

## 7-12 DETENTION HALL PROCEDURES

700

1. Time will be spent after school.
2. Student will spend 20 minutes for each infraction. This time will be spent the day following the infraction, so the parents can be notified.
3. The students will not be allowed to speak during this time.
4. Any teacher or immediate supervisor may assign a student to detention time.
5. Failure to comply will place the student on in-school suspension.
6. Teachers will supervise the detention hall on a rotation basis.

## CLASSROOM SUSPENSION PROCEDURES

701

1. **FIRST OFFENSE:** Student is sent to the principal's office and takes a zero for that period.
2. **SECOND OFFENSE:** Student is sent to the principal's office. They must call their parents and inform the parents about being removed from class. The student takes a zero for that day **PLUS** is removed from that class on the following day.
3. **THIRD OFFENSE:** The student is sent to the principal's office. The parents are called for a conference. The student takes a zero for that day and is removed from the class for the following **TWO** days.
4. **FOURTH OFFENSE:** The student is removed from class permanently, upon School Board approval. They will be allowed to take the class the following year. (See Student Due Process)
5. In the case of a flagrant violation, step three will be implemented immediately.

## THE PARENT

702

When there is a specific assignment, the best way for parents to help a child learn is by offering support when it is requested. At the same time, limits need to be set so children learn to work independently. Even when children do not have specific assignments due, parents can be helpful by listening when children talk about school and by expressing interest in classroom work and school activities.

In helping students with homework, parents should:

- A. Show interest in the student's work.
- B. Encourage the student and offer counsel, but insist that the student do his/her work.
- C. Provide a suitable place for study, free from distraction.
- D. Check to see that the homework assignments are completed.
- E. Assist in balancing schoolwork with other activities. If possible, establish regular study times.
- F. Talk with teachers if assignments seem to be causing continuing problems.
- G. Sign off homework when requested by the teacher.

## THE STUDENT

703

Homework is an opportunity for students to show their real capabilities and to further their educational growth. Teachers can provide assignments, and parents can provide good study conditions and encouragement. However, it is the student who must do the work.

To do a good job in homework, students should:

- A. Listen carefully to all directions about assignments.
- B. Ask questions if the assignment is not clear.
- C. Have a definite time and place for study, free from interruptions and supplied with working materials.
- D. Begin assignments promptly and turn in assignments when due.
- E. Strive for the best results, rather than the minimum, which will be accepted.

Take the initiative to make up work missed because of absence.

**DEUBROOK AREA SCHOOLS  
ACCEPTABLE USE POLICY**

704

**Objectives of Internet Access/E-Mail-Acceptable Use Policy**

INTERNET ACCESS INFORMATION for Parents, Students, Faculty and Patrons of Deubrook Area Schools.

Please read the following Terms and Conditions for the use of the Internet/E-Mail carefully before signing this document. This document is intended to be binding upon those signing.

Internet access/E-Mail is now available to students and teachers within the Deubrook Area Schools District. We are very pleased to bring this access to the district and believe the Internet/E-Mail offers vast, diverse, and unique resources to both students and teachers. Our goal in providing this service to teachers and students is to promote educational excellence in our school by facilitating resource sharing, innovation and communication.

The Internet is an electronic highway connecting thousands of computers all over the world and millions of individual subscribers. Students and teachers have access to:

1. Electronic mail communication
2. Information and news
3. Resources that enhance curricular content

With access to computers and people all over the world also comes availability of material that may not be considered to be of educational value in the context of the school setting. We ask the user to police his/her own activities. We further believe that the valuable information and interaction on this worldwide network far outweighs the possibility that users may procure material that is not consistent with our educational goals.

Internet access/E-Mail is coordinated through a complex association of government agencies and regional and state networks. In addition, the smooth operation of the network relies upon the proper conduct of the end users who must adhere to strict guideline. These guidelines are provided here so that you are aware of the responsibilities you are about to acquire. In general, this requires efficient, ethical, and legal utilization of the network resources. If a Deubrook Area Schools user violates any of these provisions, his or her access will be terminated and future access could possibly be denied. The enforcement will be determined by CEO/Supt., building principal, and tech. coordinator. The signature(s) at the end of this document is (are) legally binding and indicates the party(ies) who signed has (have) read the terms and conditions carefully and understand(s) their significance.

**Terms and Conditions-Acceptable Use Policy (Part 2)**

1. **Acceptable User:** The purpose of NSFNET, which is the backbone to the Internet, is to support research and education in and among academic institutions in the U.S. by providing access to unique resources, and education in, and opportunity for collaborative work. School use must be in support of education and research and consistent with educational objectives. Use of other organization's network and computing resources must comply with the rules appropriate for that network. Transmissions of any material in

DEUBROOK AREA SCHOOL  
POLICY HANDBOOK

2004-2005

violation of any U.S. or state regulation are prohibited. This includes, but is not limited to, copyrighted material, threatening or obscene material, or material protected by trade secret. Use of product advertisement or political lobbying is also prohibited. Use for commercial activities is generally not acceptable.

2. **Privilege:** The use of the Internet/E-Mail is a privilege, not a right, and inappropriate use will result in a cancellation of those privileges. Each person who wishes to access the Internet will participate in training pertaining to the proper use of the network prior to receiving access. The system administrator and teachers will deem what is inappropriate use and their decision is final. The district may deny, revoke, or suspend specific user access.
3. **Netiquette:** Users are expected to abide by the general accepted rules of network etiquette. These include, but are not limited to, the following:
  - a. Be polite. Users messages should not be abusive to others.
  - b. Use appropriate language. Do not swear, use vulgarities, or any other language deemed inappropriate.
  - c. Do not reveal users personal address or phone number. Do not reveal the personal addresses and/or phone numbers of fellow students or colleagues.
  - d. Illegal activities are strictly forbidden.
  - e. Note that electronic mail (e-Mail) is not guaranteed to be private. People who operate the system have access to all mail. Messages relating to or in support of illegal activities may be reported to the authorities.
  - f. Do not use the network in any way that would disrupt network services for other users.
  - g. All communications and information accessible via the network should be assumed to be private property.
4. **Non-Liability:** Deubrook Area Schools makes no warranties of any kind, whether expressed or implied, for the service it is providing. Deubrook Area School will not be responsible for any damages suffered. This includes loss of data resulting from delays, nondeliveries, misdeliveries, or service interruptions caused by negligence, errors or omissions. Use of any information obtained via Deubrook Area Schools is at the user's own risk. Deubrook Area Schools is not responsible for the accuracy or quality of information obtained.
5. **Security:** Security on any computer system is a high priority, especially when the system involves many users. If you feel you can identify a security problem on the Internet, you must notify a teacher who will in turn notify a system administrator. Do not use another individual's account. Attempts to login to Internet as a system administrator will result in cancellation of user privileges. Any user identified as a security risk or having a history of problems with other computer systems may be denied access to Internet.
6. **Vandalism:** Vandalism will result in cancellation of privileges. Vandalism is defined as any malicious attempt to harm or destroy hardware, data of another user, Internet, or any agencies or other networks that are connected to the NSFNET Internet backbone. This includes, but is not limited to, the uploading or creation of computer viruses.
7. **Exception of Terms and Conditions:** All terms and conditions as stated in this document are applicable to Deubrook Area Schools, in addition to NSFNET. These terms and conditions reflect the entire agreement of the parties and supersede all prior oral or written agreements and understandings of the parties.

