

# **Lead-Deadwood High School/Middle School Activities/Athletic Handbook**



## **2023-2024**

**Athletics and Activities....  
The Other Half of Education**

*Go to [www.lead-deadwood.k12.sd.us](http://www.lead-deadwood.k12.sd.us)*

- Click on Menu
- Go to Activities
- Web page is updated daily.

**Lead-Deadwood School District Activity Web Page**

**Includes:**

**Bus times  
Cancellations/postponements  
Sports/activity schedules listed by sport  
Sportsmanship Guidelines  
Event locations and times**

# **Lead-Deadwood Activities Handbook and Guidebook**

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*Doings Things Better So We Can Do Better Things*

**High School/Middle School Coaching/Advisor Staff**  
**Activities Department: Activities Director Paul Nepodal**  
**Phone: 717-3890 (Office) - 605-695-5128 (Cell)**  
**Email: Paul.Nepodal@k12.sd.us**  
**Activities Secretary: Mary Schumacher – 605-717-3711**  
**Mary.Schumacher@k12.sd.us**

<b>Middle School AD</b>	Lisa Rantapaa Lisa.Rantapaa@k12.sd.us	605-717-3898 (2201)
<b>Football</b>		
Head Coach	Kyle Kooima	605-641-0983
Assistant	Al Kolski	480-370-2172
Assistant	Tony Pigsley	
Assistant	Cody Brotsky	605-717-3711
Volunteer	Kurt Nolan	518-683-2571
Head Middle School	Josh Thompson	605-641-6053
Assistant Middle School	Dan Janssen	605-641-4081
<b>Volleyball</b>		
Head Coach	Ashley Hansen	605-580-5165
Assistant	Kristine Webb	605-580-7305
9 <sup>th</sup> Grade/C Team	Becky Conard	605-238-5221
Head MS	Sam Grant	605-209-8989
Assistant MS	Kayla Nelson	281-382-5705
<b>Cross Country</b>		
Head Coach	Erik Person	605-261-5462
Assistant	Joe McKeown	605-591-2920
<b>Golf (Boys-Fall, Girls-Spring)</b>		
Head Boys Coach	Tim Hansen	605-321-1060
Head Girls Coach	Tim Hansen	605-321-1060
<b>Boys Basketball</b>		
Head Coach	Dan Janssen	605-641-4081
Assistant	Clem Robinson	605-340-4888
Assistant/C Team	Brandon Webb	605-580-7306
8 <sup>th</sup> Grade	Josh Morovits	605-210-2416
7 <sup>th</sup> Grade	Darren LaCroix	605-580-0436
<b>Girls Basketball</b>		
Head Coach	Will Malde	605-890-6550
Assistant	Peyton McCreery-Storms	402-881-7608
Assistant/C Team		
8 <sup>th</sup> Grade	Josh Morovits	605-210-2416
7 <sup>th</sup> Grade	Darren LaCroix	605 -580-0436
<b>Wrestling</b>		
Boys Head Coach	Mike Sneesby	605-645-1664
Assistant	Tyler Waterson	605-615-8437
Assistant		
Middle School	Kelly Singer	406-850-4780
<b>Track and Field</b>		
Head Coach	Will Malde	605-890-6550
Assistant	Lenessa Keehn	605-920-0423
Assistant	Tony Althoff	605-216-0906
Assistant	Jarred Burleson	605-580-7887

**Middle School Track and Field**

Head Middle School	Josh Morovits	605-210-2416
Assistant	Bonnie LeCates	605-580-6129
Assistant	Samantha Grant	605-209-8989
Assistant	Rob Lester	605-580-6129

**Cheerleading/Drill Team**

Football Cheerleading	Lexi Lux	605-641-6779
Basketball Cheerleading	Lexi Lux	605-641-6779
Assistant (both)	Makayla Morrison	605-580-5171

**Dance Team****MS Dance Team****Oral Interp**

Head Coach	Courtney Pierce	605-645-0936
Assistant Coach	Kayla Besco	605-209-6653

**Speech/Debate****Music**

Instrumental/Pep Band	Sarah Rathert	605-717-3899
Vocal Music	Greg Roling	605-717-3899

**Drama/One Act Play (Fall/Spring)**

Director	Shaley Lensegrav	605-939-4169
Technical Director	Amanda Jones	

**Publications (Yearbook/Nugget)**

Advisor	Kim Loeffen	605-584-1243
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**Student Council**

High School	Gary Linn	605-580-1541
Middle School	Sam Grant/Wendy Schamber	

**Knowledge Bowl**

HS/MS Advisor	Jaci Pearson	605-920-1230
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<b>Jr. Class/Prom Advisor</b>	Gary Linn	605-580-1541
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<b>Art Club</b>	Oliver Burgoyne
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<b>Key Club</b>	Wendy Schamber
<b>Builders Club</b>	Wendy Schamber

<b>National Honor Society</b>	Betty Campbell
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<b>Yearbook (Nugget)</b>	Kim Loeffen (high school)
<b>Yearbook</b>	Laura Fravel (middle school)

**SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION**

The State of South Dakota (SDCL 13-36-4) authorizes schools to delegate control, supervision and regulations of any and all high school interscholastic activities to a high school activities association. South Dakota school districts jointly and cooperatively, created and developed a voluntary nonprofit association for the advancement of interscholastic activities. The purpose of the South Dakota High School Activities Association (SDHSAA) is to direct and coordinate interscholastic activities that are conducted by member high schools. The SDHSAA sanctions and regulates activity programs for athletics, music, publications, speech and student council through a Board of Directors and an

executive staff. Each article of the constitution and bylaw, rule and regulation of the SDHSAA, however, was ratified by member schools.

When a high school elects to become a member school, it adopts the SDHSAA rules as its own rules. The activities director is Lead-Deadwood High School's official representative to the SDHSAA and is responsible to the Association for the administration and supervision of the entire activities program. In order to ensure compliance, each high school activity director should become and remain knowledgeable of the contents of the SDHSAA Rules and Administration Handbook. A copy of the handbook is available in the activity director's office at the high school. Program heads are supplied with copies of the section that governs their particular activity as well as sections on general topics such as student eligibility, contest regulations, and regular and out-of-season rules so that they are prepared to supervise their program.

## **BLACK HILLS CONFERENCE**

Lead-Deadwood High School is ~~also~~ a member of the Black Hills Conference. Other member schools include Belle Fourche, Custer, Douglas, Hot Springs, St. Thomas More, Hill City, Spearfish, Sturgis, Rapid City Christian, and Red Cloud.

