and prevention program in every grade in accordance with law. This program will include information about drug and alcohol counseling and rehabilitation programs available to the students.

In addition, the District will conduct staff orientation and training on drug and alcohol prevention, including a periodic overview of this policy and its procedures for implementation. The District will also provide parent and community education on the topic of drug and alcohol prevention.

Policy Implementation:

Student handbooks shall contain a statement of sanctions required concerning the possession, use, or distribution of drugs and/or alcohol.

The Harvey Public School District reviews this policy and its implementation periodically to ensure that disciplinary sanctions are consistently applied and to determine the effectiveness of the program for the prevention of alcohol and other drug use/abuse.

Descriptor Code: FFB Attendance & Absences
Adopted Date: 8/10/2010
Amended Date: 8/16/2017

The Harvey Public School District's Board of Education recognizes regular attendance as necessary to achieve consistent educational progress. Classroom learning experiences are a meaningful and essential part of the educational system. Time lost from class is irretrievable, particularly a student's opportunity for interaction and exchange of ideas with teachers and other students. The absent student loses the benefits of lectures, discussions, and participation with other students. In addition, North Dakota state law requires all children between the ages of 7 and 16 to be in attendance every day school is in session, with exceptions for illness and certain other incapacities. The law also provides local School Boards with the authority to establish standards for attendance. This School District, therefore, considers encouragement of consistent and timely attendance a major responsibility. Once enrolled every student regardless of age is subject to the District's Attendance Policy.

The Harvey Public School District recognizes two types of absences:

1. **Excused**: Excused absences shall be those caused by illness, injury, family emergency, religious observance, or those absences granted in advance by the principal with parental notification. In the case of an absence granted by the principal, the work must be made up ahead of time. The responsibility for making the absence excused rests with the parents and students. Students taking part in a school related activity will not be counted absent.
2. **Unexcused / Truancy**. Unexcused absences or truancy is defined as being absent from one or more classes without the consent of parent/guardian or school officials. This includes absence from any class, study hall, or activity during the school day for which the student is scheduled. It also includes absence from any after-school special-help session or disciplinary session which the student has been directed to attend. If a child is truant, the building principal shall arrange a visit with the child's parent/guardian. If a habitual pattern develops, the principal shall file a Report of Suspected Child Abuse or Neglect with Wells County Social Services and the State's Attorney for appropriate action.

When truancy occurs in grades K-6, the building principal shall visit with the student and parent(s). Involvement of counselors should be considered in repeat cases. Appropriate discipline measures are left to

the discretion of the principal.

When truancy occurs in grades 7-12, parents will be contacted as soon as practicable. Subsequent trancies will require a conference including the principal, parent, student, teacher(s) and counselor. The building principal is given broad authorization at this point to implement a range of solutions for truancy problems that would include:

- Detention**
- Closed Campus**
- Suspension**
- Loss of Course Credit / Drop From Class**
- Truancy Petition**

Students are expected to be in the class(es) to which they are assigned on every school day except in the case of illness or injury, school related activity, family emergency, or religious observance. It is the responsibility of the grade-level principal to monitor student attendance and communicate with students and their parents when attendance patterns do not meet District standards. It is the parents' responsibility to ensure that their children are in school unless a valid reason for absence exists and to notify the school when their child will be absent. A student 18 years or older, or a married student, upon request to the building principal, may assume responsibility for the verification of absences from school.

School work missed by the student during an absence shall be made up regardless of the reason for the absence. Family trips should be scheduled, when possible, during the summer or other non-school days. Should it be deemed necessary for a student to be absent from school due to a family trip, arrangements should be made by the student to complete, in advance, as much as possible of the school work that would be missed. Additional effort to make up work may be necessary upon the student's return.

To be considered for grade promotion or the granting of credit in a class, a student shall have accumulated no more than 10 absences in a block schedule, or 20 absences in a traditional schedule. This standard is to be pro-rated to apply to semester classes.

- a. Students in grades kindergarten-6 whose poor attendance has caused a notable deficiency in learning may be retained at their**

present grade level if, in the judgment of the building principal, such action is advantageous to the student. This decision is made after consultation with the teacher(s) and the parent(s) during the last month of the school year.

- b. Accumulated absences that exceed the standard for students in grades 7-12 may/will require that those days be made up before credit or promotion can be awarded (*see attendance regulation & procedure below*).
- c. Building administrators are granted the right to make exceptions to this minimum attendance standard in extra-ordinary cases (*see attendance regulation & procedure below*).
- d. Suspension will not count as an absence for purposes of determining the number of absences to be considered for credit.

The Superintendent will develop and enforce regulations to monitor this student attendance policy.