DEUBROOK AREA SCHOOL  
POLICY HANDBOOK

**Application - Acceptable Use Policy (Part 3)**

**DEUBROOK AREA SCHOOLS DISTRICT INTERNET USER APPLICATION**

User's Full Name \_\_\_\_\_

Home Address \_\_\_\_\_

Home Phone \_\_\_\_\_

I am a(n)      \_\_\_\_\_ Administrator      \_\_\_\_\_ Teacher      \_\_\_\_\_ Staff      \_\_\_\_\_ Patron

                  \_\_\_\_\_ Deubrook Area School student      I will graduate in \_\_\_\_\_

I understand and will abide by the terms and conditions for Internet/E-Mail access. I further understand that any violation of the regulations is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked, school disciplinary and/or appropriate legal action may be taken.

User Signature \_\_\_\_\_ Date \_\_\_/\_\_\_/\_\_\_

**Parent or Guardian** (If the user is under the age of 18, a parent or guardian must also read and sign this agreement.)

As a parent or guardian of this student, I have read the terms and condition for Internet/E-Mail access. I understand that this access is designed for educational purposes and that the DAS has taken available precautions to eliminate controversial material. However, I also recognize it is impossible for the DAS to restrict access to all controversial materials and I will not hold the DAS responsible for materials acquired on the network. Further, I accept full responsibility if and when my child's use is not in a school setting. I hereby give my permission to grant access for my child and certify that the information on this form is correct.

Parent or Guardian (please print): \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_/\_\_\_/\_\_\_

FOR OFFICE USE:
Training _____ Signed _____ Date ___/___/___

## HEAD LICE POLICY

705

It is the policy of the school that when a case of head lice has occurred, the school will send a note home to all parents. Public Health will be notified, and parents of infected children will be instructed in the manner of treatment. Students may return to school as soon as they are treated, are inspected by school officials and are lice free (all stages, including nits). Additional follow up inspections will be made at one and two weeks.

## BIRTH CERTIFICATES

706

SDCL 13-27-3.1 requires a certified copy of a birth certificate or affidavit in lieu of birth certificate as issued by the Department of Health in such cases where the original birth certificate is deemed unattainable for newly enrolled students attending any public school, non-public school or alternative instruction program to be presented within 30 days of initial enrollment. A violation of this section is a Class 2 misdemeanor. Failure of presenting a birth certificate or affidavit within the time line will result in reporting this misdemeanor to the State's Attorney (SDCL 13-27-3.3).

## IMMUNIZATIONS

707

The Compulsory Childhood Immunization Law (SDCL 13-28-7.1) that went into effect in 1977 requires that any pupil entering school shall prior to admission be required to present to school authorities certification that he/she has received adequate immunization for childhood diseases.

## ATTENDANCE

708

Regular attendance is a **RESPONSIBILITY** of each student. Many present and future employers will look at your attendance records and make a decision as to your reliability.

If you are ill, we want you to stay home and rest until you feel better. You cannot do good work when you are ill, and you may infect your fellow students by coming to school when you should be at home. But – when you are feeling better, we want you back in school.

**K-12:** Parents or guardians of students are responsible to notify the school if their child will be absent or has been absent.

- a. The morning the child will be absent, parents or guardians are to call the school stating the reason the child will be absent.
- b. If parents or guardians fail to call the school prior to the start of the school day, the school will call the parent or guardian (home or at work) and inquire as to the nature of the child's absence.
- c. If the parent or guardian could not be reached (home or at work), a note will be expected at the time the child returns to school. (The note should state the reason for the absence, date of the absence and bear the parent's or guardian's signature). Notes for absences may be verified by phone.
- d. Parents or guardians who know that their child will be absent are expected to call the school or send a note with their child prior to the absence. (Students are expected to make up as much work as possible in advance of the absence.)

**FAILURE OF THE PARENT OR GUARDIAN TO CALL THE SCHOOL OR SEND A NOTE WHEN THEIR CHILD IS ABSENT WILL CAUSE THAT ABSENCE TO BE TREATED AS UNEXCUSED.**

## DEUBROOK AREA SCHOOL POLICY HANDBOOK

Any time a student arrives after the beginning of the school day, they must report to the school office before going to any classes. The parent or guardian of the student(s) should have called the school office prior to the student(s) coming to school or when the student(s) arrive they should have a written excuse signed by the parent or guardian stating the reason the child was not in school at the beginning of the school day.

Any time it is necessary for a student to leave prior to the end of the school day, they are to report to the school office before they exit the school building. The parent or guardian of the student(s) should have called the school office prior to the student(s) leaving school or the student(s) should have a written excuse signed by the parent or guardian stating the reason the child must leave school prior to the end of the school day, **The school has the right to not allow the student(s) to leave the school building prior to the end of the school day if no phone call or written excuse is received.**

When a student is absent from school, either excused or unexcused, the student is expected to report to the school office prior to attending classes the day that they return to school. **At this time the school will verify the student's absence and request a written excuse signed by the parent or guardian if no prior notification was received by the school.**

**STUDENT REMINDER:** Students are required to be in school a half day (present for a minimum of three full class periods in the school's seven period day) before he/she can participate in a school event, including practices. If there are special circumstances as to the student's absence, the school building principal should be contacted and he/she will make a ruling if the student can participate in the scheduled school event or practice. If a student is absent from school for the entire day, it is recommended that the parent or guardian does not allow the student to attend a school-sponsored event.

### ABSENCE

**K-12:** The following excuses for absences **WILL BE** accepted by the school and will be **EXCUSED:**

- a. Illness.
- b. Illness or death in the immediate family.
- c. Emergency medical or dental attention:  
Efforts should be made to make doctor and /or dental appointments before or after school or on Saturday. A parent or guardian is expected to call the school or send a note with their child if the student will be absent for a doctor or dental appointment.
- d. Family trips.
- e. Trips for school activities.
- f. Absences for parental or legal reasons.

The following excuses for absences **WILL NOT BE** accepted by the school and will be **UNEXCUSED.** Unexcused absences are those student absences that occur with/without the knowledge and consent of parent or guardian.

- a. Truancy.
- b. Suspension from school (in school or out of school suspension).
- c. Oversleeping (failure to arrive at school on time due to the fact that you did not get out of bed in time).
- d. Court appearance (appearing in court due to violation of the law).
- e. Spending time in jail.

