



# **Student and Parent Handbook**

2025 - 2026

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## Mission, Vision, and Beliefs

### Our Mission

Prepare all learners for life-long success through a safe, collaborative, and innovative learning community

### Our Vision

Success for All!

### Beliefs

We Believe:

- in the **collective responsibility** for the success of all students.
- in putting **students first**.
- in providing **safe, supportive, and collaborative** learning environments.
- in the importance of **communication** with families.
- in the importance of fostering genuine **relationships**.
- in **highly reliable staff** who are key to student success.
- that student learning is measured in mastery of **essential skills**.
- that students can learn at different **paces and places**.
- in fostering **healthy minds** and **healthy bodies** to enhance student success.

# Welcome

It is a pleasure to welcome you to our school for the upcoming year. We hope that your child will find this year enjoyable and rewarding. We, the Roughrider K-8 Virtual Academy, pride ourselves on our positive relationships with our learners and families. We are proud to partner with learners and families to serve students in a nontraditional setting.

Please call us if you have a concern about anything school-related. We will happily help you and are always open to collaborating.

# About Us

The *Roughrider K-8 Virtual Academy* is another option for our DPS students. Students can:

- take virtual courses for free
- take a full-time virtual course load at home
- do coursework virtually yet maintain a traditional 175-day school calendar
- be a full-time virtual student

## School Contact Information

School Information	School Contact
School Phone Number	701-456-0021
School Address	[Dickinson Middle School] 2675 21st Street West Dickinson, ND 58601
Administrator	<u>Cassie Francis</u> 701-456-0021 (Ext. 2103) cfrancis@dpsnd.org
Coordinator	<u>Nicole Kittelson</u> nkittelson@dpsnd.org
Technology Support	<u>Nancy Wanner</u> 701-456-0021 (Ext. 2125) nwanner@dpsnd.org
Student Records	<u>Renee Greenwood</u> 701-456-0021 (Ext. 2111) rgreenwood@dpsnd.org
PowerSchool Support	<u>Kristi Eckes</u> 701-456-0021 (Ext. 2306) keckes@dpsnd.org

# Roles and Responsibilities

## Parent/Guardian and/or Learning Coach Roles & Responsibilities

- Maintain contact with teachers and school support staff to ensure student success
- Communicate at least once a month with the student's advisory teacher to receive progress and performance updates
- Maintain accuracy of home address, phone number(s), and email address(s)
- Actively participate in student's learning to assist the school with ensuring student participation and completion of coursework
- Ensure student participation in District and State assessments and provide transportation
- Attend a face-to-face training session for the virtual Academy, along with their K-8 Roughrider virtual learner

## Student Roles & Responsibilities

DPS recognizes that the following commitments/skills facilitate student success in our virtual educational environment. Students in grades K - 8 will work with their parents and/or identified Learning Coach to meet these expectations.

- **Communication:** Students are required to communicate with teachers and other specified staff.
- **Live Virtual Lessons:** Student success depends on participation and attendance in live lessons. Students are required to attend all assigned live lessons.
- **Academic Integrity:** DPS requires the original work of all students and in so doing, prohibits plagiarism of the work of others and cheating.
- **Self-Motivation:** Students should exhibit self-motivation as they must direct their learning environment and procedures to fulfill coursework requirements, enabling them to achieve individual academic success.
- **Independent Learning Style:** Students should be able to work independently and contact their teacher or support staff for help as needed.
- **Computer Literacy:** Students should know basic computer skills, such as simple navigation, beginning internet searching, and keyboarding skills, and they should know how to access coursework.
- **Time Management Skills:** Students must be capable of organizing and prioritizing their time frame for learning. They must set aside adequate and realistic time to complete course requirements. Students must follow the pacing guides for assignments. Students are expected to work on their courses regularly each week. **Attendance will depend on work completion and pacing.**
- **Effective Written Communication Skills:** Students must communicate with teachers and peers. The ability to write clearly and communicate ideas and assignments is essential. Students in early elementary grades will need additional parental or learning coach support when writing/typing.
- **Reading Competency:** Students must read at or near grade level to successfully understand the material to be presented. Students in early elementary grades may need additional parental or learning coach support when reading through directions.
- **Personal Commitment:** Students must desire to learn and achieve knowledge and skills virtually, as this learning environment does not have bells to begin and end class.

# Course Catalog

## K-8 Required Virtual Classes

Grades K-8	Advisory / Enrichment	English Language Arts	Math	Science	Social Studies	Physical Education/He alth
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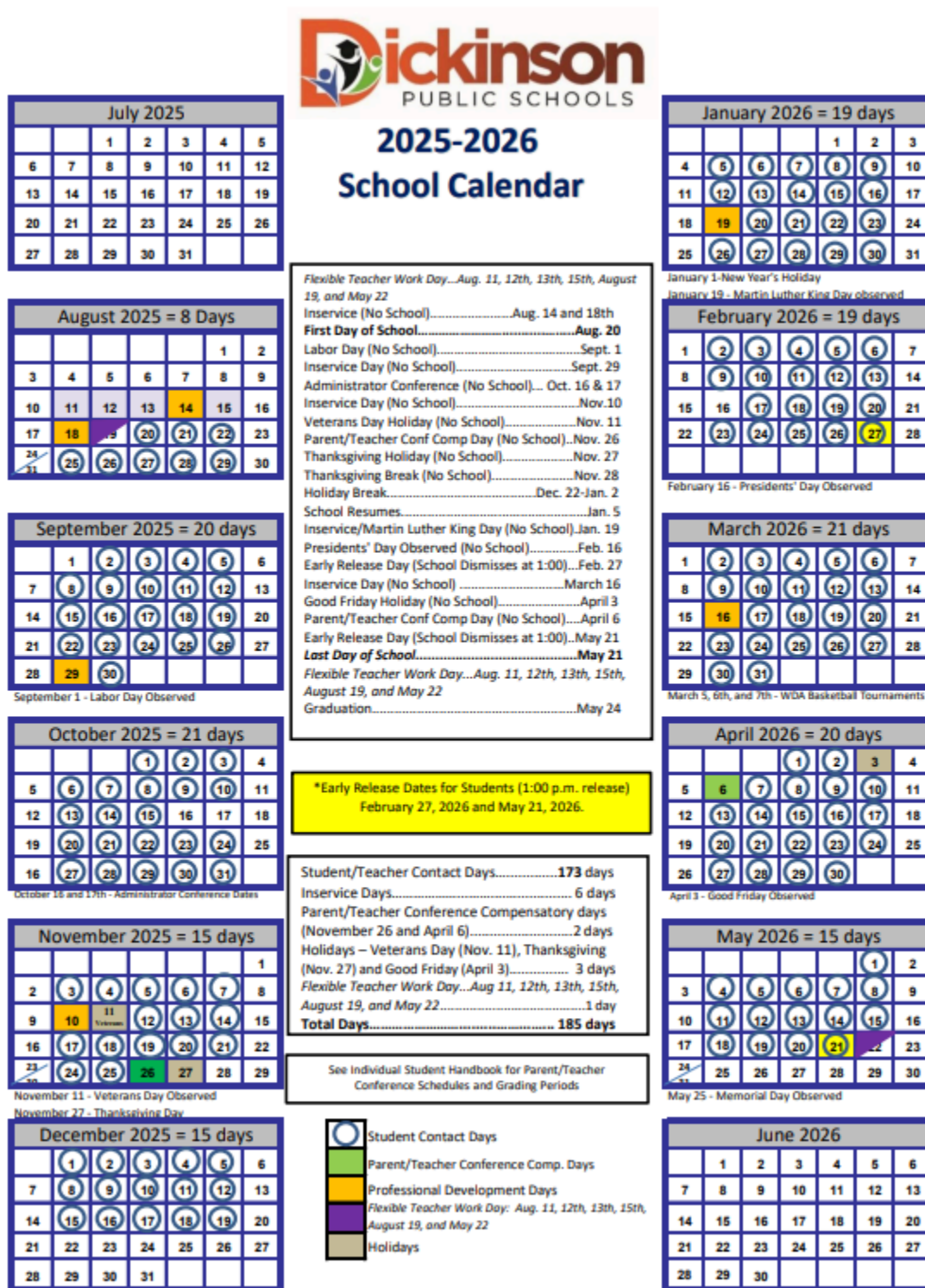
## K-8 Optional Face-to-Face Electives/Special Course Offerings

Students and families may take electives face-to-face with our partner schools, Berg Elementary (K-5) and Dickinson Middle School (6-8). The schedule will follow the same schedule as Face-to-Face grade-level offerings. Families should contact the partner school for specific course times. Families are responsible for transportation to and from the face-to-face school. A semester commitment is required.

Kindergarten & Grade 1	Physical Education/Health		Music
Grades 2-5	Art	Physical Education/Health	Music
Grades 6-8	See Dickinson Middle School website for 2024-25 Elective Offerings		

# School Year Calendar

Students can continue to work during holidays, breaks, and teacher in-service days as needed; however, teachers will be unavailable during these times.



Approved by the Dickinson Public School Board February 10, 2025



# Enrollment Eligibility Information

Roughrider K-8 Virtual Academy is a school of choice that provides a fully virtual educational option for DPS students. Students enrolled in the Virtual Academy must participate in District and State assessments and adhere to all district policies concerning attendance, participation, and completion of all coursework. The Roughrider K-8 Virtual Academy reserves the right to make enrollment exceptions based on individual students' academic needs and what is in the best interest of the individual student.

The following eligibility requirements must be met to enroll in the *Roughrider K-8 Virtual Academy*:

- The student must be a DPS student by residency or have been approved for open enrollment.
- Students must meet age requirements as outlined by DPS policy.
- Students must have daily access to a computer, internet service, email, and telephone to maintain contact with teachers, staff, and administration.
- Guardians/learning coaches must complete the Student Referral & Readiness Screener to ensure the Roughrider Academy fits the learner well. Results will be used for enrollment decisions and discussed between parents and the Roughrider staff before enrollment.
- The learner's current academic team may also be asked to complete the Student Referral & Readiness Screener.
- Guardians/learning coaches must complete official enrollment paperwork at the Central Administration Office and PowerSchool.
- Current Dickinson Public Schools students can only start during the first two weeks of a new semester.
- Students must commit for at least one semester.

## *Exceptional Students*

- Current Individual Educational Plans (IEP), Experienced Multilingual Plans, or 504s of student applicants who meet the school's entrance criteria will be reviewed on an individual basis to determine whether or not full-time virtual education is the Least Restrictive Environment (LRE) and, therefore, an appropriate option for school choice.
- All necessary services and related services noted on a student's Individual Educational Plan, Experienced Multilingual Plan, or 504 must be determined before enrollment to ensure appropriate accommodations, modifications, and services can be provided in this setting.
- Upon initial review, if comparable services are not available or appropriate in our full-time virtual environment, or we have concerns that a full-time virtual setting may not be the Least Restrictive Environment for the student, other educational options will be discussed during the enrollment process.
- While our virtual academy allows for flexibility in the location where students may access their curriculum and coursework, all students with a plan indicating the need for any therapy must be present to receive the necessary therapy services.

## Enrollment Periods

Roughrider K-8 Virtual Academy is accessible to all students who meet the eligibility requirements. Enrollment is offered for both current Dickinson Public Schools students and students new to the district.

### Current Dickinson Public Schools Students

Dickinson Public Schools students may only enroll at the beginning of the fall and spring semesters. Enrollment periods will be open for the first two weeks of the fall semester and the first two weeks of the spring semester. Dickinson Public Schools students wishing to enroll after the initial enrollment periods will have a start date of the following semester. Enrolling students will commit to at least one semester with the virtual academy. DPS face-to-face transfer families wishing to enroll must:

- complete the [K-8 Virtual Learning Readiness Screener](#).
- discuss the screener results with the Roughrider K-8 Virtual Academy staff.
- finalize the process by submitting an [Official Transfer Request](#) for placement approval.
- complete all appropriate district and school registration forms.
- participate in an initial virtual learning face-to-face kickoff training with their learner. Fall semester and spring semester training dates will be shared with enrolled families when they are determined.
- attend a minimum of three sessions for virtual or face-to-face “Get it Done” club until comfortable and successful with our virtual learning processes and procedures.

Additional referrals for placement into the academy may be requested to ensure eligibility. There must also be room for placement. New students to the Roughrider K-8 Virtual Academy who are accepted after the beginning of the year are subject to all the same enrollment and course completion requirements as students who enroll before the start of the school year.

### New to Dickinson Public Schools Students

New to the district students may enroll upon registration with Dickinson Public Schools but must meet the above eligibility requirements.