Attendance Regulation & Procedure:

The following procedures will be implemented for excessive absenteeism:

- After three (3) absences in a semester, the student and parent(s)/guardian(s) will be notified verbally and/or in writing.
- After five (5) absences in a semester, the student and parent(s)/guardian(s) will be notified verbally and/or in writing that the student has reached his/her limit of allowable absences.
- After six (6) or more absences, the student and parent(s)/guardian(s) will be notified in writing of the date and time of an attendance hearing to determine whether the student will lose credit in the respective class(es). The student and a parent/guardian are required to attend to present their petition to an attendance panel for the opportunity to receive credit in the respective class(es). The panel will then make a judgment of the student's petition. In addition, the student *MAY* become academically ineligible for the remainder of the semester.

**** School Administration retains the right to waive an attendance hearing for extenuating circumstances.**

Descriptor Code: FFC Bus Conduct
Adopted Date: 8/10/2010
Amended Date:

The responsibility for supervision of a student begins upon a student boarding a District vehicle at the beginning of the school day and ends when the student exits the vehicle. The District has disciplinary authority over students while being transported in District owned, leased, and/or contracted vehicles to and from school and during school-sponsored curricular and extracurricular events.

The Superintendent shall determine the level of disciplinary authority that shall be given to school vehicle drivers and develop regulations for handling student misconduct on school vehicles.

Conduct Requirements:

Students shall be required to abide by all applicable District conduct and safety policies while in District vehicles. The Superintendent or designee may develop additional, specific regulations related to conduct in school vehicles.

Violations:

Students who violate any of these policies or rules may be subject to the consequences contained in applicable student discipline policies. When the conduct of a special education student transported in a school vehicle poses a transportation safety risk or when the conduct otherwise violates policy to the extent that it compels the District to reconsider the student's transportation arrangements, prior to making a removal decision, the District shall determine the following:

1. If transportation is part of the student's Individual Education Program
2. If removal would constitute a removal from the education program as determined by the following factors:
 - There is a significant distance between the student's home and school;
 - There are no alternative means of public or private transportation; and
 - The school has not made appropriate arrangements to provide for the student's education.

If criteria one or two above is applicable, the IEP Team will develop an alternative means of providing transportation to the special education student in accordance with the Individuals with Disabilities Act (IDEA)

regulations or will treat such student's removal from school transportation as suspension from the educational program and will follow the procedure for suspension contained in the District's suspension / expulsion policy and in IDEA regulations.

Descriptor Code: FFD Carrying Weapons
Adopted Date: 8/10/2010
Amended Date:

Definitions:

- **Firearm** is defined in accordance with 18 U.S.C. 921.
- **Weapon** includes, but is not limited to any knife, razor, ice pick, explosive, smoke bomb, incendiary device, firearm, slingshot, bludgeon, brass knuckles or artificial knuckles of any kind, or any object that can reasonably be considered a weapon, dangerous instrument, or look-alike.

Prohibitions:

No student will knowingly possess, handle, carry, or transmit any weapon or dangerous objects, or look-a-likes, in any school building, on school grounds, in any school vehicle or at any school-sponsored activity.

Disciplinary Consequences:

Violation of this policy will result in disciplinary action up to and including suspension or expulsion. Bringing a weapon other than a firearm to school will require that proceedings for the suspension for up to 10 days and/or expulsion for up to 12 months be initiated immediately in accordance with the District's Suspension and Expulsion Policy.

Bringing a firearm to school will require that the District immediately initiate proceedings for the expulsion of the student involved for a minimum of one calendar year in accordance with the District's Suspension and Expulsion Policy. The Superintendent may modify the length of a firearms-related expulsion on a case-by-case basis based on the following criteria:

1. The totality of the circumstances, including the severity of the incident and the degree of endangerment of other students and staff.
2. The age and grade level of the student.
3. The prior disciplinary history of the student being expelled.
4. Relevant factors which contributed to the student's decision to possess a firearm in violation of this policy.
5. The recency and severity of prior acts resulting in suspension or expulsion.

6. Whether the optional provision of educational services in an alternative setting is a viable alternative to modifying the duration of the expulsion.
7. Input, if any, provided by licensed professionals (psychologists, psychiatrists, counselors) as to whether the expelled student would place himself/herself or others at risk by returning to the school prior to the expiration of the expulsion period.

Parents will be notified and all weapons, dangerous objects, or look-a-likes will be confiscated and may be turned over to the student's parents or to law enforcement officials at the discretion of the administration. Firearms will be confiscated and turned over to law enforcement.

Special Education Students:

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

Non-Applicable Provisions:

This policy does not apply to students enrolled and participating in a school sponsored shooting sport, provided that the student informs the school principal of the student's participation and the student complies with all requirements set by the principal regarding the safe handling and storage of the firearm. The principal may allow authorized persons to display weapons, other dangerous objects or look-a-likes for educational purposes. Such a display will be exempt from this policy.

Descriptor Code: FFE Extracurricular Participation
Requirements

Adopted Date: 8/10/2010

Amended Date: 8/10/2016

Philosophy:

The Board believes that participation in extracurricular activities constitutes a privilege and not a right. Students who participate in extracurricular activities represent the student body, School District, and community on a local, state, and national level. As such, the behavior of these students is a reflection of the entire community.