DEUBROOK AREA SCHOOL  
POLICY HANDBOOK

2004-2005

Grade 7-12 student will be counted absent from a period if they are not present during the first twenty (20) minutes of that period. Elementary students will be counted half day absent if they arrive one hour or more late or if they leave one hour or more early. For all **EXCUSED** absences, work shall be made up and the students given full credit for such work if it is completed in the time allowed. Teachers will determine how much time will be allowed to get work made up, based upon time absent. Failure of a student to get work made up in the allotted time will result in zero for that work. If an absence is **UNEXCUSED**, the student will be given a zero for the work graded during the **UNEXCUSED** absence. Teachers are not expected to remind the student of their make-up assignments. This is the **STUDENT'S RESPONSIBILITY**.

All students, 7-12, can be absent from a class a maximum of five (5) times during a semester. These five (5) absences from a class will include excused absences (ex. medical appointments, dental appointments, illness, working at home) and unexcused absences. An absence due to a school-sponsored activity will not be included in the five (5) absences. Students who exceed the five (5) absences during a semester will be required to make up the class time missed. Make up time will be the same as the class period missed. The make up time for excessive absences will be on Saturdays with the student spending a minimum of two (2) hours. Two Saturdays a month will be designated as make up days with supervision provided from 8:00 a.m. to 12:00 noon. Parents will be responsible for getting their child to and from the designated site. A review committee will be set up to review the student's excessive absences. Parents of children in K-12 will be notified according to the following guidelines. Elementary students will not be subject to Saturday school.

- a. 3<sup>rd</sup> absence: Parents or guardian will be notified in writing stating that their child has been absent from a class(es) or school three (3) times.
- b. 5<sup>th</sup> absence: Parents or guardian will be notified in writing stating that their child has been absent from a class(es) or school five (5) times and any additional absences will result in time made up on Saturdays. Parents or guardian will be asked to meet with the school building principal concerning their child's attendance.
- c. Any absence above five (5), parents or guardian will be notified in writing that their child has exceeded the allowable five (5) absences. The student will be required to make up time on the designated Saturday(s) for the excessive absence. The parent or guardian may ask the review committee to review their student's absences. Failure of the student to show up for the assigned Saturday will cause that student to be placed in in-school suspension and assigned two additional Saturdays. If a student feels that they are being punished unfairly, they may follow the student grievance policy.
- d. 15<sup>th</sup> absence: Parents will be notified in writing that their child has been absent from the class(es) or school for the fifteenth time. Student will be removed from the class(es) missed and will receive no credit. If a student feels that they are being punished unfairly, they may follow the student grievance policy.
- e. Students absent from class(es) or school ten (10) times or longer will be denied CA privileges for the following semester of enrollment. If a student feels that they are being punished unfairly, they may follow the student grievance policy.

There may be special circumstances concerning a student's absence that may merit consideration. A request for special consideration of a student's absences in regards to the steps listed above is to be made in writing to the school building principal. The request must state reasons why special consideration should be given to step c, d, and e. The school building principal, after reviewing the written request, will determine if the request should be approved.

## DEUBROOK AREA SCHOOL POLICY HANDBOOK

### TARDINESS

It is very important that students form good habits for adult life. Being on time is one good habit that every student can and must form. A student will be considered tardy if he/she is not in his/her class when the bell rings. Students will be considered tardy during first period if they come late to class during the first twenty (20) minutes. Students who are absent at the beginning of the school day or leave during the school day will not be marked tardy upon their return to school and enter the classroom during a class period. A student will be allowed two (2) tardies during a given semester.

- a. Students who exceed the two (2) tardies during a semester will be required to make up time on Saturdays. Students will make up one (1) hour for every tardy past two (2). A review committee will be set up to review the student's excessive tardies. A parent or guardian may request the review committee to review the student's tardiness.
- b. Two (2) Saturdays a month will be designated as make up days with supervision provided from 8:00 am. to 12:00 noon. Parents will be responsible for getting their child to and from the designated site. Failure of the student to show up for the assigned Saturday will cause that student to be placed in in-school suspension and assigned one additional Saturday.

### SPORTS POLICY

709

#### TRAINING RULES:

New training rules adopted on 8-12-02 by Board of Education.

#### LETTER TO THE PARTICIPANT:

Approved on 8-12-02 by Board of Education as part of the training rules.

#### FOLLOWING GROUPS WILL BE COVERED BY THE TRAINING RULES:

Approved on 8-12-02 by Board of Education as part of the training rules.

1. Student Athlete (Football, Girls Basketball, Cross Country, Boys Basketball, Volleyball, Track, Boys Golf, and Girls Golf).
2. Managers (For all sports listed in #1).
3. Cheerleaders (For all sports in which Deubrook Area High School has cheerleaders – Varsity and Junior Varsity).
4. Statistician (For all sports listed in #1).

#### ACADEMIC TRAINING RULES:

(1.6 GPA calculated every 4 ½ weeks) for all school organizations/activities. Academic ineligibility would apply to those activities not directly sponsored by Deubrook Area Jr./Sr. High School.

**DEUBROOK JR. AND SR. HIGH  
PARTICIPATION RULES AND REGULATIONS**

(Adopted by Board of Education on August 12, 2002)

**STATEMENT OF PHILOSOPHY**

As professional people and as a public school district, we feel that extracurricular activities can be a very positive experience and we hope that this is the case for all participants. The intent of our training policy is to be very positive in our attitude toward the Deubrook Area Public School Extracurricular Program. We are not looking for reasons to remove participants from our program, but rather hoping to avoid a situation that may automatically remove someone from a program because of an accident or similar accident. We are proud of the programs offered at Deubrook and extremely proud of the individuals who make up the programs....THE PARTICIPANTS.

**PARTICIPANT:** Shall be defined as any student participating in district approved activities.

**CONDUCT/ELIGIBILITY RULES**

1. Any participant must maintain a 1.6 (C-) grade point average to be eligible to participate in extracurricular activities. Each participant's grade point average will be checked every 4 1/2 weeks during the academic year. Participants will not be eligible in any contest for 4 1/2 weeks if their grades do not meet the requirements above. They will be required to be at all practices during the time of ineligibility. Each participant will also have to meet South Dakota High School Activities Association guidelines to be eligible each semester.
2. Each student entering the ninth (9<sup>th</sup>) grade at Deubrook Area High School will be eligible to participate in extra-curricular activities on the first day of practice of the first semester. The 1.6 grade point average will be followed when grades are reviewed at midterm of the first nine weeks.
3. These rules and regulations will be applied from the beginning of the first practice session of the fall season to the completion of the final event of the last spring activity.
4. Any participant who uses, possesses, acquires, delivers, or transports any alcoholic beverages, illegal drugs, or tobacco in any form, shall be subject to the penalties as defined under the penalty section of this policy.
5. Proof of stealing on school premises or at school-sponsored functions may cause a participant to be subject to the penalties as defined under the penalties section of this policy. The activities director may exercise his/her discretion in this matter.
6. The participant will have to be in school three (3) consecutive periods before he/she can participate in an event or practice held that day. This is in accordance with South Dakota High School Activities Association rules.
7. Any participant is expected to keep good training hours. These hours can be altered by the coach/director when he/she deems necessary. Participants shall be subject to the penalties as defined under the penalty section of this policy. The following hours should be kept:  
Sundays and Weekdays:.....10:30 p.m.  
Fridays and Saturday:.....12:30 a.m.