## **PRESEASON RESPONSIBILITIES**

It is the responsibility of the activity participant and the parent to make sure that the following is completed before the student participates in ATHLETICS at Lead-Deadwood High School. (This includes cheer, dance and club sports.) Students may not practice until all forms are signed and turned in.

1. The student must have a physical examination completed before the beginning of the activity. A copy of the exam must be on file in the high school activities office. If a student does not have a physical, he/she will NOT BE ALLOWED TO PRACTICE.
2. The student must have completed the PARENT APPROVAL FORM completed, signed and on file in the activity director's office. This form includes vital information, such as medical consent, insurance carrier, activity transportation approval, participant's pledge, medical history and emergency contacts if needed. If this form is not on file in the activity director's office, the student **WILL NOT BE ALLOWED TO PARTICIPATE IN ANY INTERSCHOLASTIC COMPETITION.**
3. The student and one (1) parent must attend a Preseason Meeting to be informed of rules and regulations that govern the activities program. If the student and one (1) parent or a designated representative is not present, the student and parent will be responsible to read the Lead-Deadwood Activities Handbook and agree to comply with all rules and policies contained therein.

## **OUT-OF-SEASON CONTACT RULES**

The Lead-Deadwood School District will adhere to all SDHSAA rules and regulations pertaining to student-athlete contact time. In addition, there will be no organized contact, including practice or competitions or open gyms or camps in the Lead-Deadwood School District the following dates:

- July 1-7 (all school facilities are closed and shall not be used by either on or off staff personnel)
- December 23-26 (all school facilities are closed and shall not be used by either on or off staff personnel)

- The first full week after the State Track Meet
- Upon completion of each sport, there will be a one-month dead-time for that sport.

The administration at Lead-Deadwood High School may make exceptions to the rules if circumstances warrant.

## **LEAD-DEADWOOD MIDDLE/HIGH SCHOOL ELIGIBILITY**

**Eligibility to participate in extra-curricular activities will be based upon three areas:**

### **Academic Eligibility - Training Rules - Good Standing**

## **LEAD-DEADWOOD MIDDLE/HIGH SCHOOL ACADEMIC ELIGIBILITY**

The primary function of educational institutions is to help students achieve success in the classroom through teaching. A major component of student success is the acceptance of responsibility for their own learning through commitment and dedication towards academics. As a student participant, academic eligibility is of utmost importance in order to maintain the privilege of being involved in extra-curricular activities.

For students to be eligible for activities at Lead-Deadwood Middle/High School, the following criteria must be followed. This applies to students in Grades 6-12 students involved in middle/high school programs.

To be eligible to participate in extra-curricular activities at Lead-Deadwood Middle/High School, students must meet the requirements of the South Dakota High School Activities Association (earn a minimum of 2 credits for a semester) and be in good standing as a member of Lead-Deadwood school's student body as well as meet the following standards:

Any 6-12 participant must be passing all current classes. They may not have an "F" in any class for the current weekly grading period. Each participant's grades will be checked each week on Friday at 9:00 AM. If the participant has an "F" as a current grade, they will be deemed ineligible for that week – eligibility will go from Sunday thru Saturday.

All students will be eligible at the beginning of the quarter for two weeks, and their eligibility will be determined based on grades in the current quarter. The exception is that if a student has not passed the minimum 2 (two) credits the prior semester, they are deemed ineligible by the SDHSAA for the entire semester.

A failing grade list and a danger/watch (D grade) list will be sent out to the middle and high school office, coaches and advisors each week. It is the responsibility of the coach/sponsor to check the list for eligibility and inform the student of their status. It is the student's responsibility to monitor their grades and maintain eligibility.

Academically ineligible students will be allowed to practice but may not travel with the team if the team leaves during school hours.

All activities are subject to the eligibility rule, including all SDHSAA activities, NFL speech, and club sports that are within the school (examples would include, but not limited to are powerlifting, FFA, etc.). Within the activities of band and vocal music, students will be eligible to participate in local concerts and performances during their ineligibility suspension. Those concerts, contests, and performances are considered part of the curriculum. This does not include contests and other extra-curricular performances unless they are graded activities for those events.

## **LEAD-DEADWOOD EXTRA-CURRICULAR ACTIVITY TRAINING RULES**

The following constitute a violation of this policy:

- a student shall not have in possession, use, or have been charged by law enforcement with the possession, use or consumption of a beverage containing alcohol.
- have in possession, use, or have been charged by law enforcement with possession, use, or consumption of tobacco products.
- have in possession, use, or have been charged by law enforcement with possession, use, or consumption of electronic cigarettes, vaping, juuling, or other similar offenses.
- or have in possession, use, or have been charged by law enforcement with possession, use, or consumption of an illicit drug as defined by law.

### **Guidelines and Clarification:**

1. Any quantity of the aforementioned substances is a violation.
2. This policy pertains to any violation on any day of the year (calendar year-- defined as Jan 1<sup>st</sup> through Dec 31<sup>st</sup>), regardless of whether school is in session.
3. No distinction will be made between any of the extra-curricular activities sponsored by this school district. This also involves club sport activities that carry the Lead-Deadwood High School name.
4. Violations will not carry over from middle school to high school unless the student participant participates at the high school level as a 7<sup>th</sup> or 8<sup>th</sup> grader.
5. Violations and penalties apply to each activity in which the student participates.
6. Offenses are cumulative over the high school career.
7. Despite the differentiation in length of suspensions depending on what the violation is for, all accountability for second and third violations will be based on aggregate violations of all types, not violations of a particular sort. Three violations of any sort will lead to loss of eligibility for the remainder of their high school career.
8. All disciplinary actions may be appealed to the Superintendent of Schools.
9. School Administrators reserve the right to review each situation on a case-by-case basis.
10. When serving a suspension, a student must complete the season. The student athlete must finish the season for the suspension to be recognized. Suspensions will be carried over from one sport to the next sport season if the entire suspension has not been served.
11. Students who are on suspension for having violated co-curricular regulations may practice but cannot participate in extra-curricular activity competitions or performances during their suspension. They may not “sit on the bench,” “dress out,” or “travel with the team.”

### **Confirmation**

Confirmation of a co-curricular regulation violation by the school administration can occur through the following methods:

- Admission from the student participant or the student’s parent or guardian.
- Release of names to the school district from law enforcement of students violating this policy.
- A school district administrator has factual proof that a violation has occurred.

**Penalties and Recommendations for violations not under SDCL 13-32-9 Violations for the following: (combined the alcohol and tobacco violations)**

- have in possession, use, or have been charged by law enforcement with possession, use, or consumption of tobacco products.
- have in possession, use, or have been charged by law enforcement with possession, use, or consumption of electronic cigarettes, vaping, juuling, or other similar offenses.
- A student shall not have in possession, use, or have been charged by law enforcement with the possession, use or consumption of a beverage containing alcohol.
- or have in possession, use, or have been charged by law enforcement with possession, use, or consumption of an illicit drug as defined by law.