The District will enforce the requirements placed on extracurricular participants by the North Dakota High School Activities Association (NDHSAA), which govern both on and off campus behavior. In addition, the Board has established the following extracurricular participation requirements.

Activities Affected by this Policy:

Activities affected by this policy shall include extracurricular activities as listed in the student handbook, including those not sponsored by NDHSAA. These activities include, but are not limited to all Sports, Cheerleading, Prom, Homecoming, SnoFest, Student Government, Student Organizations (*FBLA, FCCLA, FFA, Student Council, and SADD*), Vocal & Instrumental Music Competition, Drama, Speech, School Paper, Annual Staff, National Honor Society, and all related activities/events associated with these groups.

Tobacco, Alcohol & Other Drug Use:

In addition to the tobacco, alcohol, and other drug prohibitions contained in NDHSAA bylaws, the District prohibits student presence at a gathering where alcohol, tobacco, or a controlled substance is being illegally used. Student presence at such a gathering will be regarded as possession. The building principal will take into consideration whether the student was at a gathering where the student had knowledge that alcohol, tobacco, or controlled substance were being illegally used, and whether or not the student had a reasonable opportunity to remove him/herself from said location. The disciplinary consequences for violating this rule shall be suspension from extracurricular participation for the same duration as prescribed for tobacco, alcohol, and other drug possession by NDHSAA bylaws.

Academics:

NDHSAA requires that local Districts establish a definition of what constitutes a failing grade. For the purposes of this policy, a failing grade is defined as receiving a 69.49% or lower in any curricular course as computed from the beginning of the semester for regular education students or, in the case of special education students, not meeting the goals of Individual Education Programs as assessed from the beginning of the semester.

Violation of Other Misconduct Policies:

Students who violate student conduct policies not covered by NDHSAA bylaws may be subject to suspension from extracurricular activities for anywhere from one event/activity up to a period of eighteen (18) weeks for subsequent offense(s) within the same school year. Such consequences shall be imposed in addition to other disciplinary consequences imposed under the applicable policy.

When the principal deems suspension from extracurricular participation necessary, s/he shall follow the procedure for suspension from extracurricular participation required by NDHSAA bylaws.

Practice and Travel while Suspended:

Students who are under suspension are encouraged to practice and travel with their respective teams. However, suspended students will not be allowed to miss school time to travel with the team.

Period of Enforcement:

This policy shall be in effect year round, with the year running from June 15th ~ June 14th.

Descriptor Code: FFE-AR2 Athletic Physicals

Adopted Date: 8/10/2010

Amended Date:

No student may either start practice or participate in a contest for any athletic team until he or she has been examined and approved by a medical doctor and until a current medical release from the doctor and written consent from the parent(s) are on file with the District.

Descriptor Code: FFG Student Assemblies

Adopted Date: 8/10/2010

Amended Date:

Generally, school administrators will determine, or substantially control, the content of what is expressed at student assemblies. As such, religious expression will not be permitted as the religious expression may be attributed to the school or seen as an endorsement of a particular religious belief or expression. However, in the instances where students are selected to speak at assemblies based upon neutral selection criteria and where the student speaker has primary control over the content of the oral presentation, the school will not restrict the student speech because of its religious or anti-religious content. In such cases, school authorities will publicly clarify that the content of the student's speech is the speaker's opinion and not the school's.

Descriptor Code: FFH Student Dress Code

Adopted Date: 8/10/2010

Amended Date:

The Harvey Public School District's Board of Education encourages students to use sound judgment in dress and grooming. Students are expected to wear clean, neat, and appropriate clothing. Excessively torn or tattered clothing is unacceptable. Clothing which is either likely to substantially disrupt the educational environment or is in poor taste, with obscene words, pictures, gestures, or suggestions, will not be allowed. Furthermore, any clothing that displays any type of drug or drug paraphernalia or gang activity is unacceptable in Harvey Public Schools.

The administration will make reasonable efforts to notify students of these rules. Each building principal shall develop a procedure for handling and disciplining students in violation of these rules.

While the school administration may require students participating in physical education classes to wear certain apparel which meets reasonable health and safety standards as established by the Board, they may not prescribe a specific brand that students must buy.

Descriptor Code: FFI Student Use of Electronic Devices
Adopted Date: 8/10/2010
Amended Date:

The Harvey Public School District prohibits the use of personal communication devices, including but not limited to cellular phones, pagers, and beepers by students during the instructional day as defined by each building principal, and when otherwise prohibited by the building principal.

Other electronic devices, including but not limited to audio devices, image recording devices, devices that allow for an unfiltered connection to the internet, portable games, and other devices that transmit a signal are prohibited on District property and while students are attending school sponsored activities and events. This prohibition does not apply to authorized use of district-owned electronic devices.

Furthermore, the District also prohibits the possession and/or use of any image-recording device in an area where there is a reasonable expectation of privacy is strictly prohibited and will result in confiscation of the device.