New to Dickinson Public Schools students wishing to enroll must:

- complete the [K-8 Virtual Learning Readiness Screener](#).
- discuss the screener results with Roughrider K-8 Virtual Academy staff.
- complete all appropriate district and school registration forms.
- participate in an initial virtual learning face-to-face kickoff training with their learner. Fall semester and spring semester training dates will be shared with enrolled families when they are determined.
- attend a minimum of three sessions for virtual or face-to-face “Get it Done” club until comfortable and successful with our virtual learning processes and procedures.

Referrals for placement into the academy may be requested to ensure eligibility. There must also be room for placement. New students to the Roughrider K-8 Virtual Academy who are accepted after

the beginning of the year are subject to all the same enrollment and course completion requirements as students who enroll before the start of the school year.

## Grade Level Placement

Student grade level placement is determined using academic documentation from prior school/school district/home education evaluations provided during enrollment. Grade-level placement for students enrolling in our virtual academy is based on successful grade-level promotion for elementary school and successful core course completion for middle school.

## Attendance Requirements

### Instructional Hour Estimates

To meet the Dickinson Public Schools requirements, families can expect to have their student complete the following minimum hours of schooling each week:

Grade(s)	Recommended Hours Per Day	Recommended Hours Per Week	Recommended Hours Per Year
K-3	4	20	720
4 - 8	5	25	900

### Parent/Guardian and/or Learning Coach Attendance Responsibilities

- **Alert School of Student Absences** – Attendance is based on student engagement through attendance of required live sessions, regular submission of coursework, and interaction with teacher(s) and peers. Excessive absences may lead to a student being considered truant. Extended health-related absences may require a doctor's note. Regardless of the time a student misses due to excused absences, the student must complete all coursework. All other absences will be considered unexcused.
- **Vacations or Days Off**—Roughrider K-8 Virtual Academy allows students 24/7 course access. While the access allows students to work ahead or catch up, the expectation of course completion remains. Students are able to take days off that align with the school calendar or additional days off as needed, but they are still required to complete all coursework.

## Good Attendance Standing

A student demonstrating adequate participation (and therefore progress) in school is based on several criteria and a combination of measures. These measures include course completion percentage, live meeting attendance, daily logins, and communication with the teacher.

To maintain progress, the Parent/Guardian and/or Learning Coach must ensure that the following activities are taking place:

- The student completes assigned lessons and assessments every week.
- The student participates in educational activities for an appropriate number of hours.
- The student maintains weekly (at a minimum) contact with teachers.
- The student attends all required live lessons.
- The student demonstrates that he/she is doing his/her schoolwork.
- The student attends and completes all mandatory district and state testing.
- The Parent/Guardian has communicated with the advisory teacher in advance if he/ she needs to deviate from the regular school calendar (for example, switching a vacation and school day).

## Attendance Probation

We are dedicated to supporting our students on their academic journey. We acknowledge that challenges can arise, making it difficult to keep up with schoolwork. To assist students facing attendance struggles, we have implemented an attendance probation policy to support our learners and families to succeed in this environment.

When students fall behind the academic attendance and pacing requirements, they will be placed on attendance probation as a signal to refocus and make necessary changes. Attendance probation is assigned using the same criteria as the “Good Attendance Standing” designation, including course completion percentages, daily logins, attendance in live meetings, and communication with teachers. Attendance probation will be assigned and reviewed on a monthly basis.

Our academy will follow this process:

- **Identification** – If a student does not meet the criteria for good attendance standing, we will contact the student and their Parent/Guardian or Learning Coach to inform them of their attendance probation status. This outreach is our way of showing support and collaboration to address the attendance challenges together.
- **Action Plan**— Within a week of being put on attendance probation, the student, their learning coach, guardian, counselor, and advisory teacher will work together to create an action plan. The coordinator or administrator will also be part of this team. This plan will outline specific, attainable steps to assist the student in getting back on track. Some of these steps will include required attendance at virtual and/or face-to-face “Get it Done” clubs, extra support from teaching or support staff, and more frequent communication between the student, learning coach, and teacher on progress.

- **Support and Follow-Up** – Our team is committed to providing ongoing support. Once a student is placed on attendance probation, we will have regular check-ins to celebrate progress and adjust the action plan as necessary. The goal is to return to good attendance standing by the following month. However, if this is not the case, the learner will be moved to the next tier of attendance probation and may be considered for disenrollment at the end of the semester if attendance and course progress is not satisfactory.

In some cases, newly enrolled students may be placed on attendance probation upon enrollment. Similar criteria for this placement will determine this designation as our regular progress, such as previous attendance history and communication with teachers.

## Disenrollment

Families who return to face-to-face learning may only do so at semester breaks. A transfer request must be submitted to the Central Administration Office for district approval and face-to-face school placement. Placement may vary due to current face-to-face class size and administrative approval. Because of this, neighborhood schools aren't guaranteed with a granted transfer request.

Consistent progress is imperative. Roughrider K-8 Virtual Academy offers great flexibility regarding how many hours students spend each day on schoolwork and on what days of the week they complete that work. Due to this flexibility, we expect student progress.

A student may be disenrolled for not making academic progress and for being on attendance probation for two or more months. This includes non-attendance and insufficient student engagement. Using attendance probation procedures, the school will work with the family to help the student engage in weekly learning to improve their progress through targeted tiered interventions provided by staff. If these efforts fail and adequate progress is not made, the student will be escalated to an administrator, leading to the student's official disenrollment.

Roughrider K-8 Virtual Academy students are expected to attend school starting on day one. Any student who has not attended school by Day 10 of the semester will be administratively withdrawn as a no-show, Did Not Enter (DNE).

## Address & Location of Learning Changes

*Roughrider K-8 Virtual Academy* policy related to location change follows the below procedures:

- **Permanent In-Area Location Change** – A Change of residence within the school's service area
  - DPS families must notify the Central Administration Office no later than ten days after the move and provide new Proof of Residency documents within 30 days of notification.
- **Temporary Location Change** – Travel or relocation away from the student's residence for longer than three weeks

- Travel outside the state for longer than three weeks requires administrative permission. Relocation that occurs during state testing windows when the student is required to test in the zoned school district (according to the permanent address on file) will not be permitted unless the Parent/Guardian confirms that the student will be transported to the test site in the zoned school district and according to the previous address on file. Failure to participate in mandatory state testing may cause the student to be immediately withdrawn from the school.
- **Alternate Learning Location(s) Change** – Student learning regularly occurs in an alternate location, but there is no change in the student’s residence
  - Relocation during state testing windows when the student is required to test in the zoned school district (according to the permanent address on file) will only be permitted if the alternate location does not prevent the student from testing in their assigned/zoned school.

## Field Trips

Roughrider K-8 Virtual Academy offers field trips throughout the year. The teachers will inform parents/Guardians about these offerings.

## Theme Days

Roughrider K-8 Virtual Academy offers theme days. These days serve as an opportunity for students to build community with each other. Teachers will tell parents/Guardians about these offerings and provide official dates. Many of these dates are hosted at Dickinson Middle School, but some will be hosted off campus.

## “Get it Done” Club

Roughrider K-8 Virtual Academy offers opportunities for additional live worktime with support staff both virtually and in person. These days serve as an opportunity for students to work in a classroom with staff support. Parents/Guardians are responsible for transportation to and from these days. Pickup and drop-off are expected to be prompt due to staff supervision during designated hours. These sessions are hosted in our Dickinson Middle School classroom or via Google Meet. Students on attendance probation and Tier 2 intervention have priority placement for these sessions; however, students and families may sign up to attend if spots are available.

Space is limited. Attendance will be capped to ensure appropriate support and supervision can be provided. Sign-ups are required before attending, and the student's teacher must approve student attendance.

## Behavioral Health Specialists

Our school provides access to behavioral health specialists, including school counselors, school social workers, and school psychologists who play an important role in supporting the academic, social, and emotional well-being of our students.

School Counselor: Our school counselor is a licensed mental health professional who provide brief solution-focused counseling and support to students in a variety of areas, including academic, career, and personal/social development. The school counselor works with students, families, and teachers to identify and address issues that may be impacting the student's academic or social success. The school counselor may provide individual or group counseling, academic, college, and career planning and other support services as needed.

School Social Worker: Our school social worker is a licensed mental health professional who specializes in providing support to students and families who may be experiencing social, emotional, or behavioral challenges. The school social worker works with students, families, and teachers to identify and address issues that may be impacting the student's academic or social success. The school social worker may provide

individual, group, or family support, case management, crisis intervention, and other support services as needed.

School Psychologist: Our school psychologist is a licensed mental health professional who specializes in the assessment, educational diagnosis, and intervention of students with emotional and behavioral disorders as well as special education needs. The school psychologist works with students, families, and teachers to identify and address issues that may be impacting the student's academic or social success. The school psychologist may provide individual or group counseling, behavior management, crisis intervention, and other support services as needed.

Our school provides access to behavior health specialists, including school counselors, school social workers, and school psychologists who play an important role in supporting the academic, social, and emotional well-being of our students.

We believe that collaboration between home and school is critical to the success of our students. Our behavior health specialists work closely with families and teachers to identify and address concerns and to support students in reaching their academic and social-emotional goals.

By enrolling your child in our school, you consent to your child receiving services from our behavior health specialists. Our behavior health specialists may work with students individually or in groups to address academic, career, personal, and social-emotional needs. Services may include counseling, behavior management, crisis intervention, prevention, and other support services as needed.

We encourage families to communicate with our behavior health specialists and other school staff about any concerns or needs related to their child's well-being. Likewise, our behavior health specialists and other school staff will communicate regularly with families to provide updates on student progress and to discuss strategies for supporting student success.

If you do not wish to allow your child to receive services from our behavior health specialists, please contact the school administration in writing.



# Dickinson Public Schools Policies

## **Board Policy AAA--PHILOSOPHY OF THE DICKINSON PUBLIC SCHOOLS**

We, the Dickinson Public School Board, present this statement of our basic beliefs concerning education in order to formulate District goals and objectives and to establish programs that are designed to meet these goals and objectives within the legal framework of state and federal law. **We Believe:**

1. The purpose of education is to equip students with the knowledge and skills necessary to become active, informed, and productive members of society. Our public schools have a responsibility to foster the growth of intelligent and informed citizens.
2. All individuals are entitled to equal rights, freedoms, and opportunities regardless of economic, cultural, or intellectual differences. The District is committed to creating and preserving a learning and working environment that promotes tolerance and is free from discrimination and harassment.
3. Only through the study of basic subject matter, history, culture and fine arts will students be prepared for both the practical tasks and complexities of the world. The District will provide all students with opportunities to participate in varied curricular offerings.
4. Education should aid in the development of good character, self-respect and self-worth, and offer opportunities to form satisfying and responsible relationships with other people. The District will offer programs that allow students to practice the skills of family and community living and that promote an appreciation for health and safety.
5. Education must look to the future. The District will offer programs to help equip students with skills that may be demanded by our future society, that help students select appropriate occupations, and that provide opportunities to develop worthwhile leisure time activities. The District will also offer programs that teach money, property, and resource management techniques and conservation practices in order to assist students with planning for the future.
6. Educational experiences should be timed in accordance with students' readiness for them. All District programs will take into account factors such as age, maturity, and readiness.
7. Appropriate discipline helps ensure that the educational program operates efficiently and helps mold students into upstanding citizens. The Board shall develop policies in accordance with law to ensure administrators are equipped to appropriately respond to disciplinary issues.
8. Parents and the community should serve as partners with schools. It takes the combined effort of all members of the community to develop and maintain an educational program that meets the objectives delineated above. District schools will embrace the support and reflect the expectations of the community.

## **Board Policy AAB—DISTRICT GOALS AND OBJECTIVES**

The District shall comply with approval requirements in state law and shall strive to provide schools that meet the criteria for accreditation from the Department of Public Instruction and that show adequate yearly progress as defined in federal law.

In addition to meeting these approval and accreditation requirements/standards, the Board has established goals and objectives, which are contained in the District's strategic plan.

## **Board Policy AAC--NONDISCRIMINATION AND ANTI-HARASSMENT POLICY**

### **General Prohibitions**

The Dickinson Public Schools is committed to maintaining a learning and working environment free from discrimination and harassment in all employment and educational programs, activities, and facilities. The District prohibits discrimination and harassment based on a student's, parent's, guardian's or employee's race, color, religion, sex, gender identity, sexual orientation, national origin, ancestry, disability, age, marital status, or other status protected by law.

It is a violation of this policy for any District student, parent, guardian, ~~or~~ employee, or third party to discriminate

against or harass against another District student or employee, based on any status protected by law, if the conduct occurred within the context of an education program or activity, or if the conduct had a continuing effect in the educational setting of a program or activity occurring on or off school district property. The District will not tolerate discrimination or harassment of a District student or employee by a third party. The District also prohibits aiding, abetting, inciting, compelling, or coercing discrimination or harassment; discriminating against or harassing any individual affiliated with another who is protected by this policy and/or law; knowingly making a false discrimination and/or harassment report; and retaliation against individuals who report and/or participate in a discrimination and/or harassment investigation, including instances when a complaint is not substantiated.