**First Violation:**

After confirmation by the school administration of the first violation, the student shall lose eligibility from competition for four events or four weeks, whichever is longer, of the regularly scheduled season. Each date or contest scheduled within that time frame will be considered as part of the suspension. Suspensions can be carried over from one sport/activity to another if the entire suspension has not been served.

Said suspension may be reduced to two weeks or two events, whichever is longer of the regularly scheduled season if the student chooses to enroll in a chemical health awareness assistance program through a certified chemical dependency counselor. Evidence of said enrollment must be verified by school administration before suspension will be reduced. The student must comply with the coordinator's recommendation. The student will be responsible to cover the costs of the program.

**Second Violation:**

After confirmation, by the school administration, of the second violation, the student shall lose eligibility from competition for 8 weeks of the regularly scheduled season. Each date or contest scheduled within that time frame will be considered as part of the suspension. If less than 8 weeks of the season are left at the time of the violation, the appropriate number of post season contests will be applied to the suspension to complete the 8 weeks. Suspensions will be carried over from one sport to the next sport season if the entire suspension has not been served.

**Third Violation:**

After confirmation by the school administration of the third or subsequent violation the student shall lose eligibility for the remainder of their high school career. It is recommended that the student complete an outpatient or in-patient treatment program.

*The administration and coach/activity sponsor may enforce a more severe penalty, which may include termination from activities, if the violation warrants it. If the penalty exceeds the minimum for the violation, the reason shall be stated in writing.*



## **Penalties and Recommendations for violations under SDCL 13-32-9 Violations Marijuana and Other Drug Adjudications, Convictions, Diversions, or Suspended Sentences**

Any person adjudicated, convicted, the subject of an informal adjustment or court-approved diversion program, or the subject of a suspended imposition of sentence or suspended adjudication of delinquency for possession, use, or distribution of controlled drugs or substances or marijuana as defined in chapter 22-42, or for ingesting, inhaling, or otherwise taking into the body any substances as prohibited by § 22-42-15, is ineligible to participate in any extracurricular activity at any secondary school accredited by the Department of Education for one calendar year from the date of adjudication, conviction, diversion, or suspended imposition of sentence. The one-year suspension may be reduced to 45 calendar days if the person participates in an assessment with a certified or licensed addiction counselor. Only days that fall within the approved school calendar will be counted. If the assessment indicates the need for a higher level of care, the student is required to complete the prescribed program before becoming eligible to participate in extracurricular activities.

Upon a second adjudication, conviction, diversion, or suspended imposition of a sentence for possession, use, or distribution of controlled drugs, substances, or marijuana as defined in chapter 22-42, or for ingesting, inhaling, or otherwise taking into the body any substance as prohibited by § 22-42-15, by a court of competent jurisdiction, that person is ineligible to participate in any extracurricular activity at any secondary school accredited by the Department of Education for one year from the date of adjudication, conviction, diversion, or suspended imposition of sentence. The one-year suspension may be reduced to 60 calendar days. Only days that fall within the approved school calendar will be counted. If the person completes an accredited intensive prevention or treatment program.

Upon a third or subsequent adjudication, conviction, diversion, or suspended imposition of sentence for possession, use, or distribution of controlled drugs or substances or marijuana as defined in chapter 22-42, or for ingesting, inhaling, or otherwise taking into the body any substances as prohibited by § 22-42-15, by a court of competent jurisdiction, that person is ineligible to participate in any extracurricular activity at any secondary school accredited by the Department of Education.

A suspension begins on the day following the notification to a school administrator by the Unified Judicial System that a student has been adjudicated, convicted, the subject of an informal adjustment or court approved diversion program, or the subject of a suspended imposition of a sentence or a suspended adjudication of delinquency for possession, use, or distribution of controlled drugs, substances, or marijuana as defined in chapter 22-42, or for ingesting, inhaling, or otherwise taking into the body any substance prohibited by § 22-42-15 and the school administrator gives notice to the South Dakota High School Activities Association and the students.

## **STUDENT CODE OF ETHICS AND RESPONSIBILITIES**

The member schools of the South Dakota High School Activities Association believe that participation in interscholastic activities is a privilege, which is accompanied by responsibility. Not upholding these standards may result in losing the privilege of representing Lead-Deadwood schools as a participant in an extra-curricular activity. The Administration reserves the right to impart discretion on a case-by-case basis.

- I will respect the rights and beliefs of others and will treat others with courtesy and consideration.
- I will be fully responsible for my own actions and the consequences of my actions.
- I will respect the property of others.
- I will respect and obey the rules of my school and the laws of my community, state and country.
- I will show respect to those who are responsible for enforcing the rules of my school and the laws of my community, state and country.

## **LEAD-DEADWOOD ELIGIBILITY – GOOD STANDING**

Student participants are representatives of Lead-Deadwood schools and should be held to a high standard of excellence. It is the expectation of Lead-Deadwood schools that our student participants, no matter the activity, will be positive representatives of the school and team/program they are participating for as Goldiggers. While we have a no-cut policy for our programs and encourage our students to participate in extra-curricular activities, we also expect those student participants to be in good standing as students under the following guidelines:

1. Attendance – a student who is chronically tardy or absent may be kept back from an activity's practice or competition to make up time missed in a classroom.
2. Behavior – students are held to a basic standard of behavior to stay in a classroom and learn. If that behavior becomes such that it is a detriment to themselves or others, they may be kept out of practice or competition in an extra-curricular activity as well until such time they prove their behavior changes.
3. Discipline – if a student participant earns a detention, in-school suspension, or out of school suspension, that student will be held out of practice and competition and may be excused from the team or group.

Participating in an extra-curricular is a privilege and participants are held to a high standard in order to play, participate and represent Lead-Deadwood schools.