If there are activities/games on successive nights, the participants are to be HOME ½ hour AFTER A HOME ACTIVITY/GAME or ½ HOUR AFTER the participant departs the bus from an away activity/game. If you have to work, give prior notification to the coach/director or administration.

8. Any district athletic equipment or uniforms check out to the participant is the participant's responsibility. All equipment or uniforms must be cared for during the sport season and returned at the conclusion of the sport season in appropriate condition.

## DEUBROOK AREA SCHOOL POLICY HANDBOOK

The participant will reimburse the school district for any missing equipment or uniforms. The participant will forfeit all awards and will not be eligible for the following season until the equipment or uniforms are paid for or returned.

9. Any responsible adult may turn in a participant who is violating training rules or regulations. The violation must be verifiable. School personnel are obligated to report any alleged violation. Due Process will be followed.

### **PENALTIES**

The disciplinary action that may be imposed is detailed below. The activities director will be allowed to exercise professional discretion in the administration of these penalties.

#### **FIRST VIOLATION:**

After confirmation of the first violation, the student shall lose eligibility for four events or four weeks, whichever is longer, in each activity in which the student is presently involved. A student who voluntarily reports the violation to the activities director or building principal shall lose eligibility for only one event or one week, whichever is longer, in each activity in which the student is presently involved. If the violation occurs between seasonal activities or when a student is not involved in any activities, the penalty will be imposed in the next seasonal activity in which the student may be participating. (For example, a non-participating student violates rules in the spring would receive their penalty in the following school year).

Because the number of non-athletic events is fewer than the number of athletic events, a student may lose eligibility for only one non-athletic event for a first violation. The activities director will have an approved list of events, which will be shared with the students at the start of the school year and posted in their classrooms.

#### **SECOND VIOLATION:**

After confirmation of a second violation, the student shall lose eligibility for all activities for the remainder of the school year. The student also will not be eligible for any awards earned in those activities.

### **STATE LAW DRUG VIOLATIONS**

#### **FIRST VIOLATION**

Any student adjudicated, convicted, or the subject of a suspended imposition of sentence for possession of a controlled substance or marijuana as defined in Chapter 22-42 will be declared ineligible for all extra-curricular at any secondary school accredited by the South Dakota Department of Education for one year or until the student has successfully completed a 30 day in-patient chemical dependency course conducted by a certified chemical dependency counselor and the student must test negative at this time before being reinstated to the program. This excludes alcohol and tobacco violations. This is in accordance with SD Codified Law 13-32-9.

#### **SECOND VIOLATION**

Any subsequent controlled substance or marijuana violation will result in the student being declared ineligible for all extra-curricular activities while attending any school accredited by the South Dakota Department of Education.

#### **COMMENTS ON THE RULES**

All other reasonable rules and regulations adopted by the coach/advisor of a particular activity which in or of themselves are not basis for a suspension or dismissal, shall be

followed, provided the participants have been notified of such rules by written handouts and bulletin board postings, prior to the beginning of an activity. The Deubrook Area School District retains an active membership in the South Dakota High School Activities Association and in doing so, approves and abides by the constitution and By-laws, which are on file with the superintendent, high school principal and the activities director.

#### **A WORD TO THE PARTICIPANT**

If you become involved in a violation unbeknown to you until that exact time, you should remove yourself from the situation as soon as possible. If you feel it necessary, you should advise your coach/director as soon as possible of the situation.

### **STUDENT COMPLAINTS AND GRIEVANCES**

**711**

The Board recognizes that there may be conditions in the school district that are in need of improvement and that students have some means by which their concerns may be effectively expressed, considered, and dealt with fairly. Such means, if well conceived and understood in advance, can do much to maintain harmonious relationships between the schools and the students and community.

The Board desires student complaints and grievances to be resolved through orderly processes and at the lowest possible level, but that channels be provided for eventual hearing by the Board in instances when this becomes necessary. Therefore:

1. Any student or his/her parents or guardian will be provided the opportunity to discuss with the student's teacher a decision or situation which he/she considers unjust or unfair.
2. If the incident remains unresolved, the student or his/her parents or guardian or the teacher, may bring the matter to the building principal's attention for his consideration and action.
3. The student may also bring a matter of general student concern to the attention of class officers or the student council for possible presentation to the principal.
4. If the matter is still unresolved after the procedure outlined above, it may be brought to the CEO/Superintendent for his/her consideration.
5. Complaints that remain unresolved following any action of the CEO/Superintendent may be referred in writing to the Board for review.

The Board's decision will be final unless an appeal hearing is requested.

DEUBROOK AREA SCHOOL  
POLICY HANDBOOK

**STUDENT GRIEVANCE FORM**

A grievance is defined as a complaint in writing presented by a student to the school staff/authorities alleging one or more of the following:

- A. That a rule is unfair; and/or
- B. That a rule in practice discriminates against or between students based on sex, age, race, color, religion, national origin, or handicap; and/or
- C. That school personnel used an unfair procedure in assessing a form of punishment against a student.

**COMPLAINT**

Check One Blank:

Teacher	Level 1 _____
Principal	Level 2 _____
Superintendent	Level 3 _____
School Board	Level 4 _____

I, \_\_\_\_\_, hereby file a grievance complaint to  
(Student's Name)

My grievance is based on: A. ( ) ; B. ( ) ; C. ( ) above. (More than one may be checked.)

Specifically, my grievance is that \_\_\_\_\_

I hereby petition for a hearing on my grievance at the convenience of the school's personnel, but in no event later than five school days from the date of this petition.

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

The student may be represented at the conference by an adult, but the student must be present to elaborate on his/her grievance at the given time and place of the conference. Failure to appear at the appointed time and place effectively waives the student's right to the conference provided by the school, unless extenuating circumstances make it impossible for the student to appear.

**SCHOOL'S RECORD**

Date Received \_\_\_\_\_

Date of Conference \_\_\_\_\_

Place of Conference \_\_\_\_\_

Time of Conference \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Resolution: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Signature of School Representative

## **MUSIC TRIPS (BAND AND CHORUS)**

712

A student must be in the program three (3) consecutive semesters – two (2) previous and the semester of the trip – in order to travel with the group. Any exceptions to this policy will be handled at the discretion of the music teacher, principal, and the officers of the Music Parents Organization.

## **ALCOHOL AND OTHER DRUG USE BY STUDENTS**

713

The following document outlines policy on student use of alcohol and other drugs in the school district. This policy is in effect on premises owned, leased or maintained by the school district, at all school related activities on and off campus, on vehicles used to transport students to and from school or at other activities and in vehicles parked on school property. Student and parent members of the school community are expected to know and understand the policy provisions and its mandatory nature. A copy of the policy will be provided to all students and parents.