Students in violation of any portion of this policy will be subject to disciplinary procedures and confiscation of the electronic device. If a student's cell phone or other electronic device is confiscated, the building principal or Superintendent may search the confiscated device in accordance with the District's searches of students policy. If school official suspects that a student possesses or is disseminating an image that potentially violates NDCC 12.1-27.1-03.3 or finds such an image during a search of an electronic device performed in accordance with policy, s/he may report this matter to law enforcement for investigation. Disciplinary action up to and including suspension and/or expulsion may also be taken against any student using an electronic device in a manner that causes substantial disruption to the educational environment.

The Superintendent and/or his designee is authorized to make exceptions to the prohibitions set forth in this policy for health, safety, or emergency reasons, for students in attendance as active members of a volunteer firefighting organization or volunteer emergency medical service organization, and when use of electronic devices is provided for in a student's Individualized Education Program (IEP).

Descriptor Code: FFJ Student Vehicles on School Property
Adopted Date: 8/10/2010
Amended Date:

Use of school roads and parking lots is a privilege extended to students by the Board. Each building principal shall establish rules related to the forms of student transportation permitted on school property, the parameters of their use, consequences for misuse, and traffic safety. At a minimum, students shall be expected to observe all driving, safety, and noise control ordinances and/or laws.

The District will coordinate with the local police department in order to help ensure traffic safety coverage on and around school property.

Searches of Vehicles:

When student vehicles are parked on school property, the school retains the authority to inspect the interior of a vehicle when a school official has reasonable suspicion the vehicle contains illegal or unauthorized materials. Such inspections shall be conducted in accordance with the District's policy on searches of students' personnel property.

Descriptor Code: FFK Suspension & Expulsion
Adopted Date: 8/10/2010
Amended Date:

Definitions:

For the purposes of this policy:

- **School Property** is defined as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by the District, and the site of any school-sponsored activity.
- **Suspension** includes in-school suspension from classes as well as out-of-school exclusion from school classes, buildings, grounds, and activities.

Suspension / Expulsion Authority:

The Board hereby delegates to the Superintendent and each principal the authority to deal with disciplinary problems in his/her school, including suspension and recommendation for expulsion of a student. Suspension shall not be imposed beyond the maximum duration permitted by law.

The Board designates itself to serve as the hearing officer for expulsion hearings unless not qualified to serve as defined in Board regulations. In such cases, the Board shall appoint an alternative hearing officer. The hearing officer may expel a student for conduct that violates this policy after providing notice and a hearing as set forth in Board regulations. When the hearing officer is someone other than the Board, the student may seek a review of the hearing officer's expulsion decision by the Board based on the record of the hearing.

Expulsion shall not be imposed beyond the maximum duration permitted by law.

Conduct Subject to Suspension/Expulsion:

Conduct, including but not limited to the following, exhibited while on school grounds, during a school-sponsored activity, or during a school-related activity is subject to suspension or expulsion:

- Causing or attempting to cause damage to school property or stealing or attempting to steal school property of value;
- Causing or attempting to cause damage to private property or stealing or attempting to steal private property;

- **Causing or attempting to cause physical injury to another person except in self-defense;**
- **Possessing or transmitting any firearms, knives, explosives, or other dangerous objects or weapons;**
- **Possessing, using, transmitting, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind;**
- **Disobedience or defiance of proper authority;**
- **Behavior that is detrimental to the welfare, safety, or morals of other students;**
- **Truancy;**
- **Offensive and vulgar language, whether or not it is obscene, defamatory, or inciteful to violence, where it is disruptive of the educational process;**
- **Threats of violence, bomb threats, or threats of injury to individuals or property;**
- **Any student behavior that is detrimental or disruptive to the educational process, as determined by the principal.**

Copies of these rules shall be posted in a prominent place in each school and shall be published in student handbooks.

Suspension or Expulsion of Students with Disabilities:

Suspension or expulsion of students with disabilities must comply with the provisions of the Individuals with Disabilities Education Act. Because the District does not provide services to regular education students who are suspended, it shall not provide services to special education students who are suspended ten school days or less during the school year.

The District is not required to refer a regular education student who has been suspended for violation of school rules and/or District policy for special education assessment and evaluation to determine if such a student might have a disability. A suspended regular education student is not entitled to reinstatement to classroom and campus privileges pending any assessment and evaluation that is to be made during the term of the student's suspension.

Complementary Documents

- **FFK-E1 ~ Suggested Procedure for Conducting an Expulsion Hearing**
- **FFK-E2 ~ Suspension & Expulsion of Special Education Students**

Descriptor Code: FG Student Rights & Responsibilities

Adopted Date: 8/10/2010

Amended Date:

The Harvey Public School District's Board of Education affirms those legal rights of students that are guaranteed under the federal and state constitutions and statutes. The Board reminds students that rights also are accompanied by responsibilities.