The District shall promptly investigate any discrimination, harassment or retaliation complaint and act on findings as appropriate, or as required by law. Outcomes ~~which~~ may include disciplinary measures such as, termination of employment or student expulsion in accordance with board policy, law, and, when applicable, the negotiated agreement. Students and employees are expected to fully cooperate in the investigation process. The District will take steps to prevent recurrence of discrimination, harassment, or retaliation and remedy discriminatory effects on the complainant and others, if appropriate.

### **Definitions**

- *Complainant* is the individual filing the complaint. If the complainant is not the victim of the alleged discrimination and/or harassment the victim must be afforded the same rights as the complainant under this policy and regulations AAC-BR1 or AAC-BR2.
- *Disability* is defined in accordance with NDCC 14-02.4-02 (5).
- *Discrimination* means failure to treat an individual equally due to a protected status.
- *Protected status* shall include the statuses identified above, along with any other status protected by applicable state and federal laws.
- *Employee* is defined in accordance with NDCC 14-02.4-02 (7).
- *Harassment* is a specific type of discrimination based on a protected status. It occurs under the following conditions:
  - a. For employees, when enduring the offensive conduct becomes a condition of continued employment, or the conduct is severe or persistent, and/or pervasive enough to create a work environment that a reasonable individual would consider intimidating, hostile, or abusive
  - b. For students, when the conduct is sufficiently severe, persistent, and/or pervasive so as to limit the student's ability to participate in or benefit from the education program or to create a hostile or abusive education environment
- *Section 504* (Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794) is a federal law designed to protect the rights of individuals with disabilities in programs and activities that receive federal financial assistance from the U.S. Department of Education.
- *North Dakota Human Rights Act (NDCC ch. 14-02.4)* provides protection from discrimination in the workplace on the basis of race, color, religion, sex, national origin, age, the presence of any mental or physical disability, status with regards to marriage or public assistance, or participation in lawful activity off the employer's premises during nonworking hours which is not in direct conflict with the essential business related interests of the employer.
- *Sexual harassment* is a form of harassment based on sex. It is defined under Title IX as unwelcome sexual advances, requests for sexual favors, and/or other verbal, written, or physical conduct or communication of a sexual nature, that:
  - a. Constitutes *quid pro quo* harassment, meaning submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of the basis for employment decisions or educational decisions or benefits for students (e.g., receiving a grade);
  - b. Is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
  - c. Constitutes sexual assault, dating violence, domestic violence, or stalking as those offenses are defined in the Clery

Act, 20 U.S.C. § 1092(f) and the Violence Against Women Act, 34 U.S.C. § 12291(a).

- *Sexual harassment examples* include, but are not limited to, the following:

- a. sexual or "dirty" jokes;
- b. sexual advances;
- c. pressure for sexual favors;
- d. unwelcome touching, such as patting, pinching, or constant brushing against another's body;
- e. displaying or distributing of sexually explicit drawings, pictures, and written materials;
- f. graffiti of a sexual nature;
- g. sexual gestures;
- h. touching oneself sexually or talking about one's sexual activity in front of others;
- i. spreading rumors about or rating other's sexual activity or performance;
- j. remarks about an individual's sexual orientation; or
- k. sexual violence including rape, sexual battery, sexual abuse, and sexual coercion.

- *Title II of the Americans with Disabilities Act* extends the prohibition on discrimination established by Section 504 to all services, programs, and activities of State and local government entities.

- *Title VI* is a federal law that provides protection from discrimination based on race, color, or national origin in employment and employment practices in programs or activities receiving federal financial assistance.

- *Title VII* is a federal law that provides protection from discrimination on the basis of race, color, religion, sex or national origin. Title VII applies to all public school districts with 15 or more employees.

- *Title IX* is a federal law that provides protection from discrimination, based on sex, in education programs or activities that receive federal financial assistance.

- Other or different definitions may be set forth in Board regulations AAC-BR1 or AAC-BR2.

### **Complaint Filing Procedure**

The Board shall create an informal and formal discrimination and harassment complaint filing procedure in Board regulation AAC-BR. For Title IX sexual harassment complaints, grievance procedures shall be followed in accordance with federal regulations and Board regulation AAC-BR2.

The procedure provides for an impartial investigation free of conflicts of interest and bias. Nothing in this policy or in the discrimination and harassment grievance procedure prevents an individual from pursuing redress available through state and/or federal law.

### **Confidentiality**

An individual wishing to file an anonymous discrimination and/or harassment complaint must be advised that confidentiality may limit the District's ability to fully respond to the complaint and that retaliation is prohibited. The appropriate grievance coordinator (Title IX, 504, or Title II) shall perform a confidentiality analysis to determine when a request for confidentiality cannot be honored due to safety reasons or the District's obligation to maintain a nondiscriminatory educational environment. The complainant must be notified in writing of the confidentiality analysis outcome. A discrimination or harassment investigation report is subject to the open records law after 60 days or when the investigation is complete (whichever comes first), with limited exceptions such as when the record is protected by FERPA.

### **Complaint Recipients**

If any District employee receives a discrimination or harassment complaint, the employee shall promptly forward it to the appropriate grievance coordinator. All District employees must receive training on their reporting duties.

### **Grievance Coordinator**

Districts shall designate at least one employee to be their Title IX Coordinator and authorize such individual(s) to coordinate the District's efforts to comply with its responsibilities under the applicable regulations.

The Title IX coordinator's responsibilities include overseeing the District's response to Title IX reports and complaints

and identifying and addressing any patterns or systemic problems revealed by such reports and complaints. The Title IX coordinator must have knowledge of the requirements of Title IX, of the District's policies and procedures on sex discrimination, and of all complaints raising Title IX issues throughout the District. To accomplish this, the Title IX coordinator must be informed of any report or complaint raising Title IX issues, even if the report or complaint was initially filed with another individual or office or if the investigation will be conducted by another individual or office.

The Board designates the Human Resources Director as the Title IX coordinator. They may be contacted at: 444 4<sup>th</sup> Street West, Dickinson, ND 58601 or 701-456-0002. Districts must notify students, parents or legal guardians, employees, and unions of the name and specified contact information for the designated Title IX Coordinator(s). The notification must also state that inquiries about the application of Title IX and its regulations may be directed to the District's Title IX Coordinator or the Assistant Secretary of Education, or both. Districts must prominently display the Title IX Coordinator's contact information on their website, if any, and in each handbook it makes available to students, parents or legal guardians, employees, and unions.

The 504/Title II coordinator's responsibilities include overseeing the District's response to disability discrimination reports and complaints. The 504/Title II Coordinator must have knowledge of the requirements of Section 504 and Title II, of the District's policies and procedures on disability discrimination, and of all complaints raising Section 504/Title II issues throughout the District. To accomplish this, the 504/Title II Coordinator must be informed of any report or complaint raising 504/Title II issues, even if the report or complaint was initially filed with another individual or office or if the investigation will be conducted by another individual or office. The Board designates the Director of Student Services as the 504 Coordinator, and the Director of Instruction as the Title II Coordinator. They may be contacted at: 444-4<sup>th</sup> Street West, Dickinson, ND 58601 or 701-456-0002.

The Nondiscrimination Coordinator's core responsibilities include overseeing the District's response to discrimination and harassment reports and complaints that do not include sex or disability under applicable federal laws, but instead the other protected statuses or sex or disability based discrimination under state law. The Board designates the Human Resource Manager as the Nondiscrimination Coordinator. They may be contacted at: 444 4<sup>th</sup> Street West, Dickinson, ND 58601 or 701-456-0002.

All other complaints, other than Title IX, 504, or Title II, shall be referred to the Human Resources Director.

### **Policy Dissemination**

The Superintendent shall display this policy and complementary grievance procedures in a prominent place in each District building and publish it in student and employee handbooks.

### **Training**

The Board authorizes the Superintendent to develop discrimination and harassment awareness training for students and employees. Employee training requirements are delineated in Board exhibit AAC-E3, Discrimination and/or Harassment Training Requirements for Employees.

The Title IX coordinator, 504/Title II coordinator, Nondiscrimination Coordinator, and any other school official responsible for the investigation of discrimination complaints, shall receive training. This training must include:

- 1 The definition of discrimination, harassment, and retaliation;
2. The handling of complaints under the Discrimination and Harassment Grievance Procedure (AAC-BR1); and
3. The applicability of confidentiality requirements.

In addition, the Title IX Coordinator(s), investigators, decision-makers, and those facilitating an informal resolution process, if applicable, under Title IX shall receive training in a number of areas specified in Board regulation AAC-BR2.

### **Board Regulation AAC-BR1-DISCRIMINATION, HARASSMENT, AND RETALIATION GRIEVANCE PROCEDURE**

The following procedure is designed to resolve discrimination, harassment, and retaliation complaints by and against students, parents, and third parties, as described in Board policy, in a prompt and equitable manner. Board policy requires all students and staff to fully cooperate when asked to participate in a discrimination, harassment, or retaliation investigation. The procedure contained in these regulations supersedes the District's policies regarding complaints about personnel and bullying. For Title IX sexual harassment complaints, the procedure set forth in Board

regulation AAC-BR2, Title IX Sexual Harassment Grievance Procedure, will control and supersede this procedure.

### **Retaliation Prohibited**

The District prohibits retaliation for an individual's participation in and/or initiation of a discrimination and/or harassment complaint investigation, including instances when a complaint is not substantiated. The consequences for violating this prohibition are delineated in Board policy AAC, ~~the~~ Nondiscrimination and Anti-Harassment Board Policy.

### **Complaint Filing Format and Deadlines**

A complaint may be filed verbally or in writing and should be filed as soon as possible after the discrimination, harassment, or retaliation allegedly occurred. Delays in filing a complaint may cause difficulties in the investigation.

### **With Whom Complaints May be Filed**

A complaint may be filed with any District employee. District employees are required to report any discrimination or harassment to the appropriate grievance coordinator (Title IX, 504, or Title II) when they knew (e.g., received a complaint, directly observed it) or should have known it was occurring (e.g., overheard students talking about an incident, saw discriminatory or harassing graffiti or vandalism on school property). Failure by a District employee to report under this regulation may result in disciplinary action.

### **Initiating Complaint Resolution Procedure**

After receiving a discrimination, harassment, and/or retaliation complaint or gaining knowledge of potentially discriminatory and/or harassing conduct, the appropriate grievance coordinator shall contact the complainant, determine if an informal or formal investigation is appropriate, and determine if the complainant requests confidentiality. Requests for confidentiality must be handled in accordance with policy AAC.

### **Prohibition on Meeting with the Accused**

At no time during the informal or formal resolution process shall the complainant be required to meet with the accused. If the appropriate grievance coordinator assigned to conduct or oversee the investigation is the accused, the Superintendent, or Board President (if the Superintendent is the accused) shall designate a different individual (which may be a third party) to carry out the accused's responsibilities associated with the investigation.

### **Third-Party Assistance**

A school official responsible for conducting or overseeing discrimination, harassment, and/or retaliation investigations is authorized to receive assistance from the District's legal counsel throughout the process.

### **Investigation Timeframes**

The informal resolution procedure must be completed within 30 days of a District employee reporting the complaint or incident to the appropriate grievance coordinator, unless the investigator documents reasons for delays and communicates these reasons to the complainant and accused.

The formal resolution procedure must be completed within 60 days of a District employee reporting the complaint or incident to the appropriate grievance coordinator or a complainant or accused terminating the informal complaint procedure, unless the investigator documents reasons for delays and communicates these reasons with the complainant and accused. Acceptable reasons for delays include extended school breaks when witnesses are not available, and complex cases involving multiple witnesses.

### **Interim Measures**

Pending the final outcome of an informal or formal resolution, the District shall institute interim measures to protect the complainant and inform him/her of support services available. Interim measures may include a District-enforced no contact order, schedule changes, academic modifications for the complainant, and/or school counseling for the complainant. These interim measures should have minimal impact on the complainant. If the accused is a student, interim measures should also take into consideration the accused student's educational rights.

### **Informal Resolution Procedure**

This procedure may only be used when mutually agreed to by the complainant, the accused and the appropriate grievance coordinator. This procedure may not be used when the alleged discrimination, harassment, and/or

retaliation may have constituted sexual violence or any other crime. The formal resolution procedure must be used whenever the informal procedure is not permitted.

During the informal resolution process, the investigator shall gather information necessary to understand and resolve the complaint. Based on this fact-gathering process, the investigator shall propose an informal resolution, which may include requiring the accused to undergo training on discrimination, harassment, and/or retaliation, requiring all students and employees to undergo such training, instituting protection mechanisms for the complainant, and/or holding a formal meeting with the accused to review the nondiscrimination and anti-harassment policy, coded AAC, and discuss the implications of violating it. Both the complainant and the accused must agree to the informal resolution before it can be instituted.