A student shall not possess, use, distribute, transfer, conceal, sell, attempt to sell, deliver, nor be under the influence of alcohol and/or other drugs that affect the educational process of the school. Students shall not engage in alcohol and/or other drug use/abuse, nor possess paraphernalia specific to the use of alcohol and/or other drugs. Students who use prescription drugs authorized by a licensed physician do not violate this policy if the students conform to the prescription and appropriate school policies.

## **DISCIPLINARY SANCTIONS AND IMPLEMENTATION PROCEDURE 714**

The following procedures will be used in dealing with possession, use, distribution, or being under the influence of alcohol and other drugs:

### **A. First Offense:**

1. The administration will notify the parent(s)/guardian(s) by phone to explain the incident and arrange a conference;
2. The administration may suspend the student for ten (10) days in compliance with student due process procedures;
3. The administration will notify the parent(s)/guardian(s) in writing of the suspension within thirty-six (36) hours; and
4. The administration may notify available law enforcement authorities.

The school district will require that students with alcohol and other drug abuse problems seek professional assessment from a trained chemical dependency counselor or a licensed physician trained in chemical dependency. Because we believe that chemical dependency is preceded by misuse, we feel confident that such early intervention can benefit the student before significant harm or dependency results.

The suspension of a student who agrees to be assessed will be commuted to three (3) days. The administration will provide a list of agencies/professionals who can do the assessment and provide treatment. Fees for this assessment and treatment are the responsibility of the student and family.

Upon receipt of appropriate authorization, the agency or professional will notify the school administration that the student is willing to be evaluated and to comply with the treatment process.

### **B. Second and Subsequent Offences:**

1. The administration will contact the parent(s)/guardian(s) to arrange for a conference;
2. The administration may notify available law enforcement authorities;
3. The administration may suspend for ten (10) days in compliance with student due process procedures;

DEUBROOK AREA SCHOOL  
POLICY HANDBOOK

2004-2005

4. Within thirty-six (36) hours, the administration will notify the parent(s)/guardian(s) in writing of the suspension;
  5. The administration will recommend to the School Board that the student be expelled unless the following procedure is followed:
    - a. The student must agree to be assessed by a trained chemical dependency counselor or a licensed physician trained in chemical dependency;
    - b. Upon appropriate authorization, the agency or professional notifies the administration that the student has been assessed and does or does not require treatment. If the student is accepting needed treatment, the recommendation for expulsion may be commuted. Fees for this assessment and/or treatment are the responsibility of the student and family.
- C. Supplying/Distributing or Selling Alcohol and Other Drugs of Material Represented to be a Controlled Substance:
1. Within thirty-six (36) hours, the administration will notify parent(s)/guardian(s) in writing of the suspension;
  2. Supplying or selling alcohol and/or drugs may result in a ten (10) day suspension;
  3. The administration will refer the case to available law enforcement authorities;
  4. A hearing on the case will be conducted by the School Board pursuant to due process rules for expulsion. Expulsion may be recommended by the administration.
- D. Students whose observed behavior indicates possible use of alcohol and/or other drugs will be referred to the building administrator. The building administrator and/or “first-responder” medical personnel will determine whether to contact the parent for further instruction, refer to the emergency authorization form or immediately seek additional medical treatment. Following the handling of the medical emergency, this policy statement for Alcohol and/or Other Drug Abuse will be followed.
- E. A biennial review of the school district’s program will be made:
1. To determine the programs effectiveness and implement changes to the programs if they are needed; and
  2. To insure that disciplinary sanctions are consistently enforced.

Legal Reference: Public Law 101-226

**POSSESSION OR USE OF A WEAPON**

715

**PROHIBITION:** No student shall carry, have in his or her possession, store, keep, leave, place or put into the possession of another student any weapon on any school premises, in any school vehicle or any vehicle used by the school or for school purposes, in any school building or other building or premises used for school functions, whether or not any person is endangered by such actions. For purposes of this policy, the term “weapon” shall include:

- (a) Any controlled weapon including a firearm silencer, machine gun, or short shotgun as those terms are defined in SDCL 22-1-2 (17), (23) and (46);
- (b) Any “dangerous weapon” or “deadly weapon,” including any firearm, knife or device, instrument, material or substance, whether animate or inanimate, which is calculated or designed to inflict death or serious bodily harm, or by the manner in which it is used is likely to inflict death or serious bodily harm;
- (c) Any “destructive device” including any bomb, grenade, explosive missile or similar device or any launching device therefore or any breakable container which contains flammable liquid with a flashpoint of one hundred and fifty degrees Fahrenheit or less and has a wick or similar device capable of being ignited. For purposes of this policy, this term includes fireworks, rifles used for sporting purposes and other devices which would otherwise be excluded under the definition found in SDCL 22-1-2 (13);
- (d) Any “explosive” including any substance, or combination of substances, that is used for the purpose of detonation and which, upon exposure to any external or internal force or condition, is capable of a relatively instantaneous release of gas and heat, including fireworks;
- (e) Any “firearm” including any weapon from which a projectile or projectiles may be discharged by gunpowder. As used in this provision, the word “gunpowder” includes any propellant that upon oxidization emits heat and light and is commonly used in firearms cartridges;
- (f) Any “stun gun” including any battery-powered, pulsed electrical device of high voltage and low or no amperage that can disrupt the central nervous system and cause temporary loss of voluntary muscle control of a person;
- (g) Any “ballistic knife” including any knife encased in a tubular metal sheath which when removed, uncovers a detachable blade that can be propelled by a spring mechanism operated at the push of a button;
- (h) Any “knife,” “club,” “numchuk” or similar item which is designed to, intended to, or used in such a manner as to incapacitate or cause any bodily injury or any threat of bodily injury.

This policy does not apply to starting guns while in use at athletic events and supervised schools or sessions for training in the use of firearms.

**PENALTY:**

The principal shall have the authority to determine the extent and nature of the disciplinary action based upon the student’s age, the actions of the student in possessing the weapon, the student’s intent, and the nature of the weapon. The disciplinary action which may be imposed includes, but is not limited to: conferences with the student and parent; detention; suspension for up to six (6) days; and referral to the Board of Education for disciplinary action including long-term suspension and expulsion.

## **LOOK-ALIKE WEAPONS**

716

**PROHIBITION:** No student shall carry, have in his or her possession, store, keep, leave, place or put into the possession of another student any look-alike weapon on any school premises, in any school vehicle or any vehicle used by the school or for school purposes, in any school building or other building or premises used for school functions, whether or not any person is endangered by such actions. "Look-alike weapon" means any item which resembles or appears to be a weapon, including but not limited to squirt guns, water rifles or pistols, slingshots, toy guns, toy grenades and other similar items.

The principal shall have the authority to determine the extent and nature of the disciplinary action based upon the student's age, the actions of the student in possessing and using the look-alike weapon and proximate resemblance to a real weapon. The disciplinary action which may be imposed includes, but is not limited to: conferences with the student and parent; detention; suspension for up to six (6) days; and referral to the Board of Education for disciplinary action including long-term suspension and expulsion.