These rights and responsibilities include:

- 1. Civil rights, including the rights to equal educational opportunity and freedom from illegal discrimination; the responsibility not to discriminate against others.**
- 2. The right to attend free public schools; the responsibility to attend school as required by law and to observe school rules and regulations essential for permitting others to learn at school.**
- 3. The right to due process of the law with respect to expulsion, searches and seizures, or administrative decisions that the student believes have injured his/her rights.**
- 4. The right to free inquiry and expression; responsibility to observe reasonable rules regarding these rights. Students may exercise their right to freedom of expression through speech, assembly, petition, and other lawful means. The exercise of this right may not interfere with the rights of others. Freedom of expression may not be utilized to present material that is vulgar, slanderous, defames character, advocates violation of law or is in violation of district policy.**

The Superintendent shall ensure that students are made aware of the legal authority of the Board and the delegated authority of the staff to make rules and regulations regarding the orderly operation of the school, which uphold the legal rights of students.

Complementary Documents

- FGDB ~ Student Handbooks**

Descriptor Code: FGA Student Education Records

Adopted Date: 8/10/2010

Amended Date:

The Harvey Public School District shall comply with all required components of the Family Educational Rights and Privacy Act (FERPA) and the Individuals with Disabilities Education Act (IDEA) when maintaining, retaining, granting access to, disseminating, and disposing of student educational records. In addition, the District shall comply with all notification requirements required by these laws.

Access:

The District shall grant access to student educational records to individuals authorized by law in accordance with law. When applicable, appropriate consent will be obtained to release records and the District will honor opt-out requests. The District shall comply with all recordkeeping requirements related to record access and disclosure as delineated in law.

School officials with a legitimate educational interest in a student's educational record shall be granted access to the portions of the record that they have a need to know. For the purpose of this policy, legitimate educational interest is defined as access that is needed in order for a school official to fulfill his/her professional responsibility. School official is defined as:

- An individual employed by the District in an administrative, instructional, or support staff position;
- School Board members;
- School resource officer(s);
- A person or company contracted by the District to perform institutional services and/or functions, including, but not limited to, attorneys hired by the District and data storage and protection agencies;
- A volunteer that performs institutional services and/or functions for the District;
- A consultant hired to perform institutional services and/or functions for the District.
- A threat assessment team (see Violent & Threatening Behavior policy for definition).

School officials will receive appropriate training and information on privacy to ensure records are not misused. The District shall put reasonable methods in place to ensure that school officials only obtain access to educational records or portions of educational records in which they have a legitimate educational interest.

Review and Amendments:

The Board shall develop procedures for a parent/guardian/student to review and amend educational records. These procedures shall be delineated in board-approved regulations and shall be disseminated annually in accordance with law.

Record Dissemination:

- 1. Other schools: When a student enrolls, intends to enroll, or has enrolled in another school, the District shall forward a copy of the student's educational record, including disciplinary records to the new School District so long as disclosure is for enrollment or transfer purposes. The District shall retain the original student record.**
- 2. Directory information: The Board defines directory information as a student's name, address, telephone number, degrees, honors, and awards received, photograph, and enrollment status as directory information. The District may release this information without a parent/guardian/authorized student's consent unless the parent/guardian/authorized student has requested to opt-out. Opt-out notices will be disseminated in accordance with law. The Board shall approve a list of entities to which directory information may be disseminated. This list shall include entities granted access to directory information under FERPA.**
- 3. The District may release the contents of a student's educational record for reasons permitted by law, such as, but not limited to, health and safety reasons after taking into account the totality of circumstances and determining an articulable and significant threat to the health and safety of the student or others exists.**
- 4. De-identified information may be released upon request if the request meets conditions permitting release of such information under law.**

Record Retention & Destruction:

Permanent record is defined as a record containing a student's name, address, phone number, record of grades, years enrolled, courses attended, and grades completed.

All components of a student's educational record shall be retained for the duration required by state law after which only the permanent record will be retained; however, no record will be destroyed for which there is an outstanding request from a parent/student to review.

Special education records may be retained for a duration longer than required by law at the discretion of the Special Education Director. Parents of special education students shall be notified and their consent shall be obtained before the non-permanent components of a special education student's educational record are destroyed.

Complementary Documents

- **FGA-BR** ~ **Student Education Records Access & Amendment Procedure**
- **FGA-E** ~ **Notice of Directory Information Exhibit**

Descriptor Code: FGA-BR Student Education Records Access & Amendment Procedure

Adopted Date: 8/10/2010

Amended Date:

Reviewing an Educational Record:

The District will comply with a parent/guardian/eligible student's right to inspect educational records. This right will be granted using the following procedure:

- 1. A request to view an educational record shall be granted by the deadline in law (45 days).**
- 2. A request may be made orally or in writing to the building principal.**
- 3. The principal shall notify the parent/guardian/eligible student of the time and place when a record may be inspected.**
- 4. The principal or designee shall be present when the parent/guardian/eligible student reviews the record.**
- 5. If circumstances prevent a parent/guardian/eligible student from reviewing the educational record at the school office, the District shall prepare and mail a copy of the record or make alternative arrangements for the parent/guardian/eligible student to review the record. Any expense incurred from copying and/or mailing a record may be charged to the parent/guardian/eligible student at state rates, except as prohibited by law.**

Amending an Educational Record:

A parent/guardian/eligible student has the right to request an amendment to any portion of the educational record s/he believes to be inaccurate, misleading, or in violation of the student's right to privacy. A parent/guardian/eligible student shall use the following procedure to dispute or request an amendment to an educational record. This procedure shall not be used to dispute a grade, disciplinary decision, or opinions/reflections of a school official contained in an educational record.