## **SOCIAL MEDIA POLICY**

**Lead-Deadwood schools recognize a persons' right to freedom of speech, expression and association including the use of social networks. Each student and/or coach must remember that they are representatives of Lead-Deadwood and are expected to portray themselves, their team and Lead-Deadwood schools in a positive manner at all times. Remember to be careful not to post pictures that will become public information as well as using caution when posting personal information.**

**Use of disrespectful comments and behavior online will not be tolerated. This includes but is not limited to:**

**\*Comments or photos that depict unlawful or prohibited conduct.**

**\*Derogatory, defamatory, harassing, or discriminatory posts related to teammates, coaches, administration, or others that adversely affect team chemistry.**

**\*Comments that create a danger to the safety of another person or that constitute a credible threat of emotional or physical injury to another person.**

**Situations involving any of the above activities will result in a meeting with the athlete, parents, coach, activities director and/or administration. The results of that meeting could range from just having the meeting to different levels of suspension. Those involved in that decision will be the coach and the administrator.**

**Please refer to the school district policy for further technology and responsibility use procedures.**

## STUDENT SUSPENSION FROM SCHOOL

A student receiving a disciplinary suspension from school (in school suspension) will not practice or compete, participate, or attend any extra-curricular activities during the day(s) of the suspension. A student receiving an out of school suspension is not allowed to practice, compete, participate, or attend any extra-curricular activities during the out of school suspension.

## STUDENT ABSENCES FROM SCHOOL

Students who participate in extra-curricular activities/ club sports at Lead-Deadwood Schools are expected to be students first. Therefore, there is an expectation that students who wish to participate in activities need to be in school to do so. The building administration realizes that at times situations arise that dictate students missing class. Therefore, the following guidelines will be used:

- a. Students who miss class on the day of an activity due to an appointment must provide notification to the school at least one day prior to the events to participate in the activity.
- b. Students must be in school the last (3) three consecutive periods of a school day before he/she can participate in an event or practice held that day.
- c. Students going on school-sponsored trips will be granted an excused absence.

Students who are going to be absent from school due to an activity are responsible for securing assignments and completing work. The coaches/advisors must submit a list of students/participants who will be absent due to an activity to the office at least one day in advance of the event. Students/participants may be kept “home” from activities by the principal or activities director if deemed necessary.

## ELEVATING ACTIVITY PARTICIPATION

### Guidelines for Middle School Student-Athletes Participating in High School Sports

Whenever decisions are made with regards to moving a middle school student up to compete at the high school level, the first consideration shall be whether the student is ready emotionally and socially to accept the responsibility and pressures that may accompany such a move. Middle school is defined as grades 6-8 at Lead-Deadwood Schools.

The basic philosophies regarding activities at Lead-Deadwood Schools are focused on the following:

Middle School- Exploratory, Developmental and Competitive experiences

High School- Developmental and Competitive experiences

Precautions will be taken so that a middle school athlete is not overextended physically, emotionally, or academically by being a member of various teams.

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### Individual Sports:

For the purposes of these guidelines, individual sports will consist of **cross country, track, wrestling, and golf.**

### Team Sports:

For the purposes of these guidelines, team sports will consist of **volleyball, competitive dance, boys' basketball, and girls' basketball.**

The Head Varsity Coach will recommend such a move to the Athletic Director. If the Athletic Director and Principal agree, there will be communication with the parents of the student to be moved to confirm that they agree for their son/daughter to move up to the high school level. Listed below are the two possible conditions for such a move:

A) Students moving up due to their ability must move up at least two levels:

- Basketball or volleyball players would petition up to high school but would need to move to at least the B team - not the C team.

B) Numbers exception for a team, certain position or event for an Individual Sport:

- Players may move up if numbers are low to the point that a JV and Varsity Squad will not be able to function properly with regards to: Participation requirements by the SDHSAA, injuries, or game situations. \*(The numbers exception will not be used to field a C team for the entire year but may be used to prevent a C game or tournament from being cancelled due to special circumstances)
- If a MS student athlete is competing in both MS and HS events, the number of events they are permitted to participate in may be reduced depending on the schedule. When there is a MS event and a HS event on the same day, the student-athlete will be permitted to play no more than the SDHSAA requirements allow.
- A MS student will not be allowed to compete in both MS and HS events that are team sports if he/she is competing at the JV or Varsity level.

**Football:**

Because of the nature of football being a contact sport, moving a student up in the sport of football is a safety issue, so it will not be allowed. Football at the middle school level will be limited to grades 7 and 8 as well.

**DUAL ATHLETIC PARTICIPATION**

A student/participant may participate in two activities during the same season provided that the practice times for both were not in conflict so that a student may not miss any regularly scheduled practice or contest in an activity: thus, eliminating another student from participation in one of the activities.

**LETTERING**

1. All awards will be recommended by the head coaches/advisor to the Activities Director.
2. Coaches/advisors may letter deserving student/participants who have not fulfilled their requirements but deserve to wear the "L". Regular, conscientious attendance at practice or injury/illness that prevent participation are among criteria to be considered even though failing to meet the listed requirements as established by the coaches/advisors, explained to the student/participants and on file in the activity director's office. Only varsity level student/participant can earn an "L".
3. A student/participant may receive only one letter from the school; subsequent awards will be recognized by certificates and pins reflecting the sport in which the student has lettered.
4. Dismissal from or quitting an activity forfeit receiving the "L" and all other honors or recognition.
5. Students may only receive their letter after all school issued uniforms and equipment have been turned in to the head coach/advisor.
6. Students must have "competed" in competition to be eligible for a varsity letter to be earned.

## ATHLETIC AWARDS

Athletes must complete the season in “good standing” in order either to be eligible for any award or to earn special awards. If either hardship case or special situations arise that warrant consideration of whether an athlete should or should not receive an award, the head coach and/or staff will make a recommendation to the activity director for a final decision.

Each athlete will receive a varsity letter when they first meet the requirements to letter in any VARSITY SPORT. The corresponding letter will be represented by the student receiving a pin, which reflects the sport in which he/she lettered. The student may only receive this pin at the end of season awards banquet that will be sponsored by the Booster Club.

### ATHLETIC AWARDS THAT A STUDENT IS ELIGIBLE FOR AT LEAD-DEADWOOD HIGH SCHOOL

1. Participation Award—Award given to a participant who has not met the criteria for lettering but completed the season in good standing.
2. Varsity Letter—as determined by the coaching staff.
3. Seaton Award—Major award given to individual who exemplifies leadership, citizenship, academics, and sportsmanship as determined by the head coach.
4. Special Awards—Special awards for a sport can be given by the head coach with consultation with the activity director.
5. LDHS Gold Letter Award—Plaque given to student who has PARTICIPATED in three different sports sponsored by the SDHSAA for all four high school years. Those seasons are defined as for Boys: Fall (Football, Golf or Cross Country), Winter (Basketball, Wrestling), Spring (Track). Girls: Fall (Cross Country, Volleyball, Dance, and Cheer), Winter (Basketball, Wrestling, Cheer), Spring (Track or Golf).