## **RELEASE OF STUDENT INFORMATION**

717

The School District designates the following as personally identifiable information contained in a student's educational record and will not disclose that information without prior written consent:

Student's name, address, name of parents, date of birth, class designation, extracurricular participation, awards and honors, weight and height if a member of an athletic team, photograph, and school district attended (if any) prior to enrollment.

Parents will receive notice annually of their right to inspect the student's school records and advise the district in writing of any or all of the above areas which the parents refuse to permit the district to disclose about the student without prior parental permission.

All other pupil information in educational records will be deemed classified records that may be released only upon prior written consent of the parents for the records to be released, the reasons for such release, and to whom the records are to be released or there must be a judicial order before any release of student information.

The Family Educational Rights and Privacy Act (FERPA) mandates that "PARENTS" as used in this policy shall apply to any individual who assumes the role of a parent with respect to the care of the student. NOTE: FERPA also requires that a student's educational records be disclosed to both parents, regardless of marital status and custody provisions, unless otherwise stated in a Court Order.

The Board is committed to a policy of nondiscrimination in relation to race, sex, religion, national background, handicap and other human differences. Respect for the dignity and worth of each individual will be paramount in the establishment of all policies by the Board and in the administration of those policies. The Constitutions of our nation and state, pertinent legislation enacted at those two levels of government, as well as court interpretations regarding citizens' rights, under gird this statement.

In keeping with these statements, the following will be objectives of this school district:

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

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

Legal Refs.: Title VI, Civil Rights Act of 1964  
Title VII, Civil Rights Act of 1962, as amended by the  
Equal Employment Opportunity Act of 1972  
Executive Order 11246, as amended by E.O. 11375  
Equal Pay Act, as amended by the Education Amendments of 1972  
Title IX, Education Amendments of 1972  
Rehabilitation Act of 1973

## **SEXUAL HARASSMENT POLICY**

### **POLICY**

It is the district's policy that sexual harassment is illegal, unacceptable and shall not be tolerated; that no employee or student of the school district may sexually harass another. Any employee or student will be subject to disciplinary action including possible termination for violation of this policy.

### **DEFINITION**

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

### **RESPONSIBILITY**

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

### **COMPLAINTS**

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

If an employee or student files a written complaint because of dissatisfaction with the handling of the complaint, he or she may utilize applicable grievance procedure.

### **LEGAL REFERENCE**

South Dakota Executive Order 81-08  
Federal-Title IX (1972 Education Amendments)

Selected sample policy (December 1987)  
SOUTH DAKOTA POLICY REFERENCE MANUAL

**EQUAL EDUCATIONAL OPPORTUNITIES**

**720**

All students of the district will have equal educational opportunities. The Board will not discriminate on the basis of race, color, creed, religion, sex, handicap, economic status, national origin, or ancestry in its policies or programs.

To accomplish this policy on nondiscrimination, the Board will make every effort to provide all students equal access with respect to admission or membership in school-sponsored organizations, clubs, or activities; access to facilities; distribution of funds; academic evaluations; or any other aspect of school-sponsored programs or activities.

The Board recognizes, however, that in implementing this policy children vary widely in capabilities, interests, and social and economic background, and that no two children can be treated exactly alike if the fullest development of each is to be achieved.

LEGAL REFS.: Civil Rights Act of 1964, as amended in 1972, Title VI, Title VII Executive Order 11246, 1965, amended by Executive Order 11375 Education Amendments of 1972, Title IX (P.L. 92-318) 45 CFR, Parts 81, 86 (Federal Register, June 4, 1975, August 11, 1975)  
The American Disabilities Act, July 26, 1990  
Education for All Handicapped Children Act (P.L. 94-142)  
Section 504 of the Vocational Rehabilitation Act of 1973  
SDCL 13-28-5; 13-28-6; 13-28-14

CROSS REFS.: AC, Nondiscrimination  
IGBA, Programs for Handicapped Students  
JFA, Student Due Process Rights

## THREATS

### General Statement of NO Tolerance

Schools should be an example of what is required regarding the observance and respect for law in society at large. Schools also must be highly conscious of the health, safety and welfare of students, staff and the public. Deubrook Board Policy forbids threats to take the life of another person or to cause them great bodily harm to occur at school, school grounds or school sponsored activities. The Deubrook Board of Education prohibits threats to take the life of another person or to cause them great bodily harm.

The Deubrook Board of Education seeks to maintain a climate in the schools, which is conducive to learning and protective of the safety and welfare of staff and students. To achieve this goal, it may be necessary for school administrators or their designee (school officials) to investigate any alleged incident.

The Deubrook Board of Education prohibits threats to take the life of another person or to cause them great bodily harm:

1. On any school property, including parking lots, athletic fields or any other premises under the control of the school district, school vehicle or any vehicle used for school purposes, in any school building or other building or premises used for school functions.
2. Off school property where the threat to take the life of another person or to cause the great bodily harm is detrimental to the welfare or safety of a student or school personnel, adversely affects the discipline in any school, or adversely affects the educational program in any school.

A student who violates this policy may be suspended and/or expelled, depending on the nature of the violation.

### Definitions:

**School Property:** As used in this policy, school premises includes, but is not limited to, parking lots, athletic fields or any other premises under the control of the school district, school vehicle or any vehicle used for school purposes, in any school building or other building or premises used for school functions.

**School Personnel:** As used in this policy, school personnel means any employee, director, volunteer, representative or agent.

### Maximum Discipline:

- Twelve (12) month expulsion from school.

### Minimum Discipline Shall Include, But Not Be Limited To The Following:

- Short-term suspended (1 to 10 days).
- Evaluated by school psychologist (report provided to school administration). There may be further disciplinary action to be determined upon receipt of the report from the psychologist.
- Referral to authorities.
- Parent/Guardian contacted.

# DEUBROOK AREA SCHOOL POLICY HANDBOOK

## Legal Reference:

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

**Source:** SL 1887, ch 47, §89; CL 1887, §1775; SL 1901, ch113, ch 6, §5;RpolC 1903, §2357; SL 1907, ch 135, §141; RC 1919, §7515, SL 1931, ch 138, §256; SDC 1939, §15.9911; SL 1955, ch 41, ch 17, §11; 1957, ch 74; 1975 ch 128, §211; 1982, ch 86, §144.

**Cross-Reference:** Disturbing lawful assembly, 22-13-1; Penalties for classified misdemeanors, 22-6-2; Unlawful soliciting on school grounds, 13-26-8.

**Collateral References:** Validity and construction of statute or ordinance forbidding unauthorized persons to enter upon or remain in school building or premises, 50 ALR 3d 340.

## TRANSPORTATION

722

### 1. Bus Routes

- a. In the interest of maintaining a class schedule and keeping bus riding time at a minimum, each student will embark and disembark from the bus at a point where each individual's driveway intersects the publicly traveled roads designated as bus routes except in case of an emergency, at which time the discretion of the school administration and the driver will govern.