The appropriate grievance coordinator shall monitor the implementation and effectiveness of the informal resolution procedure and initiate the formal resolution procedure if discrimination, harassment, and/or retaliation persists. Both the complainant and the accused have the right to terminate the informal resolution procedure at any time to pursue a remedy under the formal resolution procedure.

### **Formal Resolution Procedure**

This procedure must be used whenever the informal resolution procedure is not used.

Whenever alleged discrimination, harassment, or retaliation may have constituted a crime, the Superintendent should contact law enforcement and enter into a memorandum of understanding concerning sharing of evidence and coordination of the investigation. However, the District shall proceed with its investigation and this resolution procedure, regardless of the criminal investigation or outcome.

The fact-gathering portion of the investigation must be carried out or overseen by the appropriate grievance coordinator and must consist of interviews with the complainant, the accused, and any others who may have witnessed or otherwise have knowledge of the circumstances giving rise to the alleged complaint and may involve gathering and review of information relevant to the complaint. Both the complainant and accused will have equal opportunity to present evidence and name witnesses. Witnesses must be instructed not to discuss this matter with others except proper authorities.

The fact-gathering portion of the investigation must be completed as soon as practical

### **Investigation Report:**

After the fact-gathering process is complete, under the formal resolution procedure, the appropriate grievance coordinator shall complete a written report containing a determination of whether allegations were substantiated, whether the nondiscrimination and anti-harassment policy (AAC) was violated, and recommendations for corrective action, if any. The appropriate grievance coordinator shall assess if discrimination, harassment, and/or retaliation “more likely than not” occurred based on the following criteria:

1. Whether evidence suggests a pattern of conduct supportive of disproving the allegations of discrimination, harassment, and/or retaliation;
2. Whether behavior meets the definition of discrimination, harassment, and/or sexual harassment as defined in board policy AAC;
3. Ages of the parties involved;
4. Relationship between the parties involved;
5. Severity of the conduct;
6. How often the conduct occurred, if applicable, and;
7. How the District resolved similar complaints, if any, in the past.

The investigation report must indicate if any measures are to be instituted to protect the complainant. Such measures may include extending any interim protection measures taken during the investigation. The report must also inform the complainant of support services available, which at a minimum must include offering school counseling services if the complainant is a student.

The investigation report must contain a monitoring plan to evaluate the effectiveness of the resolution and help prevent

recurrence.

### **Disciplinary Action**

Any disciplinary action must be carried out in accordance with board policy, law, and, when applicable, the negotiated agreement.

The appropriate grievance coordinator along with the building principal shall determine if a recommendation for expulsion for an accused student should be made.

The appropriate grievance coordinator along with the District Superintendent shall determine if a recommendation for discharge for an accused employee should be made.

If this recommendation is made and a hearing is required, the hearing must be held in accordance with District policy and law.

Both the complainant and accused shall have an equal right to attend the hearing, have a representative and parent (if student) present, present evidence, and question witnesses.

The complainant may choose to appoint a representative to participate in the hearing in his/her stead.

### **Notice of Outcome**

Both the complainant and the accused must be provided written notice of the outcome of the complaint.

Nothing shall prevent the parties from seeking judicial redress through a court of competent jurisdiction or through any applicable state or federal complaint procedures.

### **Records Retention**

Investigation materials must be retained by the appropriate grievance coordinator (504/Title II, or Nondiscrimination) for at least six years. All Title IX sexual harassment records and training materials shall be maintained in accordance with federal regulations and Board regulation AAC-BR2.

## **Board Policy ACE—VIOLENT AND THREATENING BEHAVIOR**

### **Threatening Behavior**

A true threat is a statement made orally, in writing, or using another medium that would be perceived by a reasonable person to be a serious expression of intent to harm, commit assault, or damage school property.

### **Reporting**

Any student or employee who has knowledge of a threat shall promptly report it to the building principal or Superintendent. Failure to report a known threat may result in disciplinary consequences up to and including suspension for students and termination of employment for staff in accordance with policy, law, and, when applicable, the negotiated agreement.

### **Threat Assessment**

Upon receipt of a threat report, the building principal shall promptly contact the Superintendent. The Superintendent shall determine if the report constitutes a true threat as defined above and if, given the nature of the threat, it should be handled internally or turned over to law enforcement. The Superintendent shall make these determinations based on, but not limited to, the following criteria:

1. The detail, specificity, context, and content of the threat;
2. The amount of disruption the threat has caused or may cause to the educational environment;
3. Whether or not the Superintendent can identify the source of the threat; anonymous threats may be turned over to law enforcement;
4. When the source of the threat can be identified, the Superintendent shall consider, to the extent possible, the individual's:

- a. State of mind;
  - b. Relationship with peers;
  - c. Age;
  - d. Domestic life;
  - e. Ability to carry out the threat (e.g., access to weapons);
  - f. Past behavior.
- 5. If any laws have been violated;
  - 6. The identity and potential motives of the individual reporting the threat.

The threat assessment may involve interviews with District staff, students, and parents or guardians. The Superintendent may, in accordance with the Family Educational Rights and Privacy Act and other applicable records laws, release threat assessment findings to law enforcement when deemed necessary.

When law enforcement and/or the Superintendent, having considered the totality of the facts obtained through the threat assessment, verifies that a threat is true, the District shall take necessary and timely measures to safeguard students, staff, and District property.

#### **Disciplinary Consequences for Threatening Behavior**

1. **Regular Education Students:** A student who is found to have made a true threat will be subject to disciplinary measures, including, but not limited to suspension and/or expulsion. When deemed to be a necessary safety precaution, the District may require alternative placement or appoint supervision during the periods of suspension and/or expulsion for threatening behavior.
2. **Special Education Students:** Special education students found to have made a true threat will be disciplined in accordance with applicable policies and laws pertaining to the discipline of special education students.
3. **Staff:** Employees found to have made a true threat shall be subject to disciplinary consequences up to and including termination of employment in accordance with policy, law, and, when applicable, the negotiated agreement.

Students and employees may also be subject to the filing of criminal charges and/or referred to counseling services for treatment.

#### **Violent Behavior**

The District prohibits all acts of violence and aggression, including, but not limited to, possession of a weapon or dangerous instrument, physical assault, vandalism of District property, stalking, gang affiliation and/or activity, terroristic acts. Violators of this policy shall be subject to disciplinary consequences, determined by the seriousness of the act, including, but not limited to, expulsion for students, discharge for employees, and exclusion from school premises in accordance with applicable policy and law. In addition, the District may take legal action against the perpetrator.

Students and employees may also be to subject to the filing of criminal charges and/or referred to counseling services for treatment.

### **Board Policy ACEA – BULLYING PREVENTION POLICY**

The Dickinson Public School District is committed to providing all students with a safe and civil school environment in which all members are treated with dignity and respect. Bullying of or by a student or school staff member is against federal, state, and local policy and is not tolerated by the Board. Bullying behavior can seriously disrupt the ability of the district to maintain a safe and civil environment, and the ability of students to learn and succeed. Therefore, it is the policy of the state and the school district that students and school staff members shall not engage in bullying behavior while on school property.

#### **Definitions**

For the purposes of this policy:

- *Bullying* is defined in NDCC 15.1-19-17 as:



a. Conduct that occurs in a public school, on school district premises, in a district owned or leased school bus or school vehicle, or at any public school or school district sanctioned or sponsored activity or event and which:

1) Is so severe, pervasive, or objectively offensive that it substantially interferes with the student's educational opportunities; 2) Places the student in actual and reasonable fear of harm;

3) Places the student in actual and reasonable fear of damage to property of the student; or

4) Substantially disrupts the orderly operation of the public school; or

a. Conduct that is received by a student while the student is in a public school, on school district premises, in a district owned or leased school bus or school vehicle, or at any public school or school district sanctioned or sponsored activity or event and which:

1) Is so severe, pervasive, or objectively offensive that it substantially interferes with the student's educational opportunities; 2) Places the student in actual and reasonable fear of harm;

3) Places the student in actual and reasonable fear of damage to property of the student; or

4) Substantially disrupts the orderly operation of the public school.

Conduct includes the use of technology or other electronic media (e.g. cyberbullying).

- *Cyberbullying* is defined as the use of any electronic communication device to harass, intimidate, or bully a student or school staff member.

- *Electronic communication* is defined in NDCC 12.1-17-07(5) as a transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic, or photo-optical system.

- *Protected status* are classifications/characteristics protected from discrimination by NDCC 14-02.4-01 and federal law. The following statuses are protected: race, color, religion, sex, including sexual orientation, gender identity, and gender expression, national origin, age, disability (physical or mental), and status with regard to marriage or public assistance.

- *School property* is defined in NDCC 15.1-19-10(6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.

- *School-sanctioned activity* is defined as an activity that:

a. Is not part of the District's curricular or extracurricular program; and

b. Is established by a sponsor to serve in the absence of a District program; and

c. Receives District support in multiple ways (i.e., not school facility use alone); and

d. Sponsors of the activity have agreed to comply with this policy; and

e. The District has officially recognized through Board action as a school-sanctioned activity.

- *School-sponsored activity* is an activity that the District has approved through policy or other Board action for inclusion in the District's extracurricular program and is controlled and funded primarily by the District.

- *School staff* include all employees of the Dickinson Public School District, school volunteers, and sponsors of school-sanctioned activities.

- *True threat* is a statement that, in light of the circumstances, a reasonable person would perceive as a serious expression of an intent to inflict harm.

## **Prohibitions**

While on school property a student or school staff member may not:

1. Engage in bullying;

2. Engage in reprisal or retaliation against:

- a. A victim of bullying;
- b. An individual who witnesses an alleged act of bullying;
- c. An individual who reports an alleged act of bullying; or
- d. An individual who provides information/participates in an investigation about an alleged act of bullying.

3. Knowingly file a false bullying report with the District.

Off-campus bullying that is received on school property is also prohibited. The District may have limited disciplinary authority to respond to such forms of bullying.

### **Reporting Procedures for Alleged Policy Violations**

1. Reporting requirements for school staff: Any school staff member with knowledge or suspicion of a violation of this policy or who has received an oral or written report of a violation of this policy from a student, community member, or anonymously shall contact the building principal to inform them as soon as possible. If the alleged violation implicates the building principal, the school staff member shall report it to the Superintendent. If the alleged violation implicates the Superintendent, the school staff member shall file it with the Board President.

Should school administration determine that a school staff member knew of or suspected a violation of this policy and failed to report it in accordance with the procedure above, the staff member may be subject to disciplinary consequences or, for sponsors of school-sanctioned activities, other corrective measures.

2. Reporting options for students and community members: Students and community members (including parents) may report known or suspected violations of this policy using any of the following methods:

- a. Completing a written complaint form (ACEA-E4). The District will place the form in a variety of locations throughout the school and should inform students and staff of these locations. A complainant will have the option of including his/her name on this form or filing it anonymously. The form may be returned to any school staff member or filed in a school building's main office.
- b. Complete and submit an online complaint form. A complainant will have the option of including their name on the form or submitting it anonymously.
- c. File an oral report with any school staff member.

Bullying may be a repeated or, in rare cases, one-time exposure to deliberate, negative behavior by one or more individuals. Single incidents and conflicts between two or more individuals do not automatically constitute bullying behavior. Districts should investigate each situation to determine if the alleged behavior meets this policy's definition of bullying. If the misconduct does not meet this policy's definition of bullying, it may be addressed under other District policies.

A complaint filed anonymously may limit the District's ability to investigate and respond to the alleged violations.

### **Documentation and Retention**

The District shall develop a form to report alleged violations of this policy (ACEA-E3). The form should be completed by school staff when they:

1. Initiate a report of an alleged violation of this policy; or
2. Receive an oral report of an alleged violation of this policy.

The form should be completed by an administrator when they:

1. Initiates a report of an alleged violation of this policy; or
2. Receives an oral report of an alleged violation of this policy.

All written reports of an alleged violation of this policy received by the District shall be forwarded to the appropriate school administrator for investigation and retention.

Report forms and all other documentation related to an investigation of an alleged violation of this policy involving a student shall be retained by the District for six years after a student turns 18 or graduates from high school, whichever is later. If the student does not graduate from the District, such reports and investigation material shall

be retained for six years after the student turns 18.

### **Investigation Procedures**

School administrators (i.e., a principal, an assistant superintendent, or the Superintendent) or the Board President, if the Superintendent is implicated, are required to investigate violations of this policy (as described under “Prohibitions”), when in receipt of actual notice of an alleged violation. Actual notice of an alleged violation occurs when alleged bullying, reprisal, retaliation, or false reporting is reported using the applicable method(s) prescribed in the reporting section of this policy.

Upon receipt of a report of an alleged policy violation, the designated administrator shall first determine if the alleged policy violation is based on a protected status—whether actual or perceived. Reports involving a protected status shall be investigated in accordance with the District’s Nondiscrimination and Anti-harassment policy (AAC), including the timelines contained therein.