## ACTIVITY AWARDS

1. **Activity Letter**—Activity letters may be awarded to students who participate in *non-athletic* activities. The criteria for receiving an activity letter will be determined by the advisor and submitted to the Director of Activities. Those non-athletic activities in which a student can earn an activity letter are as follows: Band, Chorus, Drama Performances (includes Fall Play, One Act and Spring play as one entity), Knowledge Bowl, and Speech Teams (includes Oral Interp, Speech/Drama). Recipients will receive a certificate, an activity letter for first time recipients, **and a bar for continued participation/lettering years.**

## SUNDAY/WEDNESDAY EVENING PRACTICES

Practices on Wednesday evening and on Sunday should be avoided if possible. The following should be the procedure when practicing on Wednesday evening and Sunday.

### I. Wednesday Evening

High School:

- a. All practices should be completed and students out of the school building by 6:00 p.m. on Wednesday evenings.

Middle School:

- a. All practices should be completed and students out of the school building by 5:00 p.m. on Wednesday evenings.

## **II. Sunday Practices**

- a. Practices will not occur in school facilities on Sunday morning or on Sunday evening.
- b. Practices may occur on Sunday afternoon in or on school facilities if at least one (1) of the following conditions are met:
  1. The practice must be at the varsity level team only. No Sunday practice for sub varsity middle school teams or programs.
  2. The practice may only occur if there is a scheduled or rescheduled event on the next day (Monday).
  3. The practice may occur if the team is currently involved in State level competition (i.e., Football Playoffs, District/Regional Tournaments, etc.)

In addition, the Ministerial Association must be notified and permission from the Ministerial Association must be granted for said practice to occur. Contact with the Ministerial Association will be made by the superintendent.

## **RACIAL HARASSMENT, VIOLENCE AND TAUNTING IN SDHSAA SPONSORED ATHLETIC AND FINE ARTS ACTIVITIES**

### **I. General Statement of Policy**

The South Dakota High School Activities Association believes that all individuals should be treated with respect and dignity. Students should be able to participate in SDHSAA sponsored activities in an environment that is free from racial slurs, racial harassment and racial discrimination. Furthermore, the SDHSAA disapproves of any form of taunting which is intended or designed to embarrass, ridicule or demean others under any circumstances including on the basis of race, religion, gender or national origin. It shall be a violation of this policy for a participant in SDHSAA activities to engage in racial harassment, racial violence or taunting.

### **II. Definitions**

- A. Racial Harassment:** Racial harassment consists of conduct related to an individual's race when the conduct:
  1. has the purpose or effect of creating an intimidating, hostile or offensive environment; or
  2. has the purpose or effect of emotionally or unreasonably interfering with an individual's performance.
- B. Racial Violence:** Racial violence is a physical act of aggression or assault upon another because of, or in a manner reasonably related to race.
- C. Taunting:** Taunting includes any actions or comments by coaches or players which are intended to bait, anger, embarrass, ridicule or demean others.

## **STUDENT/COACH EJECTION PROCEDURES**

SDHSAA By-Laws state "Any student or coach ejected from an interscholastic contest by game officials will be ineligible for the next regularly scheduled game/meet at that level of competition and all other games/meets in the interim at any level of competition."

If there is an ejection the following procedure must be followed:

1. The local administration (where the student is enrolled or coach is employed) must file a written report, using the appropriate form, notifying the SDHSAA of the ejection.

2. The SDHSAA Office will contact the official involved with the ejection and ask for a written report.
3. A copy of the Official's report will be forwarded to the school's activities director for their review.

A student must appeal his/her ejection to the SDHSAA if it can be verified that his/her actions did not contribute to the disqualification. This applies only to the student athlete who was wrongfully ejected due to recording of an incorrect number by the officials. A basketball coach may appeal the penalty only when he/she is disqualified for indirect technical fouls.

If there is an appeal the following procedure must be followed:

1. The student must make the appeal to the SDHSAA, not the coach/activities director on the student's behalf.
2. If the appeal is granted, the SDHSAA must file a written report explaining their decisions why the appeal was granted.

### **PARENT/COACH COMMUNICATION**

Parenting and coaching are both extremely difficult vocations. Mutual understanding and respect contribute to the acceptance of the action of both parties for the greater benefit of the student. As parents, you need to understand the expectations of specific programs.

#### **EXPECT YOUR CHILD'S COACH TO COMMUNICATE:**

1. Philosophy
2. Expectations of your child as well as all squad members
3. Risk Management procedures
4. Student conduct responsibilities and consequences

As your child becomes involved in student activities, he/she will expect some very rewarding moments and can learn some of life's lessons. There may be times when your child and/or you may be disappointed. The COACH has the knowledge of and experience in the activity, but YOU know the child. At times, a positive dialogue is beneficial.

#### **COACHES EXPECT PARENTS TO COMMUNICATE.**

1. Concerns directly to them
2. Advance notification of conflicting schedules
3. Specific concerns regarding coaching philosophy or expectations
4. About treatment of the child, mentally or physically
5. About ways that a child can improve performance
6. Concerns about the child's behavior or attitude

Coaches are professionals who are involved in highly *competitive*, interscholastic activities. They are expected to make team decisions, based upon what they believe is best for all participants. Certain issues must be left to the discretion of the COACH. **SOME TOPICS ARE NOT APPROPRIATE TO DISCUSS WITH THE COACH:**

1. Playing Time
2. Team Strategy
3. Play Calling
4. Other Students

Hopefully, your child will feel free to communicate with his/her coach. Interaction between parent and coach is also encouraged. IF A PARENT DESIRES A CONFERENCE WITH A COACH, THE FOLLOWING PROCEDURE SHOULD BE USED.

1. Call the coach at school to arrange an appointment. If the coach is not at school, the coach should supply a phone number to the students where he/she can be reached.
2. If the coach is unavailable, please leave a message with the school secretary.
3. PLEASE DO NOT CONFRONT A COACH BEFORE OR AFTER A CONTEST OR PRACTICE. THESE TIMES CAN BE EMOTIONAL FOR BOTH PARENTS AND COACHES. IN ADDITION, THESE SITUATIONS CAN BE DIFFICULT FOR STUDENTS TO OBSERVE AND UNDERSTAND. MEETINGS OF THIS NATURE DO NOT PROMOTE RESOLUTION.
4. Wait 24 hours from the time of the situation that constitutes a parent meeting.

On occasion, a parent-coach meeting does not provide satisfactory resolution. If that is the case, the parent is welcome to schedule a meeting with the activity director by calling 717-2814. If a complaint concerning a coach is made, the activities director will attempt to bring the parent, student, and coach together for the purpose of resolution.