### 2. Activity Buses

- a. Students will be expected, when riding an activity bus, to return with the bus unless the parents provide written notification to the instruction of chaperone prior to departure from the event..

### 3. Emergency Bus Routes

Due to bad weather and road conditions, the School Board has designated emergency routes for bus service. When weather and roads permit, buses will travel where possible but **emergency routes follow county and state roads.**

## STUDENT DUE PROCESS

The District hereby adopts and incorporates as its policy the provisions of the Administrative Rules of South Dakota (ARSD), Article 24:07, which governs student due process.

### DEFINITIONS:

1. "EXPULSION" is the action by the Board to terminate a pupil's membership in school for a period of time not to extend beyond the end of the school year.
2. "LONG-TERM SUSPENSION" is the exclusion by the Board of a student from class or classes for more than ten school days.
3. "PARENT" refers to a parent, guardian, or person in charge of the student.
4. "POLICY" is the rule, regulation, or standard enacted by the Board.
5. "SHORT-TERM SUSPENSION" means the exclusion of a pupil by a principal or superintendent from a class or from school for not more than ten school days.

### SHORT-TERM SUSPENSION HEARING PROCEDURE

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

### LONG-TERM AND EXPULSION HEARING PROCEDURE

1. If long-term suspension or expulsion is anticipated because of a pupil's violation of a rule, regulation, or policy, the principal shall file a written report with the superintendent by the end of the school day following the day of discovery of the alleged violation.
2. If the superintendent deems that there are grounds for a long-term suspension from a class or classes, or for expulsion from school, the superintendent may exclude the pupil from a class or classes before the hearing by using the short-term suspension procedure. The superintendent shall give notice of the necessity for the hearing in writing to each School Board member. A written notice shall be given to the pupil's parents. The parent's notice shall contain the following minimum information:
  - a. The rule, regulation, or policy allegedly violated;
  - b. The date, time, and place for the hearing;
  - c. A description of the hearing procedure;
  - d. The reason for the disciplinary proceedings;
  - e. A statement that the pupil's records are available at the school for examination by the pupil's parents or their authorized representative; and
  - f. A statement that the pupil may present witnesses.
3. The pupil, if the age of majority or emancipated, or the pupil's parents may waive the right to a hearing in writing to the superintendent. If the hearing is not waived, the hearing shall be held on the date, time, and place set in the notice unless the parties agree to a different date, time, and place.

DEUBROOK AREA SCHOOL  
POLICY HANDBOOK

4. The School Board shall constitute the hearing board and shall conduct the hearing in the following manner:
  - a. A School Board member or a School Board designee who is not an employee of the district shall be appointed as presiding officer;
  - b. Each party may make an opening statement;
  - c. Each party may introduce evidence, present witnesses, and examine and cross-examine witnesses;
  - d. Each party may be represented by an attorney;
  - e. The administration shall present its case first;
  - f. The hearing shall be closed to the public and there shall be no verbatim record by mechanical or electronic means;
  - g. Witnesses may be present only when testifying;
  - h. Each party may raise objections; however, objections shall be limited to relevancy and scope of the question;
  - i. All relevant evidence shall be admitted; however, unproductive or repetitious evidence may be limited by the presiding officer;
  - j. The presiding officer may ask questions of witnesses and may allow other School Board members to interrogate witnesses;
  - k. Each party may make a closing statement;
  - l. After the hearing, the School Board shall continue to meet in executive session for deliberation. No one other than the presiding officer of the hearing shall meet with the School Board during deliberation. The School Board may seek advice during deliberation from an attorney not present at the hearing. Consultation with any other person during deliberation may occur only of a representative if the pupil is present; and
  - m. The decision of the School Board shall be based solely on the evidence presented at the hearing and shall be formalized by a motion made in open meeting. The motion shall omit the name of the pupil and shall state the reason for the Board's action. The pupil or the pupil's parents shall be notified in writing of the decision. The notice shall state the length of the suspension or expulsion.
5. An adverse decision to the student by the School Board may be appealed to a court of law.
6. No attendance policy may exclude a pupil from a class or from a school for more than five days without providing due process procedures pursuant to this section.
7. When a pupil identified as in need of special assistance or prolonged assistance pursuant to SDCL 13-37-1 is expelled or subjected to a long-term suspension, a referral shall be made by the superintendent to the district's placement committee. The placement committee shall determine whether the action or expulsion is the result of the pupil's handicapping condition. If the placement committee determines that the long-term suspension or expulsion of a pupil is based upon action, behavior, or activity by the pupil arising from the pupil's handicapping condition, the placement committee shall immediately prepare a revised individual educational plan to provide educational services to the pupil. The pupil's long-term suspension or expulsion shall terminate upon implementation of the pupil's revised individualized educational plan.

## SCHOOL AGE CHILDREN WITH AIDS

### SUMMARY

1. Children infected with the AIDS virus should be allowed to attend school in a normal classroom setting. There is a negligible risk of AIDS transmission in the school setting.
2. Some AIDS infected children may pose more of a risk to others – those who lack control of their body fluids, display biting behavior, or have uncoverable oozing sores.
3. For those AIDS infected children who pose a greater risk, the South Dakota Secretary of Health will authorize an expert Advisory Committee to review and provide recommendations for the child's appropriate placement in an educational setting.
4. The local school will bear the burden of proof of demonstrating that the infected child exhibits behavior or symptoms that would justify a restricted placement in an educational setting.
5. Children placed in a restricted educational setting must be provided with all legally required education programs.
6. Good hygiene practices and procedures must be established and always followed in the school setting when handling blood or body fluids to prevent the spread of communicable diseases, including the AIDS virus.
7. Children with suppressed immune systems are at increased risk of severe complications from diseases, chickenpox, for example. The physician and parents need to determine whether a child should not attend school for his/her own protection.
8. Children with suppressed immune systems should not receive live virus vaccines.
9. As specified by state law, the child's right to privacy must be respected, and strict confidentiality of records must be maintained.

Routine AIDS screening of children is not recommended. Screening should not be a requirement for school entry.

## Communicable/Infectious Diseases

725

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

### School Attendance:

The determination of whether an infected student is excluded from the classroom or school activities and how the student's needs will be met shall be made on a case by case basis, under the direction of the building principal/building administrator or designee with consultation from the assigned school nurse.

In situations that require additional knowledge or where the student may be out of school for five (5) or more days, the principal and school nurse will consult with the Supervisor of Health Services. Consideration regarding the need to exclude a student from school shall include the characteristics of the contagious disease, the medical condition of the student, and expected interaction with others in the school setting. If additional information is needed, consultation with medical care providers, the State Health Department, Center for Disease Control, and/or other experts may be necessary.

If the District has reasonable cause to believe that a student is an infected individual, an appropriate medical evaluation of the student may be required. If an infected student is not permitted to attend classes for ten (10) days, the District will provide the student with an appropriate educational program.