In all other cases, administration shall determine the level of investigation necessary based on the nature of the alleged violation of this policy after considering factors such as, but not limited to: the identity of the reporter and their relationship to the victim/alleged perpetrator; the ages of the parties involved; the detail, content, and context of the report; whether or not this report is the first of its type filed against the alleged perpetrator. Based on the level of investigation the administrator deems necessary, investigations may include any or all of the following steps or any other investigatory steps that the administrator deems necessary:

1. Identification and collection of necessary and obtainable physical evidence (*NOTE: In some cases physical evidence may be unobtainable, e.g., a private social networking profile*).
2. Interviews with the complainant, the victim, and/or the alleged perpetrator. At no time during an investigation under this policy shall the victim/complainant be required to meet with the alleged perpetrator.
3. Interviews with any identified witnesses.
4. A review of any mitigating or extenuating circumstances.
5. Final analysis and issuance of findings in writing to the victim and perpetrator and, if applicable, implementation of victim protection measures and disciplinary measures under this or other applicable policies.

Investigations shall be completed within no more than 60 days unless the administrator documents good cause for extending this deadline. Such documentation should be sent to the victim and alleged perpetrator during the investigation.

### **Reporting to Law Enforcement and Others Forms of Redress**

Law enforcement must be notified if an investigation by a school administrator or Board President results in reasonable suspicion that a bullying incident constituted a crime on or off school property. Nothing in this policy shall prevent a victim/their family from seeking redress under state and federal law.

### **Disciplinary and Corrective Measures**

A student that the District has found to have violated this policy shall be subject to disciplinary consequences and/or corrective measures. When determining the appropriate response to violations of this policy, administration shall take into account the totality of circumstances surrounding the violation. Measures that may be imposed include, but are not limited to:

1. Require the student to attend detention.
2. Impose in-school or out-of-school suspension or recommend expulsion. Due process procedures contained in the District’s suspension and expulsion policy shall be followed.
3. Recommend alternative placement. This recommendation shall be submitted to the Superintendent for approval or denial.
4. Create a behavioral adjustment plan.
5. Refer the student to a school counselor.
6. Hold a conference with the student’s parent(s) or guardian(s) and classroom teacher(s), and other

applicable school staff.

7. Modify the perpetrator's schedule and take other appropriate measures (e.g., moving locker) to minimize contact with the victim.

8. If applicable, contact the administrator of the website on which the bullying occurred to report it.

If the misconduct does not meet this policy's definition of bullying, it may be addressed under other District policies.

If the perpetrator is a school staff member, the District shall take appropriate disciplinary action that may include but is not limited to: a reprimand, modification of duties (only if allowed by applicable policy, the negotiated agreement, and/or the individual's contract), suspension, or a recommendation for termination/discharge in accordance with any applicable law.

### **Victim Protection Strategies**

When the District confirms that a violation of this policy has occurred, it should notify the victim's parents and shall implement victim protection strategies. These strategies shall be developed on a case-by-case basis after administration has reviewed the totality of the circumstances surrounding the bullying incident(s) or other violations of this policy. Strategies may include, but not be limited to, the following:

1. Additional training for all students and applicable staff on implementation of this policy and/or bullying prevention.
2. Notice to the victim's teachers and other staff to monitor the victim and his/her interaction with peers and/or the assignment of a staff member to escort the student between classes.
3. Assignment of District staff to monitor, more frequently, areas in the school where bullying has occurred.
4. Referral to counseling services for the victim and perpetrator.
5. Modification of the perpetrator's schedule and other appropriate measures imposed on the perpetrator (not the victim) to minimize the perpetrator's contact with the victim.

### **Dissemination and Education**

The District shall review and revise this policy as it determines necessary. A copy of this District bullying policy and any amendments must be filed with the Department of Public Instruction.

The District shall place this policy, in its entirety, in student and staff handbooks and ensure that it is explained and discussed with its students each school year. The District shall also develop and implement bullying prevention programs for all students and staff professional development activities. School administration may develop guidelines to assist students and staff with identifying bullying conduct.

## **Board Policy FF--STUDENT CONDUCT AND DISCIPLINE**

### **Conduct Standards**

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

### **Disciplinary Standards**

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

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

1. Be identical in content for all District elementary schools;
2. Be identical in content for all District middle schools;
3. Be identical in content for all District high schools.

### **Disciplinary Standards for Special Education Students**

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

### **Prohibited Disciplinary Actions**

The Board recognizes that reasonable physical force may occasionally be necessary to guard the safety and well-being of students or employees or to deliver a student to an administrator's office; however, the use of corporal punishment, defined as the willful infliction of physical pain on a student, is not allowed in the Dickinson Public Schools Public School District. Corporal punishment does not include action taken by an employee for self defense, protection of persons or property, obtaining possession of a weapon or other dangerous object, to quell a verbal disturbance, for the preservation of order, or pain or discomfort caused by athletic competition or recreational activities voluntarily engaged in by a student.

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

### **Disciplinary Authority**

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

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

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

## **Board Policy FFA—STUDENT ALCOHOL AND OTHER DRUG USE/ABUSE**

This policy pertains to alcohol and other drug use/abuse. Tobacco use is defined in a separate policy (see ABBA.)

### **Philosophy**

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

### **Definitions**

This policy defines the following:

- *Alcohol* – See Prohibited Substances.
- *Drug* – See Prohibited Substances.
- *Possession shall mean:*
  - a. Actual physical possession of the alcohol or drug while on school property;
  - b. Use or consumption of the alcohol or drug while on school property;
  - c. In the student's locker, car, handbag, backpack, or other belongings while on school property; or
  - d. Appearance by a student on school property after having consumed or ingested alcohol or a drug that is noticeable by breath odor, speech alterations, unsteadiness of gait or posture, or like symptoms of chemical intoxication.
- *Use* shall mean that a student is reasonably known to have ingested, injected, inhaled or otherwise taken into the body a prohibited substance, or is reasonably found to be under the influence of such a substance.

● *School property* is defined in NDCC 15.1-19-10 (6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.

### **Prohibited Substances**

Prohibited substances include, but are not limited to:

1. Alcohol, powdered alcohol, or any alcoholic beverage as defined in NDCC 5-01-01;
2. Any controlled substance or dangerous drug as defined by NDCC Sections 19-03.1-05 through 19-03.1-13 and 19-03.1-26 (paraphernalia) or as defined by Section 812, Schedules I-V, of Title 21, United States Code, Section 801, et seq., including but not limited to marijuana, any narcotic drug, any hallucinogen, any stimulant or depressant, and all other illicit drugs;
3. Any glue, aerosol paint, or any other chemical substance used for inhalation;
4. Any prescription or non-prescription drug, medicine, vitamin or other chemical including, but not limited to aspirin, other pain relievers, stimulants, diet pills, multiple or other type vitamins, pep pills, "no-doze" pills, cough medicines and syrups, cold medicines, laxatives, stomach or digestive remedies, depressants, sports or muscle-building supplements, and sleeping pills not administered and/or taken with appropriate consent and authorization from parents, school administration, and, if applicable, a health care provider.

### **Prohibited Activities**

It shall be against school policy for any student to:

1. Sell, deliver, or give, or attempt to sell, deliver, or give to any person any of the substances listed in this policy or sell, deliver, or give, or attempt to sell, deliver, or give to any person substances the student represents or believes to be a substance(s) listed in this policy.
2. Possess, procure, purchase, or receive, or to attempt to possess, procure, purchase, or receive the substances listed in this policy, or what is represented by or to the student to be any of the substances listed in this policy, or what the student believes is any of the substances listed in this policy.
3. Be under the influence of (legal intoxication not required), use, consume, or attempt to use or consume the substances listed in this policy or what is represented by or to the student to be any of the substances listed in this policy or what the student believes is any of the substances listed in this policy.
4. Knowingly or intentionally aiding or abetting in any of the above activities.

This policy applies to any student who is on school property, or whose off-campus conduct is reasonably predicted to substantially disrupt the operations of the District, district safety, or welfare of students or employees.

### **Reporting Violations**

A student or staff member that has reason to believe that a student has violated this policy **shall** notify a school official (i.e., a teacher or administrator if the reporter is a student; a school administrator if the reporter is a district staff member). Except in limited circumstances under law,<sup>1</sup> a teacher is required to report known or suspected violations of this policy to the school principal.

### **Violation**

When a principal/Superintendent has reasonable suspicion that a student has violated this policy, they may search the student in accordance with the district's policy on searches of students' person or personal property.

Such searches shall not include referral for mandatory alcohol/drug testing.

Disciplinary sanctions will be imposed on, and additional actions may be taken (as listed below) in response to, any violation of this policy. These sanctions may include suspension or expulsion, intervention (as described below), and notification of proper authorities for prosecution. Prohibited substances will be confiscated and illegal substances

will be turned over to law enforcement authorities.

### **Intervention**

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

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

The school will make a reasonable effort to cooperate with a therapy program if one is recommended for the student. The Board believes that if a student is involved in a chemical dependency program and is successfully addressing their harmful involvement with chemicals, they may be allowed to continue in the regular school setting and continue to participate in any extracurricular program unless participation is in conflict with rules and regulations set forth by the Board, the North Dakota High School Activities Association, and/or the student has been suspended or expelled as a result of a district policy violation.

The school may, through the use of available resources, provide follow-up counseling and supportive assistance to those students who return after successfully completing a therapeutic regimen, realizing that the student may need assistance in dealing with other environmental factors beyond the school's control which may remain unchanged.

### **Confidentiality**

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

### **Education**

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

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

### **Policy Implementation**

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

The Dickinson Public Schools will review this policy and its implementation periodically to ensure that disciplinary sanctions are consistently applied and to determine the effectiveness of the program for the prevention of alcohol and other drug use/abuse.

## **Board Policy ABBA—DICKINSON PUBLIC SCHOOL DISTRICT'S POLICY FOR TOBACCO USE**

### **Definitions**

For purposes of this policy:

- *Electronic smoking device* means any product containing or delivering nicotine, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. Electronic smoking device includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, e-hookahs, mods, tank systems, Juul, Suorin, or under any other product name or

descriptor. Electronic smoking device also includes any component part of a product, whether or not marketed or sold separately, including, but not limited to, e-liquids, e-juice, cartridges, or pods.

- *Imitation tobacco product* means any edible non-tobacco product designed to resemble a tobacco product, or any non-edible, non-tobacco product designed to resemble a tobacco product and intended to be used by children as a toy. Imitation tobacco product includes, but is not limited to, candy or chocolate cigarettes, bubble gum cigars, shredded bubble gum resembling chewing tobacco, pouches containing flavored substances packaged similar to snus, and shredded beef jerky in containers resembling snuff tins.

- *Lighter* means a mechanical or electrical device typically used for lighting tobacco products.

· *Possession of tobacco products* means:

- a. Actual physical possession of the tobacco product while on school property;
- b. Use or consumption of the tobacco product while on school property;
- c. Tobacco product located in the student's locker, car, handbag, backpack, or other belongings while on school property; or
- d. Appearance by a student on school property after having consumed or ingested the tobacco product that is noticeable by breath odor.

· *Smoking* means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco, nicotine, or plant product intended for inhalation, including hookah and marijuana, whether natural or synthetic. "Smoking" also includes the use of an electronic smoking device. This excludes any FDA-approved nicotine replacement therapy.

· *School property* is defined in NDCC 15.1-19-10(6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.

· *Tobacco product* means any product containing, made, or derived from tobacco, or that contains nicotine, whether synthetic or natural, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to: a cigarette; electronic smoking device; cigar; little cigar; cheroot; stogie; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; cavendish; plug and twist tobacco; fine-cut and other chewing tobacco; shorts; snuff; snuff flour; snus; refuse scraps, clippings, cuttings, and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco product also includes any electronic smoking device.

· *Tobacco use* means smoking and the heating, inhaling, chewing, absorbing, dissolving or ingesting of any tobacco product.

· *Visitor* means any person subject to this policy that is not a District student or employee. This includes school volunteers, independent contractors, individuals performing services on behalf of the District, and individuals attending school-sponsored events or activities.

### **Rationale for Regulating Possession & and Use**

The health hazards of tobacco use have been well established. This policy is established to:

1. Reduce the high incidence of tobacco use in North Dakota.
2. Protect the health and safety of all students, employees, and the general public.
3. Set a non-tobacco-use example by adults.
4. Assist in complying with smoking restrictions in state and federal law (NDCC 23-12-10 and 20 U.S.C. 7973).

Tobacco use is the leading cause of preventable death and disability in North Dakota. To support and model a healthy lifestyle for our students and ensure a safe learning and working environment, the Dickinson Public School District School Board establishes the following tobacco-free policy.