### **PUBLIC AND STUDENT GRIEVANCE PROCEDURE**

The Board of Education recognizes the rights of individuals and groups to present constructive complaints and/or ideas concerning school personnel, the curriculum, instructional materials or concerning school services and school facilities.

In the interest of handling all complaints and/or ideas fairly, expeditiously and at the lowest level, the Board has established the following guidelines:

1. Whenever a complaint or idea is offered directly to the Board as a whole or to an individual board member, the individual or group involved will be advised to take their concern to the appropriate school staff member. This could be a coach, an advisor, the activity director, a principal or the superintendent. The superintendent should try to be, to all intents and purposes, the ultimate authority in the complaint/idea procedure. The superintendent should always immediately be made aware of any complaint/idea being offered. The superintendent should also refer the party to the appropriate level person.
2. The individual or group will be advised of the proper channeling of complaints and ideas, which is as follows:
  - a. Coach/Advisor
  - b. Activities Director
  - c. Superintendent
  - d. Board of Education

A complaint should be resolved within ten (10) working days of receipt if it must reach superintendent level.

A complaint that cannot be resolved at an administrative level may be placed on the agenda for the next regular board meeting.



## MEALS/LODGING

The school district will provide meals for students and coaches/advisors at season culminating, state sponsored competitions. Lodging will also be provided at all season culminating, state sponsored competitions as well as two-day events such as tournaments where the distance is too great to return the same day. Coaches/advisors will be provided meal compensations in such an instance, but not students.

Policy DLC-R

## RIDING TO AND FROM SCHOOL ACTIVITIES

1. Students are to ride to/home from a game or contest in school vehicles; under certain circumstances, with permission of the activity director and approval of the parent and coach/advisor, it would be possible to travel to or from a game or contest other than in a school vehicle. Students must ride home with their own parent, unless prior permission is granted from the AD. All parties must sign approvals one (1) day in advance. Extenuating circumstances may be considered by the administration.
2. Pupils must be on time. The bus cannot wait beyond its regular schedule for those who are tardy.
3. No smoking on the bus at any time. Students are allowed to eat on the bus as long as it gets cleaned up.
4. Unnecessary conversation with the driver is prohibited.
5. Classroom conduct is to be observed by pupils while riding the bus, except for ordinary conversation. No "horseplay" permitted.
6. Pupils must not at any time extend their arms or head out of bus windows.
7. Pupils must not try to get off the bus or move about within the bus while it is in motion.
8. Pupils must observe instructions from the driver when leaving bus.
9. Any damage to a bus by a student must be paid for by the student responsible for the damage.
10. The driver will not discharge riders from places other than the regular bus stop near the home, or at school, unless by proper authorization from parent, the superintendent or principal of the school.

Note: Failure to follow these regulations may result in the suspension from riding the school bus.

## Sportsmanship Guidelines

As adults, teachers, coaches, students, and parents we have the responsibility to ensure that the lessons learned from participation in sports are positive ones. Through competition, young people should be taught the values of trustworthiness, respect, responsibility, fairness, caring and citizenship- not selfish or win at all costs attitudes toward competition.

Our school hopes that coaches, teachers, students, and parents will use the following sportsmanship codes of conduct pages to improve the character of student athletes, fans, and programs.

## CONCUSSION POLICY

The Lead-Deadwood School District desires the safe return to activity for all student/athletes participating in extracurricular physical activities following an injury, but particularly after a concussion. The goal of this policy is to ensure that coaches, school staff, volunteers, student/athletes, and their parents or guardian are aware of the short-term and long-term effects of concussions. That concussed student/athletes are identified, removed from play or practice immediately, and given proper medical attention. Finally, this policy is set so concussed

student/athletes can return to play only after receiving appropriate medical care, which may include taking the Sway test, given time to heal, and are symptom free.

Parents/Guardians, along with all student/athletes in grades 7-12 who participate in SDHSAA sanctioned extracurricular activities will be required to sign concussion awareness forms each year. If they do not, they may not participate.

Any student/athlete who suffers a concussion will be required to have a “Return to Competition, Practice Form” signed by a health care professional, their parents/guardian, and a school administrator before returning to action. A healthcare provider trained and experienced in the evaluation, management, and care of concussions includes a M.D., P.A., N.P., or an Athletic Trainer certified in Sway testing. The Sway test will continue to be a key component in determining a base line for our athletes if they do suffer a possible concussion. Student athletes who do not participate in the Sway test will not receive care related to concussions, other injury related care, or preventive care from the Regional Certified Athletic Trainer regardless of when or where the concussion or other injury occurs. Student athletes who do not participate in the Sway testing, will still be subject to all other requirements of this policy.

## **TITLE IX POLICY**

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

### **1. Title IX Coordinator**

1.1. **Designation.** The district will designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under this policy, who will be referred to as the “**Title IX Coordinator.**” The district will notify applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district, of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator. Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment). This report may be made by any means, including but not limited to, in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. Such a report may be made at any time (including during non-business hours).

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

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

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

2.3. **Formal complaint** means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the district investigate the allegation of sexual harassment. The only district official who is authorized to initiate the Grievance Process for Formal Complaints of Sexual Harassment against a respondent is the Title IX Coordinator (by signing a formal complaint). At the time of filing a formal complaint with the district, a complainant must be participating in or attempting to participate in the district's education program or activity. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator under subsection 1.1 above, and by any additional method designated by the district. As used in this paragraph, the phrase "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the district) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party under this policy or under 34 C.F.R. part 106, and will comply with the requirements of this policy and 34 C.F.R. part 106, including subsections 5.1.3–5.1.4 and 34 C.F.R. § 106.45(b)(1)(iii).

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

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

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

- 2.6.1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;
- 2.6.2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity;
- 2.6.3. **Sexual assault**, as defined in 20 U.S.C. § 1092(f)(6)(A)(v), which means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation:

- 2.6.3.1. **Sex Offenses, Forcible**—Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.
  - 2.6.3.1.1. **Rape**—(Except Statutory Rape) The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
  - 2.6.3.1.2. **Sodomy**—Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity
  - 2.6.3.1.3. **Sexual Assault With An Object**—To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity
  - 2.6.3.1.4. **Fondling**—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity
- 2.6.3.2. **Sex Offenses, Non-forcible**—(Except Prostitution Offenses) Unlawful, non-forcible sexual intercourse.
  - 2.6.3.2.1. **Incest**—Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law
  - 2.6.3.2.2. **Statutory Rape**—Non-Forcible sexual intercourse with a person who is under the statutory age of consent
- 2.6.4. **Dating violence**, as defined in 34 U.S.C. § 12291(a)(10), which means violence committed by a person—
  - 2.6.4.1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
  - 2.6.4.2. where the existence of such a relationship shall be determined based on a consideration of the following factors:
    - 2.6.4.2.1. The length of the relationship.