- 1. Any request to amend an educational record shall be made in writing and submitted to the building principal.**
- 2. The principal shall review the request within a reasonable time and approve or deny it. The principal's decision shall be submitted to the parent/guardian/eligible student. If the principal denies the**

amendment request, s/he shall inform the parent/guardian/eligible student of his/her right to request an appeals hearing.

- 3. Requests for an appeals hearing shall be submitted to the Superintendent. The hearing shall be held within a reasonable time after the appeal request has been made.**
- 4. The Superintendent shall serve as the hearing officer. A representative of the parent/guardian/eligible student's choosing may accompany the parent/guardian/eligible student at the parent/guardian/eligible student's expense. The parent/guardian/eligible student shall have a full and fair opportunity to present evidence related to the amendment request.**
- 5. The Superintendent's decision is final and binding and shall be submitted to the parent/guardian/eligible student at a reasonable time after the hearing.**

If the Superintendent denies the amendment request, s/he will notify the parent/guardian/eligible student within a reasonable time of his/her right to submit a written response commenting on the contested material and/or explaining the disagreement with the hearing officer's decision. This written response shall be retained and, when applicable, disseminated in accordance with law.

Descriptor Code: FGBB Student Prayer During Non-Instructional Time

Adopted Date: 8/10/2010

Amended Date:

Students are permitted to engage in religious expression during non-instructional time (i.e., before school, after school, during lunch and recess, and while not engaged in school activities). Religious expressions permitted include, but are not limited to: prayer, scripture reading, and/or grace before meals. Individual students may engage in these activities; however, the exercise of constitutional rights of religious expression may not be engaged in when the expression disrupts educational activities or extracurricular activities.

The decision to participate or not participate in religious expression is a matter of individual choice. No student will be permitted to harass or intimidate other students to participate or refrain from participating in religious expression.

Descriptor Code: FGCA Searches of Lockers

Adopted Date: 8/10/2010

Amended Date:

The District retains ownership and control of all lockers. Access to all lockers is a legal right of school officials whose responsibility it is to protect the health, safety, and welfare of all students enrolled. Students shall have no reasonable expectation of privacy when using lockers. Student shall be given advanced notice of this policy through student handbooks or another form of notification.

Lockers may be subject to suspicion-less searches, inspections for purposes such as routine maintenance, or searches where there is suspicion that locker(s) contains objects/substances that are illegal, violate school policy, or may be detrimental to the health, safety, or welfare of district students.

Search Procedure:

When a locker is subject to a search, the principal/Superintendent should be accompanied by at least one other school staff member.

Students' personal items stored in lockers such as, but not limited to, book bags, purses, and coats shall not be searched unless there exists reasonable suspicion that they contain an object(s) or substance(s) in violation of school rules/policy, the law, or which may be detrimental to the health, safety, or welfare of enrolled students.

The Superintendent should be notified whenever a search has been conducted if the Superintendent was not involved in the search.

Use of Trained Dogs & Involvement of Law Enforcement:

Trained dogs may be used to smell the outside of students' lockers. If the dog detects the possibility of objects/substances that are illegal or violate school policy, the principal / Superintendent shall search the locker in accordance with the search procedure above.

In the event a police officer or other law enforcement officer is to conduct a search of a student's locker, probable cause is necessary unless the search is school-initiated and would pose a safety threat if conducted by school staff.

Illegal substances found in lockers will be turned over to proper authorities.

Descriptor Code: FGCB Searches of Students & Students'
Personal Property

Adopted Date: 8/10/2010

Amended Date:

A search of a student's personal property or clothing shall only be undertaken when there is a reasonable and particularized suspicion that the student is concealing an object(s) or substance(s) in violation of school rules/policy, the law, or which may be detrimental to the health, safety, or welfare of enrolled students. The building principal or Superintendent must authorize all searches.

When the principal / Superintendent has reasonable suspicion that one or more students are carrying a prohibited object, article, or substance or are otherwise in possession of a prohibited object, article, or substance on school property or at a school-sponsored event, all personal property belonging to the suspected student(s) may be subject to inspection. When determining the scope of a search, the principal/Superintendent shall ensure that any measures adopted are reasonably related to the object of the search and not excessively intrusive in light of the age and gender of the student.

Search Procedure:

For the purposes of this policy, personal property includes, but is not limited to, a student's vehicle, backpack, book bag, and/or purse. Students may also be asked to empty their pockets; however, strip searches shall not be conducted.