### **Prohibitions**



Students are prohibited from possessing, using, consuming, displaying, promoting, or selling tobacco products, electronic smoking devices, imitation tobacco products, or lighters at any time on school property or at any school-sponsored event or activity. In addition, students who participate in extracurricular activities are prohibited from possessing or using tobacco products at any time, on and off school property, as directed by District policy (FFE) and the North Dakota High School Activities Association bylaws.

District employees and visitors are prohibited from using, consuming, displaying, activating, promoting, or selling tobacco products, electronic smoking devices, imitation tobacco products, or lighters at any time on school property or at any school-sponsored event or activity.

This policy includes all events on school property that are not sponsored by, or associated with, the school.

The District shall not promote or allow promotion of tobacco products, electronic smoking devices, imitation tobacco products, or lighters on school property, at any school-sponsored event or activity, or in any school publications. This includes promotion of these products via gear, technology accessories, bags, clothing, any personal articles, signs, structures, vehicles, flyers, or any other materials.

The District shall not accept any gifts (such as curriculum, book covers, speakers, etc.) or funds from tobacco industry or from any tobacco products shop.

### **Exceptions**

It shall not be a violation of this policy for an individual to possess or provide tobacco, electronic smoking devices, imitation tobacco products, or lighters to any other individual as part of a genuine indigenous practice or a lawfully recognized religious, spiritual, or cultural ceremony or practice off of school property. It shall not be a violation of this policy to use a tobacco product as part of an educational experience related to indigenous tobacco practices when such use and education experience has been approved by administration.

It shall not be a violation of this policy for tobacco products, electronic smoking devices, imitation tobacco products or lighters to be included in an instructional or work-related activity on school property if the activity is conducted by an employee or an approved visitor, the activity does not include smoking chewing, or otherwise ingesting the tobacco product, and has been approved by administration.

It shall not be a violation of this policy for non-students 18 years and older to use or possess a product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

### **Communicating to Students, Employees, and Public**

The District shall comply with all smoking prohibition posting requirements in law. Appropriate signage shall be posted throughout the District at building entrances and other highly visible locations on school property, such as, but not limited to, school buildings, District vehicles, vehicular entrances to school grounds, school playgrounds, and all indoor and outdoor athletic facilities. Signage shall indicate that the Dickinson Public School District is tobacco free. This policy shall be printed in employee and student handbooks. The local media may be asked to communicate this tobacco free policy communitywide.

### **Responsibility for Violations**

All individuals on the District's premises share in the responsibility for adhering to and enforcing this policy. The Superintendent shall develop regulations for the enforcement and implementation of this policy (ABBA-AR).

### **Prevention Education**

The District may consult with the county health department and other applicable health organizations to provide students with age-appropriate tobacco prevention information that follows the guidance from the Centers for Disease Control and Prevention.

### **Tobacco Cessation Services**

Individuals requesting assistance with tobacco cessation services will be referred to NDQuits, the North Dakota Department of Health multi-media tobacco cessation program. This is a free cessation service provided to citizens of North Dakota.

## **Policy FCAE, Suicide Prevention**

### **Definitions**

This policy defines the following:

- *At risk* means a student who has made a suicide attempt, has the intent to die by suicide, or has displayed a significant change in behavior suggesting the onset or deterioration of a mental health condition. The student may have thought about suicide including potential means of death and may have a plan. In addition, the student may exhibit feelings of isolation, hopelessness, helplessness, and the inability to tolerate any more pain.
- *Mental health* means a state of mental and emotional being that can impact choices and actions that affect wellness. Mental health problems include mental and substance use disorders.
- *Postvention* means a crisis intervention strategy designed to reduce the risk of suicide and suicide contagion, provide the support needed to help survivors cope with a suicide death, address the social stigma associated with suicide, and disseminate factual information after the suicide death of a member of the school community.
- *Risk assessment* means an evaluation of a student who may be at risk for suicide, conducted by the appropriate school staff (e.g., school psychologist, school counselor, or school social worker). This assessment is designed to elicit information regarding the student's intent to die by suicide, previous history of suicide attempts, presence of a suicide plan and its level of lethality and availability, presence of support systems, and level of hopelessness and helplessness, mental status, and other relevant risk factors.
- *Risk factors for suicide* means characteristics or conditions that increase the chance that a person may try to take his or her life. Suicide risk tends to be highest when someone has several risk factors at the same time. Risk factors may encompass biological, psychological, and or social factors in the individual, family, and environment.
- *Suicide Death* means death caused by self-directed injurious behavior with any intent to die as a result of the behavior. [Note: The coroner's or medical examiner's office must first confirm that the death was a suicide before any school official may state this as the cause of death.]
- *Suicide attempt* means a self-injurious behavior for which there is evidence that the person had at least some intent to kill themselves. A suicide attempt may result in death, injuries, or no injuries. A mixture of ambivalent feelings such as wish to die and desire to live is a common experience with most suicide attempts. Therefore, ambivalence is not a sign of a less serious or less dangerous suicide attempt.
- *Suicidal behavior* means suicide attempts, intentional injury to self-associated with at least some level of intent, developing a plan or strategy for suicide, gathering the means for a suicide plan, or any other overt action or thought indicating intent to end one's life.
- *Suicide contagion* means the process by which suicidal behavior or a suicide influences an increase in the suicidal behaviors of others. Guilt, identification, and modeling are each thought to play a role in contagion. Although rare, suicide contagion can result in a cluster of suicides.
- *School property* is defined in NDCC 15.1-19-10(6)(b) is all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.

### **Purpose**

The purpose of this policy is to protect the health and well-being of all District students while on school property by having procedures in place to prevent, assess the risk of, intervene in, and respond to suicide. The District:

1. Recognizes that physical, behavioral, and emotional health is an integral component of a student's educational outcomes;
2. Further recognizes that suicide is a leading cause of death among young people;

3. Has an ethical responsibility to take a proactive approach in preventing deaths by suicide; and
4. Acknowledges the school's role in providing an environment which is sensitive to individual and societal factors that place youth at greater risk for suicide, and one which helps to foster positive youth development.

## **Prevention**

### **District Policy Implementation**

A District Suicide Prevention Coordinator shall be designated by the Superintendent. The Dickinson Public School District Superintendent designates the Director of Student Services as its Suicide Prevention Coordinator. The District Suicide Prevention Coordinator shall be responsible for planning and coordinating implementation of this policy for the school district. Each school principal shall designate a school Suicide Prevention Coordinator to act as a point of contact in each school for issues relating to suicide prevention and policy implementation. This may be an existing staff person. All staff members must report students they believe to be at elevated risk for suicide to the school Suicide Prevention Coordinator.

### **Staff Professional Development**

Every two years, Dickinson Public Schools shall provide a minimum of eight hours of professional development on youth behavioral health to elementary, middle, and high school teachers, and administrators. Dickinson Public Schools shall encourage ancillary and support staff to participate in the professional development. Based on the annual needs assessment of the school district, these hours must be designated from the following categories:

- a. Trauma;
- b. Social and emotional learning, including resiliency;
- c. Suicide prevention;
- d. Bullying;
- e. Understanding of the prevalence and impact of youth behavioral health wellness on family structure, education, juvenile services, law enforcement, and health care and treatment providers;
- f. Knowledge of behavioral health symptoms and risks;
- g. Awareness of referral sources and evidence-based strategies for appropriate interventions; or
- h. Other evidence-based strategies to reduce risk factors for students.
- i. Current or new evidence-based behavior prevention or mitigation techniques.

The school district shall report the professional development hours to the Department of Public Instruction using the NDDPI STARS Calendar System.

The professional development may include additional information regarding groups of students at elevated risk for suicide, including those living with mental and/ or substance use disorders, those who engage in self harm or have attempted suicide, those in out-of-home settings, those experiencing homelessness, American Indian/Alaska Native students, LGBTQ (lesbian, gay, bisexual, transgender, and questioning) students, students bereaved by suicide, and those with medical conditions or certain types of disabilities.

Additional professional development in risk assessment and crisis intervention may be provided to school-employee mental health professionals and school nurses.

### **Youth Suicide Prevention Programming**

Developmentally-appropriate, student-centered education materials shall be integrated into the curriculum of all K-12 health classes. The content of these age-appropriate materials may include:

1. the importance of safe and healthy choices and coping strategies;
2. how to recognize risk factors and warning signs of mental disorders and suicide in oneself and others;
3. help-seeking strategies for oneself or others, including how to engage school resources and refer friends for help. In addition, schools may provide supplemental small group suicide prevention programming for students.

### **Publication and Distribution**

This policy must be distributed annually and included in all student and employee handbooks, and on the school website.

### **Board Policy FFB--ATTENDANCE AND ABSENCES**

North Dakota law contains compulsory attendance requirements. In order to comply with and enforce these requirements, the Board establishes the following attendance policy.

#### **Section I: Definitions**

A. For purposes of compulsory attendance reporting under NDCC 15.1-20-02.1 (1-2):

- *Excused absence* is an absence that the District will not use in determining if a compulsory attendance violation occurred. Any absence may be excused if it is supported by either a verbal or written excuse supplied by the student's parent or guardian, teacher, or school administration.
- *Unexcused absence* is any absence not supported by the verbal or written excuse required for an excused absence. B. For the purposes of taking disciplinary sanctions under Section III this policy as authorized by NDCC 15.1-20-02.1(3): ● *Approved absence* is an absence that the District believes is necessary and/or unavoidable and has received administrative approval. Necessary and/or unavoidable absences may be caused by illness, injury, family emergency, religious observance or instruction, suspension, participation in a school-related activity, court appearances when subpoenaed, or other reasons deemed necessary and/or unavoidable by the building principal or Superintendent. Students granted approved absences shall not be subject to the consequences contained in Section III of this policy. The Superintendent or designee shall develop criteria for requesting and granting an approved absence and shall establish make up work requirements.
- *Unapproved absence* is defined as an absence that does not meet the above criteria for approved absences. If a student is absent for an unapproved reason, the parent(s) or guardian(s) shall still be responsible for calling the principal's office to explain the absence, and the student will be subject to the consequences contained in Section III of this policy.

#### **Section II: Documentation Requirements**

School administration may require applicable documentation to verify an excused or approved absence, including, but not limited to:

1. Medical documentation from an appropriate licensed healthcare provider;
2. A copy of a court summons or subpoena;
3. An obituary for funeral leave;
4. Verification of planned or executed family travel (e.g., a boarding pass);
5. A request from an official at the student's place of worship;
6. A request for an absence due to a curricular or extracurricular event submitted by the student's teacher, coach, or extracurricular advisor.

#### **Section III: Accumulated Unapproved Absence**

The Board believes that unapproved absences are a form of misconduct and authorizes the Superintendent to establish grade-appropriate the disciplinary consequences. Students will be afforded appropriate due process rights based on the severity of disciplinary penalty that the District is considering imposing. Students shall be required to complete make up work in accordance with administrative regulations or will receive no credit for incomplete work.

#### **Compulsory Attendance Violations**

North Dakota law defines what constitutes a compulsory attendance violation. Suspected violations of the compulsory attendance law shall be reported to school administration and investigated in accordance with law. When a compulsory attendance violation is substantiated, the District shall comply with law enforcement reporting requirements under law.

### **Board Policy FG--STUDENT RIGHTS AND RESPONSIBILITIES**

The Board affirms those legal rights of students that are guaranteed under the federal and state constitutions and statutes. The Board reminds students that rights also are accompanied by responsibilities.

These rights and responsibilities include:

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

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

### **Board Policy FGA--STUDENT EDUCATION RECORDS AND PRIVACY**

The District believes that while collection and use of student information is necessary to provide education and student support services, the District must implement safeguards to ensure information is appropriately protected and used to serve the best interests of students. The purpose of this policy is to establish such safeguards.

#### **Definitions**

• *Directory information* is defined as personally identifiable information contained in a student education record that is generally considered **not** harmful or an invasion of privacy if disclosed and includes:

- a. Name (first and last)
- b. Address
- c. Date and place of birth
- d. Dates of attendance
- e. Degrees, honors, and awards received
- f. Grade level
- g. School email address
- h. Major field of study
- i. Participation in officially recognized activities and sports
- j. Student identification number if it cannot be used alone to access an educational record and is not the student's social security number
- k. Photograph
- l. Telephone listing
- m. Weight and height of members of athletic teams

• *Education records* are records that are directly related to a student and are maintained by the District or by a party acting on behalf of the District. These records include but are not limited to grades, transcripts, class lists, student course schedules, health records, and student discipline files. This definition excludes law enforcement records and records in the sole possession of the maker used only as a memory aid.