2.6.4.2.2. The type of relationship.

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

2.6.5. **Domestic violence**, as defined in 34 U.S.C. § 12291(a)(8), which includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

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

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

2.6.6.2. suffer substantial emotional distress.

2.7. **Supportive measures** means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the district's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The district will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

### 3. **Discrimination Not Involving Sexual Harassment.**

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

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

- 3.2.1. Treat one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefit, or service;
- 3.2.2. Provide different aid, benefits, or services or provide aid, benefits, or services in a different manner;
- 3.2.3. Deny any person any such aid, benefit, or service;
- 3.2.4. Subject any person to separate or different rules of behavior, sanctions, or other treatment;
- 3.2.5. Apply any rule concerning the domicile or residence of a student or applicant;
- 3.2.6. Aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit or service to students or employees;
- 3.2.7. Otherwise limit any person in the enjoyment of any right, privilege, advantage, or opportunity.

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

#### 4. **Response to Sexual Harassment**

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

4.2. **General Response to Sexual Harassment.** When the district has actual knowledge of sexual harassment in its education program or activity against a person in the United States, the district will respond promptly in a manner that is not deliberately indifferent. The district will be deemed to be deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances. For the purposes of this policy “education program or activity” includes locations, events, or circumstances over which the district exercised substantial control over both the

respondent and the context in which the sexual harassment occurs. The district's response will treat complainants and respondents equitably by offering supportive measures as defined in subsection 2.7 above to a complainant, and by following the grievance process described in section 5 below before the imposition of any disciplinary sanctions or other actions that are not supportive measures, against a respondent. The Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

4.3. **Emergency Removal.** Nothing in this policy precludes the district from removing a respondent from the district's education program or activity on an emergency basis, provided that the district undertakes an individualized safety and risk analysis, and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. In the event that the district so removes a respondent on an emergency basis, then the district will provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

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

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

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

### 5.1. **General Requirements.**

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

5.1.2. **Objective Evaluation.** This grievance process requires an objective evaluation of all relevant evidence—including both inculpatory and

exculpatory evidence. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.

- 5.1.3. **Absence of Conflicts of Interest or Bias.** The district will require that any individual designated by a recipient as a Title IX Coordinator, investigator, decision-maker, or any person designated by a recipient to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.
- 5.1.4. **Training.** The district will ensure that all individuals or entities described in this Training section 5.1.4 receive training as provided below. Any materials used to train these individuals will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment.
  - 5.1.4.1. **All District Employees and Board Members.** All district employees and board members will be trained on how to identify and report sexual harassment.
  - 5.1.4.2. **Title IX Coordinators, Investigators, Decision-Makers, or Informal Resolution Facilitators.** The district will ensure that Title IX Coordinators, investigators, decision-makers, or any person designated by the district to facilitate an informal resolution process receive training on:
    - 5.1.4.2.1. The definition of sexual harassment in subsection 2.6;
    - 5.1.4.2.2. The scope of the district's education program or activity;
    - 5.1.4.2.3. How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable; and
    - 5.1.4.2.4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.
  - 5.1.4.3. **Decision-Makers.** The district will ensure that decision-makers receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as set forth in subsection 5.6.
  - 5.1.4.4. **Investigators.** The district will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in subsection 5.5.8.



- 5.1.5. **Presumption.** It is presumed that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
- 5.1.6. **Reasonably Prompt Time Frames.** This grievance process shall include reasonably prompt time frames for conclusion of the grievance process, including reasonably prompt time frames for filing and resolving appeals and informal resolution processes if the district offers informal resolution processes. The process shall also allow for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
- 5.1.7. **Range of Possible Sanctions and Remedies.** Following a determination of responsibility, the district may impose disciplinary sanctions and remedies in conformance with this and the district's student discipline policy, and other state and federal laws. Depending upon the circumstances, these policies provide for disciplinary sanctions and remedies up to and including expulsion.
- 5.1.8. **Range of Supportive Measures.** The range of supportive measures available to complainants and respondents include those listed in subsection 2.7.
- 5.1.9. **Respect for Privileged Information.** The district will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
- 5.2. **Notice of Allegations.**
  - 5.2.1. **Initial Notice.** Upon receipt of a formal complaint, the district will provide the following written notice to the parties who are known:
    - 5.2.1.1. A copy of this policy.
    - 5.2.1.2. Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined in subsection 2.6, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice will include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice will inform the parties that they may have an advisor of their choice, who may be, but is

not required to be, an attorney, under subsection 5.5.5, and may inspect and review evidence under subsection 5.5.5. The written notice will inform the parties of any provision in the district's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

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

5.3. **Dismissal of Formal Complaint.**

- 5.3.1. The district will investigate the allegations in a formal complaint.
- 5.3.2. **Mandatory Dismissals.** The district **must** dismiss a formal complaint if the conduct alleged in the formal complaint:
- 5.3.2.1. Would not constitute sexual harassment as defined in subsection 2.6 even if proved;
  - 5.3.2.2. Did not occur in the district's education program or activity; or
  - 5.3.2.3. Did not occur against a person in the United States.
- 5.3.3. **Discretionary Dismissals.** The district **may** dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing:
- 5.3.3.1. The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
  - 5.3.3.2. The respondent is no longer enrolled in or employed by the district; or
  - 5.3.3.3. Specific circumstances prevent the district from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
- 5.3.4. Upon a dismissal required or permitted pursuant to subsections 5.3.2 or 5.3.3 above, the district will promptly send written notice of the dismissal and an explanation of that action simultaneously to the parties.
- 5.3.5. Dismissal of a formal complaint under this policy does not preclude the district from taking action under another provision of the district's code of conduct or pursuant to another district policy.

**5.4. Consolidation of Formal Complaints.** The district may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references in this policy to the singular “party,” “complainant,” or “respondent” include the plural, as applicable.