Searches of persons should be conducted in private by a school employee of the same gender as the student with a school employee present as a witness.

Searches of Vehicles:

The principal or designee shall conduct searches of student vehicles if reasonable suspicion exists with a witness present. The principal shall make a reasonable attempt to contact the student who owns the vehicle and ensure s/he is present during the inspection unless an emergency situation is deemed to exist. If a vehicle is locked and its owner cannot be contacted or refuses to open it, the principal shall contact law enforcement.

Involvement of Law Enforcement:

The principal / Superintendent may request the assistance of law enforcement to conduct any portion of a school-initiated search of a

student/student's personal property that would pose a safety threat if conducted by school staff. In all other cases, law enforcement must have probable cause in order to search a student / student's personal property.

Illegal substances found during searches of students / students' personal property will be turned over to proper authorities.

Reporting Requirements:

The administrator who authorized the search shall notify the Superintendent whenever a search has been conducted.

Descriptor Code: FGCC Student Interrogations

Adopted Date: 8/10/2010

Amended Date:

General Provisions:

For all action permitted by this policy and/or law, it is the responsibility of law enforcement officials, not District employees, to assure compliance with procedural and constitutional safeguards.

Police Interviews:

Police do not have a right to interview a student on school property or remove students from school property for purposes of an interview. Administrators shall encourage law enforcement to schedule interviews with students at times when students are not under the District's jurisdiction. When such scheduling is not feasible as determined by the building principal or Superintendent, the building principal or Superintendent shall allow an on campus interview of a student so long as the following criteria is met:

- **The officer is properly identified;**
- **Parents are notified and provide consent. When an attempt to notify a parent is made and s/he cannot be reached, the law enforcement official shall be required to make alternative arrangements with the student/parent to conduct the interview off campus. If the student's parent is the suspect of a crime and the subject of the law enforcement interview, this requirement may be waived. In such cases, administration shall inform the student of his/her right to decline an interview by law enforcement. If an investigation of an offense focuses upon the child as the person who committed the offense, any statement of the child must be made in the presence of that child's parent, guardian, or custodian, or in their absence, in the presence of an attorney;**
- **Students shall not be subject to coercion or illegal restraint;**
- **Students shall not be removed from school property without proper legal documentation as delineated below.**

Police Officer's Rights:

In all of the situations listed below, efforts should be made to minimize embarrassment or loss of class time for the student. The office of the Superintendent or building principal should be notified immediately when any of the actions listed below has occurred.

- **Right to Take into Custody:** Police officers, counselors of the juvenile court, or other authorized law enforcement officials have the right to enter the school to take a student into custody or to make a lawful arrest of a student, provided the officer displays either an order signed by a judge of the juvenile court authorizing the taking of the student into custody, or to display a warrant for the student's arrest. If the student is arrested and/or taken into custody at a school, the school officials should make every effort to notify the parents immediately.
- **Right to Serve Subpoena in School:** While police officers have the legal right to serve a subpoena at school, the serving officials should be strongly urged to serve these subpoenas at the home of the student whenever possible.

Interviews of Students by Officials of Other Agencies:

When the Department of Human Services or an officer acting on the agency's behalf requests to interview a student as part of a child/abuse neglect investigation, the building principal shall:

- **Verify that the purpose of the interview is to investigate child abuse/neglect;**
- **Require that the interviewer identify him/herself;**
- **Allow a student to be interviewed if the student is the subject of, sibling of, or living with a child the subject of abuse/neglect;**
- **School staff shall not share information related to child abuse investigation with the public or the child's parents.**

Descriptor Code: FGDA Section 504 Student Placement & Dispute Resolution Policy

Adopted Date: 8/10/2010

Amended Date:

In determining the educational placement of a child with a disability, as defined by Section 504 of the Rehabilitation Act, the District shall comply with the notice and procedural requirements applicable to a child with a disability as defined by the Individuals with Disabilities Education Act (IDEA).

A parent/guardian will be provided notice, an opportunity to examine relevant records, an impartial hearing with an opportunity to participate and/or be represented by counsel, and a review procedure with reference to identification, evaluation or educational placement of a child with a Section 504 disability.

A parent/guardian aggrieved about a placement decision related to a student's disability under Section 504 may file a complaint using the District's discrimination and harassment grievance procedure. The parent/guardian may, at any time in accordance with deadlines in law, seek redress through state or federal law.

Complementary Documents

- AAC ~ Nondiscrimination & Anti-Harassment Policy
- AAC-R ~ Discrimination & Harassment Grievance Procedure
- GABBA ~ Childfind Referral Program for Students with Disabilities

Descriptor Code: FGDB Student Handbooks

Adopted Date: 8/10/2010

Amended Date:

The Superintendent or designee shall create student handbooks in conformance with the Department of Public Instruction's regulations. The Superintendent shall ensure that student handbooks do not conflict with District policy, state law, and/or federal law. The Board shall review student handbooks prior to dissemination.

Student handbooks shall be disseminated to each student at the beginning of the school year and to each new student upon enrollment in the District.