- *Eligible student* means a student who has reached the age of 18.
- *FERPA* stands for the Family Educational Rights and Privacy Act.
- *Legitimate educational interest* is defined as access that is needed in order for a school official to fulfill their professional responsibility.
- *Parent* means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.
- *Permanent record* is defined as a record containing a student's name, address, phone number, record of grades, years enrolled, courses attended, and grades completed.
- *Personally Identifiable Information* (PII) includes information maintained in the student's education record that could be used alone or in combination to trace a student's identity directly or indirectly and would allow a reasonable person, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.
- *Record* means any information recorded in any way including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.
- *School official* is defined as an individual who has a legitimate educational interest in accessing student educational records and is affiliated with the District in one of the following capacities:
  - a. An individual employed by the District in an administrative, instructional, or support staff position;
  - b. School board members; or
  - c. Contractors, consultants, volunteers, service providers, or other party with whom the District has outsourced institutional services or functions for which the District would otherwise use employees; records provided to these third parties must remain directly under the District's control for purposes of maintenance and use and the third party must agree to comply with 34 C.F.R. 99.33(a). Examples include, but are not limited to, school resource officers, interns, student teachers, the District's attorney, PowerSchool, SLDS, learning management software, hot lunch tracking software, and District alert systems.

### **Designation and Responsibilities of Privacy Officers**

The Superintendent or designee shall serve as Chief Privacy Officer. In this role, the Superintendent is responsible for submitting to the Board for approval student information sharing requests from third-party individuals/entities other than parties to which the District reports student information under law. The Superintendent shall also maintain a master list of all individuals and entities having access to student information, including school district personnel listed by title. To ensure this list remains current and is manageable to maintain, it shall not contain names of individuals who have access to data.

The Superintendent may designate privacy officers at the District and building level. These privacy officers are responsible for:

1. Maintaining a list of school personnel by title who have access to student

information; this list shall be provided to the Superintendent each time it is updated.

2. Submitting to the Superintendent for Board approval new requests to share student information with third-party individuals and entities other than parties to which the District reports student information under law.

3. Ensuring that access to student information is granted only to the extent there is a legitimate educational interest and in accordance with this policy and any applicable agreements.

4. Enforcing this and other applicable District confidentiality and data protection policies.

5. Providing a list of students who have opted-out of directory information to classroom teachers and other District staff who have a need to know.

## **Information Release Safeguards**

### **1. Access by Parents and Eligible Students**

To ensure compliance with parental and eligible student access requirements under FERPA:

a. The District shall comply with a request by a parent or eligible student to access education records within a reasonable period of time, not to exceed 45 days after receipt of a request.

b. The Board shall develop procedures for a parent/guardian/ or eligible student to review and amend educational records. These procedures shall include procedures to verify the identity of a requesting parent/eligible student. The regulations shall be delineated in Board regulations and shall be available upon request.

### **2. Classroom Use of Instructional Tools Requiring Release of Student Information**

Teachers are encouraged to use instructional technological tools that allow for use of an alias or that do not require submission of directory information (other than or in addition to name) or PII. Whenever a teacher wishes to use an instructional tool that requires release of directory information, other than or in addition to name, or PII such as, but not limited to, software or an app, the teacher shall submit a request to the building-level privacy officer. The privacy officer shall check the District's master list of individuals and entities approved to receive student information. If the entity is not on this list or the teacher's request is beyond the scope of information sharing permission previously granted, the privacy officer shall either deny the teacher's request or submit an information-sharing request to the Superintendent for Board approval. If the teacher is authorized to use the instructional tool, the building-level privacy officer shall ensure the teacher complies with any parental consent requirements and directory information opt-out requests before using the tool.

### **3. Data Breaches**

District employees are responsible for informing a privacy officer of any known or suspected breach of PII. When a privacy officer becomes aware of a breach of student PII, they shall contact the Chief Privacy Officer. The Chief Privacy Officer shall determine if enactment of

data breach response procedures contained in policy IDC and NDCC Ch. 51-30 is appropriate.

#### **4. Information Storage and Destruction**

Student education records shall be reviewed annually and any records unnecessary for progression to the next grade level, not needed for college entrance purposes, not needed for extracurricular participation, not needed for disciplinary purposes, and records that are not part of the permanent record will be shredded or destroyed. Exceptions apply for any content that may reasonably be related to litigation or anticipated litigation (retain for six years after a student turns eighteen), bullying reports (retain in accordance with policy ACEA), concussion documentation (retain in accordance with policy FCAF), executive session tapes (retain for at least six months), PowerSchool records, and special education records (retain in accordance with the Individuals with Disabilities Education Act).

#### **5. Directory Information**

The District may disclose directory information without parental or eligible student's consent if it has given parents/ or eligible student's a reasonable amount of time to opt-out of directory information release. Opt-out notices should be provided at the beginning of the school year and when a student otherwise enrolls in the District. These notices shall contain a reasonable deadline of at least 10 days for parents or eligible students to opt out.

The Board approves release of directory information as follows:

- a. Publication on the District's website.
- b. To Board-approved vendors for purposes of sale of school-related items such as, but not limited to, yearbooks, school pictures, graduation items, District apparel, and book orders.
- c. To military and college recruiters in accordance with applicable laws (NDCC 15.1-07-25.1 and 20 U.S.C. 7908).
- d. To official District newspaper for purposes of recognizing student accomplishments and coverage of extracurricular events.
- e. To school-affiliated groups for purposes of communicating and fundraising.
- f. To school-sponsored student publications including, but not limited to, newspapers and yearbooks.
- g. When the Board receives and approves a directory information release request; directory information shall only be released and used for purposes specified in the release request and the Superintendent shall add approved requestors to the District's master list of individuals and entities having access to student information. The Board shall develop criteria in regulations for approving and denying these requests.

Any District employee who wishes to disseminate student directory information to a third party shall contact their building-level privacy officer. The privacy officer shall determine if the Board has previously approved such release and, if not, deny the request or submit it to the Superintendent for Board approval.



## **6. Personally Identifiable Information (PII)**

Any third party requesting or receiving access to student PII must receive Board approval unless the third party is required to receive PII under state or federal law. Any school employee who wishes to share PII with a third party shall contact their building-level privacy officer. The privacy officer shall determine if the Board has previously approved such release and, if not, deny the request or submit it to the Superintendent for Board approval. Upon Board approval of any PII release request, the applicable privacy officer shall inform the requestor of any parental consent requirements and ensure the requestor complies with such requirements.

Parental/eligible student consent is not required to release PII under the following circumstances:

- a. The District receives information under 42 U.S.C. 14071 and applicable federal guidelines about a student who is a registered sex offender under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071), and the District has a need to disclose the student's status as a sex offender for safety purposes.
- b. In connection with a health or safety emergency under the conditions described in 34 C.F.R. 99.36.
- c. If records have been de-identified by the District; third party individuals and entities that receive de-identified information shall be included on the District's master list of individuals and entities having access to student information.
- d. To a school official who has a legitimate educational interest in the education records if the following conditions are satisfied:
  - i. Access shall be limited to only information the school official has a legitimate need to know;
  - ii. School officials shall use the information only for the purposes for which the disclosure was made and shall not redisclose the information to any other party without proper consent or legal authority; and
  - iii. Titles of individuals and entities considered school officials shall be included on the District's master list of individuals and entities having access to student information.
- e. To a court without a court order or subpoena when the District initiates legal action against a parent/student or a parent/student initiates legal action against the District.
- f. To accrediting bodies for purposes of accreditation.
- g. To an organization conducting a study for the District to develop, validate, or administer a predictive test; administer student aid programs; or improve instruction so long as the organization has entered into a written agreement with the Board in accordance with law; if the organization is conducting a survey of students, the District shall ensure parents are notified in compliance with policy GCC and shall obtain parental consent, if applicable (see #7).
- h. To another school in which the student seeks, intends to, or is already enrolled.
- i. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the U.S. Secretary of Education, and state and local educational authorities for audit or evaluation of federal or state supported education programs or for the enforcement of or compliance with federal legal

requirements that relate to those programs.

j. To comply with a judicial order or lawfully issued subpoena; the District must make reasonable attempt to contact the parent/ or eligible student before disclosure unless the court order instructs otherwise.

k. To the parents of an eligible student who is also a "dependent student" as defined in IRS Section 152.

The District will take measures necessary to ensure that individuals and entities to which PII is released shall only have access to information necessary to fulfill their responsibilities under law and to the District. Measures may include, but not be limited to, controlling access to computer data through password restrictions, controlled access to paper records, and ensuring that any information access agreements required by law are properly executed by the Board.

## **7. When Parental Consent is Required**

The District must obtain parental or eligible student consent to release student information under the following circumstances:

- a. The Board has approved release of PII to an individual or entity not meeting the definition of school official under law and/or not meeting an exception to the parental consent requirement under FERPA.
- b. The Board has approved release of directory information, other than or in addition to name, or PII to an online service provider for commercial purposes and the impacted students are under the age of 13.
- c. When administering a survey funded in whole or in part by the U.S. Department of Education and concerning any of the following areas:
  - i. Political affiliations or beliefs of the student or the student's parent;
  - ii. Mental or psychological problems of the student or the student's family;
  - iii. Sex behavior or attitudes;
  - iv. Illegal, anti-social, self-incriminating, or demeaning behavior;
  - v. Critical appraisals of other individuals with whom respondents have close family relationships;
  - vi. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
  - vii. Religious practices, affiliations, or beliefs of the student or student's parent; or
  - viii. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

If the District is unable to obtain this consent, it shall not release the impacted student's information.

## 504 Plans and Individual Educational Programs (IEPs)

Sharing of student information necessary for developing, amending, or implementing an IEP or 504 Plan and sharing student information needed to determine eligibility for special education or disability services are not subject to Board approval requirements in NDCC ch. 15.1-07-25.3 because the District provides these services in fulfillment of requirements under state and federal law.

## Policy Violations

Failure by a District employee or volunteer to comply with this policy, other District confidentiality requirements, or any improper disclosure of student information by a school employee or volunteer shall result in disciplinary action up to and including termination of employment. Failure by a third party to comply with this policy, any information-sharing agreements between the District and third party, or any improper disclosure of student information by the third party may result in termination of the third-party's access to student information and termination of the District's agreement with the third party.

## Training

School officials employed or volunteering for the District shall receive information and/or training on confidentiality requirements pertaining to student education records and consequences for breaching confidentiality. The District shall also provide training to applicable school personnel on the procedures for requesting to release student information contained in this policy.

If you **do not** want Dickinson School District to disclose directory information from your child's education records without your prior written consent, you must notify the school/District in writing **within two weeks of the first day child is enrolled**.

## Board Policy FGCB--SEARCHES OF STUDENTS AND STUDENTS' PERSONAL POSSESSIONS

### Definitions

This policy defines the following:

- *Personal possessions* include, but are not limited to, a student's vehicle, purse, backpack, bookbag, package(s), and clothing
- *Reasonable suspicion* means that administration has grounds to believe that the search will result in evidence of a violation of District policy, rules, the law, and/or that the violation may be detrimental to the health, safety, or welfare of District students. Reasonable suspicion may be based on a school administrator's personal observation, a report from a student, parent or employee, a student's suspicious behavior, a student's age and past history or record of conduct both in and out of the school context, or other reliable sources of information.
- *School property* is defined in NDCC 15.1-19-10(6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.

### Philosophy

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

### Search Procedure

When the building principal or Superintendent has reasonable suspicion that one or more students are carrying a

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

Searches of persons should be conducted in private by a school employee of the same sex as the student with a school employee present as a witness. Students may be asked to empty their pockets; however, strip searches shall not be conducted.

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

### **Searches of Vehicles**

The building principal or designee, with a witness present, shall conduct searches of a student's vehicle[es] if the vehicle is parked on school property and if reasonable suspicion exists with a witness present. The building principal shall make a reasonable attempt to contact the student who owns the vehicle and ensure they are present during the inspection unless an emergency situation warrants an immediate search. If a vehicle is locked and its owner cannot be contacted or refuses to open it, the building principal shall contact law enforcement.

### **Involvement of Law Enforcement**

The building principal or Superintendent may request the assistance of law enforcement to conduct any portion of a school-initiated search of a student's personal possessions that would pose a safety threat if conducted by a school employee. In all other cases, law enforcement must have probable cause in order to search a student's personal possessions.

### **Violation**

Personal possessions in violation of District policy, rules, the law, and/or that may be detrimental to the health, safety, or welfare of District students will be confiscated until further directed by the Superintendent or designee or law enforcement. Illegal substances found during a search of a student's personal possessions will be turned over to law enforcement authorities.

Students in violation of this policy, or any federal/state law, shall be subject to disciplinary action in accordance with the District's student conduct and discipline policy (FF) as determined by the Superintendent or designee, and when appropriate, be referred to law enforcement.

### **Reporting Requirements**

The administrator who authorized the search shall notify the Superintendent whenever a search has been conducted and shall complete a search and seizure report form to be retained in the suspected student's educational record.

## **Board Policy GCAA--GRADE PROMOTION, RETENTION, AND ACCELERATION**

The Dickinson Public School District is committed to fostering the continuous educational and personal growth of its students. Student progress shall be continually evaluated based on state and local achievement standards, course content standards, and education goals and objectives as established by administration and the teaching staff.