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

- 5.5.1. Designate and authorize one or more persons (which need not be district employees) as investigator(s) to conduct the district’s investigation of a formal complaint;
- 5.5.2. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the district and not on the parties provided that the district cannot access, consider, disclose, or otherwise use a party’s records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional’s or paraprofessional’s capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the district obtains that party’s voluntary, written consent to do so for a grievance process under this section (if a party is not an “eligible student,” as defined in 34 CFR 99.3, then the district will obtain the voluntary, written consent of a “parent,” as defined in 34 CFR 99.3);
- 5.5.3. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- 5.5.4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- 5.5.5. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
- 5.5.6. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
- 5.5.7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the

allegations raised in a formal complaint, including the evidence upon which the district does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the district will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least 10 calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report; and

- 5.5.8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 calendar days prior to the time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

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

## 5.7. **Determination Regarding Responsibility**

- 5.7.1. **Decision-Maker(s).** The decision-maker(s) cannot be the same person as the Title IX Coordinator or the investigator(s).
- 5.7.2. **Written Determination.** The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker(s) will apply the preponderance of the evidence standard. The written determination will include:
  - 5.7.2.1. Identification of the allegations potentially constituting sexual harassment as defined in subsection 2.6;
  - 5.7.2.2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
  - 5.7.2.3. Findings of fact supporting the determination;

- 5.7.2.4. Conclusions regarding the application of the district's code of conduct to the facts;
- 5.7.2.5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided by the district to the complainant; and
- 5.7.2.6. The district's procedures and permissible bases for the complainant and respondent to appeal.

5.7.3. The district will provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the district provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

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

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

5.8.1. **Time for Appeal.** Appeals may only be initiated by submitting a written Notice of Appeal to the Office of the Superintendent of Schools within ten (10) calendar days of the date of the respective written determination of responsibility or dismissal from which the appeal is taken. The Notice of Appeal must include (a) the name of the party or parties making the appeal, (b) the determination, dismissal, or portion thereof being appealed, and (c) a concise statement of the specific grounds (from subsection 5.8.2 below) upon which the appeal is based. A party's failure to timely submit a Notice of Appeal will be deemed a waiver of the party's right to appeal under this policy, 34 C.F.R. part, 106, and Title IX.

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

- 5.8.2.1. Procedural irregularity that affected the outcome of the matter;
- 5.8.2.2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- 5.8.2.3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or

respondents generally or the individual complainant or respondent that affected the outcome of the matter.

5.8.3. As to all appeals, the district will:

- 5.8.3.1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
- 5.8.3.2. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
- 5.8.3.3. Ensure that the decision-maker(s) for the appeal complies with the standards set forth in subsections 5.1.3–5.1.4.
- 5.8.3.4. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- 5.8.3.5. Issue a written decision describing the result of the appeal and the rationale for the result; and
- 5.8.3.6. Provide the written decision simultaneously to both parties.

5.9. **Informal Resolution.** The district will not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this section. Similarly, the district will not require the parties to participate in an informal resolution process under this section and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the district may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the district:

5.9.1. Provides to the parties a written notice disclosing:

- 5.9.1.1. The allegations;
- 5.9.1.2. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations;
- 5.9.1.3. That at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
- 5.9.1.4. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;

- 5.9.2. Obtains the parties' voluntary, written consent to the informal resolution process; and
- 5.9.3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

**5.10. Recordkeeping.**

- 5.10.1. The district will maintain for a period of seven years records of:
  - 5.10.1.1. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the district's education program or activity;
  - 5.10.1.2. Any appeal and the result therefrom;
  - 5.10.1.3. Any informal resolution and the result therefrom; and
  - 5.10.1.4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The district will make these training materials publicly available on its website, or if the district does not maintain a website then the district will make these materials available upon request for inspection by members of the public.
- 5.10.2. For each response required under section 4, the district will create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the district will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the district's education program or activity. If the district does not provide a complainant with supportive measures, then the district will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the district in the future from providing additional explanations or detailing additional measures taken.

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

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

**7.1. General Standard.** Except as provided in this section or otherwise in 34 C.F.R. part 106, the district will not provide or otherwise carry out any of its education programs

or activities separately on the basis of sex, or require or refuse participation therein by any of its students on the basis of sex.

- 7.1.1. **Contact sports in physical education classes.** This section does not prohibit separation of students by sex within physical education classes or activities during participation in wrestling, boxing, rugby, ice hockey, football, basketball, and other sports the purpose or major activity of which involves bodily contact.
  - 7.1.2. **Ability grouping in physical education classes.** This section does not prohibit grouping of students in physical education classes and activities by ability as assessed by objective standards of individual performance developed and applied without regard to sex.
  - 7.1.3. **Human sexuality classes.** Classes or portions of classes that deal primarily with human sexuality may be conducted in separate sessions for boys and girls.
  - 7.1.4. **Choruses.** The district may make requirements based on vocal range or quality that may result in a chorus or choruses of one or predominantly one sex.
- 7.2. **Classes and Extracurricular Activities.** The district may provide nonvocational single-sex classes or extracurricular activities as permitted by 34 C.F.R. part 106.
8. **Athletics.** It is the policy of the district that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person or otherwise be discriminated against in any interscholastic, club, or intramural athletics offered by the district, and that the district will not provide any such athletics separately on such basis.
- 8.1. **Separate Teams.** Notwithstanding the foregoing paragraph, the district may operate or sponsor separate teams for members of each sex where selection for such teams is based upon competitive skill or the activity involved is a contact sport.
  - 8.2. **Equal opportunity.** The district will provide equal athletic opportunity for members of both sexes. Unequal aggregate expenditures for members of each sex or unequal expenditures for male and female teams will not constitute noncompliance with this section.
9. **Certain Different Treatment on the Basis of Sex Permitted.** Nothing herein shall be construed to prohibit the district from treating persons differently on the basis of sex as permitted by Title IX or 34 C.F.R. part 106. For example, and without limiting the foregoing, the district may provide separate toilet, locker room, and shower facilities on the basis of sex, but such facilities provided for students of one sex shall be comparable to such facilities provided for students of the other sex.
10. **Retaliation Prohibited.** Neither the district nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, 34 C.F.R. part 106, or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to



participate in any manner in an investigation, proceeding, or hearing under this policy. The district will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. § 1232g, or FERPA regulations, 34 C.F.R. part 99, or as required by law, or to carry out the purposes of 34 C.F.R. part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation may be filed according to shall be addressed pursuant to Board Policy AC.

#### **10.1. Specific Circumstances.**

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

10.1.2. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this part does not constitute retaliation prohibited under this section, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

11. **Notification of Policy.** The district will notify applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district of the existence of this policy. The requirement to not discriminate, as stated in Title IX and 34 C.F.R. part 106, in the district's education program(s) or activities extends to admission and employment, and inquiries about the application of Title IX and 34 C.F.R. part 106 to the district may be referred to the district's Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

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

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

14. **Scope of Policy.** Nothing herein shall be construed to be more demanding or more constraining upon the district than the requirements of Title IX (20 U.S.C. § 1681) and 34 C.F.R. part 106. To the extent that the district is in compliance with Title IX and 34 C.F.R. part 106, then all of the district's obligations under this policy shall be deemed to be fulfilled and discharged.