Complementary Documents

- **FGDB-E ~ Department of Public Instruction Student Handbook Regulations**

Descriptor Code: FGDC Students of Legal Age

Adopted Date: 8/10/2010

Amended Date:

Students of legal age shall be required to abide by all District policies pertaining to students. Students of legal age are permitted to inspect their personal educational record and may represent themselves at an expulsion hearing without parental involvement if they sign a waiver to this effect.

The building principal may also grant students of legal age authority to report their absences and sign authorization forms. Students of legal age must request this permission in writing.

Descriptor Code: FGDD Student Publications

Adopted Date: 8/10/2010

Amended Date:

School publications are designed to serve as a vehicle for instruction and should be appropriate for students as to grade level and content of material.

All publications shall have a faculty adviser. The student editorial staff and faculty advisor shall establish editorial policy which promotes responsible journalism. This shall include the avoidance of libel, obscenity, profanity, defamation, false statements, or material advocating racial or religious prejudice or the violation of laws.

Student publications shall provide as much opportunity as possible for the sincere expressions of student opinion. Articles should reflect all areas of student interest, including topics about which there may be dissent and controversy. Controversial subjects should be presented in depth with a variety of viewpoints published.

Descriptor Code: FGDE Student Distribution & Posting of Non-Curricular Material

Adopted Date: 8/10/2010

Amended Date:

Students shall be permitted to distribute non-curricular material that meets the following criteria and receives District approval as described below:

- 1. The material is submitted to the Superintendent at least three (3) school days before the proposed distribution date. The request must indicate the time and place where the student wishes to distribute material and the ages of students that are the requestor's target audience.**
- 2. The Superintendent shall approve or disapprove the material. If the Superintendent rejects a request to distribute material, the decision may be appealed to the Board. The decision to approve material shall not be based on the viewpoint expressed; however, material containing the following shall not be approved for dissemination:
 - a. Attacks on ethnicity, race, religion, or other class protected by law;**
 - b. Promotes violence, terrorism, or other illegal activities, including, but not limited to, tobacco, drug, and/or alcohol use by minors;**
 - c. Is obscene or pornographic as defined by community standards;**
 - d. Is reasonably forecasted to materially or substantially disrupt the educational process or environment;**
 - e. Poses a direct threat to the physical safety of the school population;**
 - f. Infringes on the rights of others, such as (but not limited to) material that is libelous or invades an individual's privacy.****
- 3. Requests to distribute non-curricular material in the classroom and/or in areas that are reasonably forecasted to substantially disrupt the educational environment shall be denied.**
- 4. Material approved for distribution must include a disclaimer stating that the District does not endorse, approve, or sponsor the activities, views, or events promoted in the material. This disclaimer shall be affixed in a prominent location on the material.**

The Superintendent shall document reasons for denying a student's request to distribute non-curricular material.

The Superintendent shall provide notice of his/her decision to approve or deny a non-curricular material distribution request to the requestor within in a reasonable timeframe.

Descriptor Code: FIB-AR Criteria for Participation in Non-School
Sponsored Contests & Competitions

Adopted Date: 8/10/2010

Amended Date:

The following shall be a guide for determining participation in non-school sponsored competitions and contests:

- Whether the contest/competition is on the list of approved contests/competitions published annually by the Committee on National Contests and Activities of the National Association of Secondary School Principals.
- Whether the contest will supplement the regular school program.
- Whether the contest makes it possible for individual students to work out contributions by their own efforts and does not invite dishonest collaboration.
- Whether the contest excludes contestants because of race, color, creed, disability, or payment of entry fee. The District shall not participate in discriminatory contests/competitions.
- Whether the contest will place an undue burden on students, teachers, or the school or require frequent/lengthy absence of participants from the school. The District shall not participate in contests/competitions that interfere with or disrupt the educational program.
- Whether the contest is sponsored by an organization engaged in a creditable or acceptable enterprise, regardless of the kind or amount of prizes offered.

Descriptor Code: FIC Public Performances by Students
Adopted Date: 8/10/2010
Amended Date:

Any public performance by students as part of a curricular program or by a school-sponsored group shall require the approval of either the Superintendent or building principal if the activity/event is not sponsored by the District or North Dakota High School Activities Association.

Performances shall be limited to the following venues:

- **School-sponsored events;**
- **Communitywide civic or patriotic events (e.g. Veteran's Day ceremony). Such events shall have a purpose, content, and format consistent with the District's mission or the public performance request will be denied.**
- **An event held by a nonprofit or charitable organization. Both the event and sponsoring organization shall have a purpose, content, and format consistent with the District's mission or the public performance request will be denied.**

Any performance that would unduly interfere with the regular education program shall be denied. Any request that either the Superintendent or building principal reasonably believes will, in any way, exploit the school will be denied.

The content and format of student performances shall conform to the same standards as established for curricular material.

The Superintendent shall develop a procedure for students to opt out of performing at nonschool-sponsored events.