## DEUBROOK AREA SCHOOL POLICY HANDBOOK

### **Confidentiality:**

Information will not be revealed to the public about a student who may have a communicable disease. Appropriate information will be provided to school employees if the potential for communicability is a factor.

### **Infection Control:**

Employees are required to follow universal precautions where all body fluids are treated as if they are contaminated. Equipment and supplies needed to apply universal precautions will be provided.

If a situation occurs at school in which a student might have been exposed to an infection agent, such as an instance of blood-to-blood contact, the school principal or designee shall inform the parents/guardians to seek medical advice.

## **Participation of Alternative Instruction Students**

726

The Deubrook Area School District will not grant permission for alternative instruction students to participate in interscholastic contests.

First Reading 8-11-03

Adopted 9-8-03

## **SELECT HIGH**

727

Select High is an alternative school setting located in Brookings, SD. Students from the Deubrook Area School District may apply to attend Select High. Those applying will be interviewed to determine if attendance at SElect High is an appropriate alternative to the student taking classes at Deubrook High School.

In considering whether attendance will be approve the following factors may be considered:

1. The student is at least 16 years of age.
2. The student is not making progress to graduate with his/her class.
3. The student is coming from another school system and Deubrook High School is not able to offer the classes needed to complete high school in a normal fashion.
4. The student has had or does have a health condition that causes attendance at Deubrook High School to be difficult.
5. The student is exiting from a Department of Corrections program and needs an adjusted curriculum.
6. The student's family situation does not support having the student be successful at Deubrook High School.

Students attending SElect High shall be expected to attend in accordance to the policy set forth by SElect High. Students attending SElect High shall be making adequate academic progress. Failure to attend or failure to make adequate academic progress will be considered as justifiable reasons to terminate the student's enrollment in SElect High.

First Reading 3-8-04

Adopted 4-12-04

## ADMISSION OF NONRESIDENT STUDENTS

728

This policy is enacted to fairly allow admission and assignment of non-resident students in the Deubrook Area School District. For the purposes of this policy, the term “resident district” means the district in which a student has legal residence as determined by SDCL 13-28-9. The term “non-resident district” means any district in which a non-resident student seeks to enroll.

The board will accept all students from other districts wishing to enroll, provided the non-resident district’s facilities can accommodate the students without adversely affecting the quality of the educational program. This determination will be based upon criteria adopted by the board, see Section C below, and is subject to the following conditions:

### A. GENERAL PRINCIPLES

1. A student who is a legal resident of another South Dakota district seeking to transfer to Deubrook Area School District must make application on forms provided by the Department of Education. The application must be made by an unemancipated student’s parent or guardian or by the emancipated student. (The parent with the authority to request enrollment is the resident custodial parent.)

2. The application will be approved or disapproved by the Deubrook Area school board and the applicant and resident district must be notified of the decision within five days of the decision. Applications will be reviewed in the order received.

a. The application may be withdrawn by the applicant prior to the approval of the request and upon notification of the district to which the student applied.

b. Once approved by the non-resident district, the applicant’s intent to enroll obligates the student to attend school in the receiving non-resident district for the next school year, unless the two boards agree in writing to allow a student to return to the original district or if the parent, guardian, or student changes residence to another district. Students once accepted under this may continue enrollment for subsequent years without reapplication. Enrollment procedures for resident students apply to non-resident student in subsequent school years.

3. Once enrolled in a non-resident district, the enrollment will continue unless a bona fide change of residence occurs or a subsequent transfer application is received.

4. A non-resident district will accept credits granted for any course successfully completed in another accredited district. The non-resident district may award a diploma to a non-resident only if the student satisfactorily meets the non-resident district’s graduation requirements.

5. Transportation of non-resident students to school is the responsibility of the applicant. Both the resident and non-resident districts may provide transportation to non-resident students if approved. The receiving district may charge a reasonable fee if the student elects to use the transportation services offered by the receiving district.

### B. SPECIAL EDUCATION STUDENTS

Both state and federal law require that the resident district be responsible for providing a free and appropriate public education for students in need of special education and related services. All applications for transfer of a special education student will first be considered by a placement committee, and the placement committee will include representatives of both the resident and non-resident districts. In addition to the other considerations of the 1997 Open Enrollment Act, the following additional considerations will apply:

1. An individualized education program team consisting of representatives from both the resident and nonresident districts will determine if the nonresident district can provide an appropriate instructional program and facilities, including transportation, to meet the student’s needs.

## DEUBROOK AREA SCHOOL POLICY HANDBOOK

2. If the request to transfer is granted, the nonresident district is responsible for the provision of a free appropriate public education for the student in need of special education or special education and related services.
3. Notwithstanding the provisions of Section 13-28-45, the individualized education program team shall also determine whether the student in need of special education requires transportation as a related service. If so, the nonresident district shall provide or ensure the provision of transportation within the boundaries of the attendance center to which the student is assigned.
4. If a parent or guardian of a student in need of special education or special education and related services requests to transfer the student back to the resident district, the individualized education program team shall consider the request.

### **C. CRITERIA FOR MAKING TRANSFER DETERMINATIONS**

The standards will be available to any individual so requesting. Discrimination based upon race, gender, religious affiliation, or disability is prohibited. All members of the same family residing in the same household will be treated the same.

1. The standards for approval will be established based on the capacities of each of the following elements within the district. The standards should be adopted or amended prior to action upon any request for the subsequent year:
  - a. Programs;
  - b. Classes;
  - c. Grade levels;
  - d. Buildings;
  - e. Pupil/Teacher ratio.
2. The Department of Education has authority to promulgate rules setting forth procedural and administrative requirements of the open enrollment program. The school district will follow any and all such rules and procedures.
3. The board may deny applications for any of the following reasons:
  - a. Any standard established in paragraph C-1 above is violated;
  - b. The applicant is under suspension or expulsion.
  - c. The applicant has been convicted of possession, use, or distribution of any controlled substance, including marijuana and is under suspension pursuant to SDCL 13-32-43; (See SDCL 13-32-9)
  - d. The applicant has been convicted of a weapons charge relating to the schools and is under suspension pursuant to SDCL 13-32-43.

### **D. MISCELLANEOUS PROVISIONS**

1. The district will make relevant information about the district, schools, programs, policies, and procedures to all interested people.
2. Appeals from board action under the 1997 Open Enrollment Act can be made under SDCL ch. 13-46 and the court will conduct a de novo review. The time for appeal under SDCL ch. 13-46 is within ninety days from the date of the decision.

**Adoption Date: Sept. 13, 2004**

**LEGAL REFS.: SDCL 13-13-10.1, 13-15-8.1 through 13-15-9; 13-15-11, 13-15-21, 13-15-21.1; 13-15-23 through 13-15-24; 13-28-9; 13-28-10 through 13-28-11; 13-28-19; 13-28-19.1; 13-28-21; 13-28-22; 13-28-23; 13-28-30; 13-28-34; 13-28-40 through 13-28-47; 13-32-4.3; 13-37-35; 13-46.**