The Board recognizes that at every grade level there are differences among students in their intellectual and personal development and that individual students may be more proficient in some content areas than in others. Therefore, assignment of a student to a grade level shall be based on the best educational interest of the student, which shall be determined by using the criteria established below.

### **Criteria for Determining Promotion and Retention**

The decision to promote or retain a student shall be based on at least the following criteria:

1. Whether the student has completed course requirements at the presently assigned grade;
2. Whether the student demonstrates proficiency in enough course content areas to warrant promotion;

3. Whether the student has sufficiently met achievement standards and other educational goals/objectives established for the student's current grade level.

4. Whether the student demonstrates the degree of social, emotional, and physical maturation necessary for successful learning experiences in the next grade level.

5. The decision to promote or retain a special education student shall be made by the Individual Education Program (IEP) team in accordance with applicable law.

Under no circumstances shall a student be retained for the sole purpose of improving the student's ability to participate in the District's athletic program.

Procedures for promoting and retaining students shall be developed by the Superintendent and delineated in administrative regulations.

#### **Acceleration**

The Superintendent shall develop grade acceleration criteria and approval/denial procedures, which shall be delineated in administrative regulations.

### **Board Policy ABCA--COPYRIGHTED MATERIAL AND INTELLECTUAL PROPERTY**

#### **Copyright Prohibitions**

The District shall abide by the provisions of copyright law, including Fair Use Standards. The District prohibits illegal duplication in any form. Copyright materials, whether they are print or non-print; published online; or in the form of software, music, a digital medium or a performance shall not be duplicated or performed unless such use is permitted under law; or unless appropriate written permission from the copyright holder has been received and, if applicable, royalties paid.

#### **Compliance**

Each librarian should maintain copies of federal Fair Use copying guidelines and federal Fair Use Standards for off-air taping of copyrighted audio and audiovisual works. Legal counsel shall review any proposed usage beyond the guidelines.

The Superintendent will issue memorandums regarding this policy and federal Fair Use Guidelines to employees as needed; post notices of copyright law and this policy in appropriate locations; install filtering software on District networks to prevent illegal downloading and file sharing; and notify students of this policy through the use of student handbooks.

#### **Intellectual Property**

Any copyrightable work produced by a District employee within the scope of his/her duties is considered "work made for hire." The District owns all copyrightable rights to these items. Employees have no right to use such work outside the scope of their District duties without the board's permission. Work made for hire must remain with the District upon separation.

The Board authorizes the Superintendent to sell "work made for hire" products to other school systems, organizations, or commercial firms in accordance with the District's sale of school property policy.

#### **Violations**

Administration shall investigate all complaints of alleged copyright violations.

Students and employees who willfully disregard the District's copyright position are in violation of board policy and shall be subject to disciplinary consequences in accordance with applicable policies and law. In addition, employees who willfully disregard this policy do so at their own risk and assume all liability. The District may also deem employees who willfully violate copyright laws to be acting outside the scope of employment.

### **Model Notification of Rights under FERPA for Elementary and Secondary Schools (FGA-E2)**

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

1. The right to have the District notify you annually of your rights (this document).
2. The right to inspect and review the student's education records within 45 days after the day the District receives a request for access.

Parents or eligible students who wish to inspect their child's or their education records should submit to the building principal or designee a written request that identifies the records they wish to inspect. The building principal or designee shall make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected in accordance with board regulation FGA-BR1.

3. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the District to amend their child's or their education records should write the building principal, clearly identify the part of the record they want changed and specify why it should be changed. If the ~~school~~ building principal or designee decides not to amend the record as requested by the parent or eligible student, they will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

4. The right to provide written consent before the District discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent. (See complete list within this document).

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel), or a person serving on the school board. A school official also may include a volunteer, contractor, or consultant outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; or a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing their tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibility.

Upon request, the District may disclose education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

### **Disclosure of PII without Consent**

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

1. To other school officials, as defined in #4 above, that the District has determined to have legitimate educational interests. This may include contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1));
2. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2));
3. To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35);
4. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of

the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4));

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

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

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

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

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

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

11. Information the District has designated as "directory information" under §99.37. (§99.31(a)(11));

12. To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student's case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student in foster care placement. (20 U.S.C. § 1232g(b)(1)(L)); or

13. To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. (20 U.S.C. § 1232g(b)(1)(K)).

### **~~Violent and Threatening Behavior (ACE)~~**

#### **~~Threatening Behavior~~**

~~A true threat is a statement made orally, in writing, or using another medium that would be perceived by a reasonable person to be a serious expression of intent to harm, commit assault, or damage school property.~~

#### **~~Reporting~~**

~~Any student or employee who has knowledge of a threat shall promptly report it to the building principal or Superintendent. Failure to report a known threat may result in disciplinary consequences~~



~~up to and including suspension for students and termination of employment for staff in accordance with policy, law, and, when applicable, the negotiated agreement.~~

## **Threat Assessment**

~~Upon receipt of a threat report, the building principal shall promptly contact the Superintendent. The Superintendent shall determine if the report constitutes a true threat as defined above and if, given the nature of the threat, it should be handled internally or turned over to law enforcement. The Superintendent shall make these determinations based on, but not limited to, the following criteria:~~

- ~~1. \_\_\_\_\_ The detail, specificity, context, and content of the threat;~~
- ~~2. \_\_\_\_\_ The amount of disruption the threat has caused or may cause to the educational environment;~~
- ~~3. \_\_\_\_\_ Whether or not the Superintendent can identify the source of the threat; anonymous threats may be turned over to law enforcement;~~
- ~~4. \_\_\_\_\_ When the source of the threat can be identified, the Superintendent shall consider, to the extent possible, the individual's:~~
  - ~~a. \_\_\_\_\_ State of mind;~~
  - ~~b. \_\_\_\_\_ Relationship with peers;~~
  - ~~c. \_\_\_\_\_ Age;~~
  - ~~d. \_\_\_\_\_ Domestic life;~~
  - ~~e. \_\_\_\_\_ Ability to carry out the threat (e.g., access to weapons);~~
  - ~~f. \_\_\_\_\_ Past behavior.~~
- ~~5. \_\_\_\_\_ If any laws have been violated;~~
- ~~6. \_\_\_\_\_ The identity and potential motives of the individual reporting the threat.~~

~~The threat assessment may involve interviews with District staff, students, and parents. The Superintendent may, in accordance with the Family Educational Rights and Privacy Act and other applicable records laws, release threat assessment findings to law enforcement when deemed necessary.~~

~~When law enforcement and/or the Superintendent, having considered the totality of the facts obtained through the threat assessment, verifies that a threat is true, the District shall take necessary and timely measures to safeguard students, staff, and District property.~~

## **Disciplinary Consequences for Threatening Behavior**

- ~~1. \_\_\_\_\_ **Regular Education Students:** A student who is found to have made a true threat will be subject to disciplinary measures, including, but not limited to suspension and/or expulsion. When deemed to be a necessary safety precaution, the District may require alternative placement or appoint supervision during the periods of suspension and/or expulsion for threatening behavior.~~
- ~~2. \_\_\_\_\_ **Special Education Students:** Special education students found to have made a true threat will be disciplined in accordance with applicable policies and laws pertaining to the discipline of special education students.~~
- ~~3. \_\_\_\_\_ **Staff:** Employees found to have made a true threat shall be subject to disciplinary consequences up to and including termination of employment in accordance with policy, law, and, when applicable, the negotiated agreement.~~

~~Students and employees may also be to subject to the filing of criminal charges and/or referred to counseling services for treatment.~~

## **Violent Behavior**

~~The District prohibits all acts of violence and aggression, including, but not limited to, possession of a weapon or dangerous instrument, physical assault, vandalism of District property, stalking, gang affiliation and/or activity, terroristic acts. Violators of this policy shall be subject to disciplinary consequences, determined by the seriousness of the act, including, but not limited to, expulsion for students, discharge for employees, and exclusion from school premises in accordance with applicable policy and law. In addition, the District may take legal action against the perpetrator.~~

~~Students and employees may also be to subject to the filing of criminal charges and/or referred to counseling services for treatment.~~

## **School Board Policy FGA-Student Education Records and Privacy**

The District believes that while collection and use of student information is necessary to provide education and student support services, the District must implement safeguards to ensure information is appropriately protected and used to serve the best interests of students. The purpose of this policy is to establish such safeguards.

### **Definitions**

· *Directory information* is defined as personally identifiable information contained in a student education record that is generally considered **not** harmful or an invasion of privacy if disclosed and includes:

- a. Name (first and last)
- b. Address
- c. Date and place of birth
- d. Dates of attendance
- e. Degrees, honors, and awards received
- f. Grade level
- g. School email address
- h. Major field of study
- i. Participation in officially recognized activities and sports
- j. Student identification number if it cannot be used alone to access an educational record and is not the student's social security number

- k. Photograph
- l. Telephone listing
- m. Weight and height of members of athletic teams

- *Education records* are records that are directly relates to a student and are is maintained by the District or by a party acting on behalf of the District. These records include but are not limited to grades, transcripts, class lists, student course schedules, health records, and student discipline files. This definition excludes law enforcement records and records in the sole possession of the maker used only as a memory aid.

- *Eligible student* means a student who has reached the age of 18.

- *FERPA* stands for the Family Educational Rights and Privacy Act.

- *Legitimate educational interest* is defined as access that is needed in order for a school official to fulfill their professional responsibility.

- *Parent* means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.

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

- *Personally Identifiable Information* (PII) includes information maintained in the student's education record that could be used alone or in combination to trace a student's identity directly or indirectly and would allow a reasonable person, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

- *Record* means any information recorded in any way including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.

- *School official* is defined as an individual who has a legitimate educational interest in accessing student educational records and is affiliated with the District in one of the following capacities:

- a. An individual employed by the District in an administrative, instructional, or support staff position;

- b. School board members; or

- c. Contractors, consultants, volunteers, service providers, or other party with whom the District has outsourced institutional services or functions for which the District would otherwise use employees; records provided to these third parties must remain directly under the District's control for purposes of maintenance and use and the third party must agree to comply with 34 C.F.R. 99.33(a). Examples include, but are not limited to, school resource officers, interns, student teachers, the District's attorney, PowerSchool, SLDS, learning management software, hot lunch tracking software, and District alert systems.

## **Designation and Responsibilities of Privacy Officers**

The Superintendent or designee shall serve as Chief Privacy Officer. In this role, the Superintendent is responsible for submitting to the Board for approval student information sharing requests from third-party individuals/entities other than parties to which the District reports student information under law. The Superintendent shall also maintain a master list of all individuals and entities having access to student information, including school district personnel listed by title. To ensure this list remains current and is manageable to maintain, it shall not contain names of individuals who have access to data.

The Superintendent may designate privacy officers at the District and building level. These privacy officers are responsible for:

1. Maintaining a list of school personnel by title who have access to student information; this list shall be provided to the Superintendent each time it is updated.
2. Submitting to the Superintendent for Board approval new requests to share student information with third-party individuals and entities other than parties to which the District reports student information under law.
3. Ensuring that access to student information is granted only to the extent there is a legitimate educational interest and in accordance with this policy and any applicable agreements.
4. Enforcing this and other applicable District confidentiality and data protection policies.
5. Providing a list of students who have opted-out of directory information to classroom teachers and other District staff who have a need to know.

## **Information Release Safeguards**

### **1. Access by Parents and Eligible Students**

To ensure compliance with parental and eligible student access requirements under FERPA:

- a. The District shall comply with a request by a parent or eligible student to access education records within a reasonable period of time, not to exceed 45 days after receipt of a request.
- b. The Board shall develop procedures for a parent/guardian or eligible student to review and amend educational records. These procedures shall include procedures to verify the identity of a requesting parent/eligible student. The regulations shall be delineated in Board regulations and shall be available upon request.

### **2. Classroom Use of Instructional Tools Requiring Release of Student Information**

Teachers are encouraged to use instructional technological tools that allow for use of an alias or that do not require submission of directory information (other than or in addition to name)

or PII. Whenever a teacher wishes to use an instructional tool that requires release of directory information, other than or in addition to name, or PII such as, but not limited to, software or an app, the teacher shall submit a request to the building-level privacy officer. The privacy officer shall check the District's master list of individuals and entities approved to receive student information. If the entity is not on this list or the teacher's request is beyond the scope of information sharing permission previously granted, the privacy officer shall either deny the teacher's request or submit an information-sharing request to the Superintendent for Board approval. If the teacher is authorized to use the instructional tool, the building-level privacy officer shall ensure the teacher complies with any parental consent requirements and directory information opt-out requests before using the tool.

### **3. Data Breaches**

District employees are responsible for informing a privacy officer of any known or suspected breach of PII. When a privacy officer becomes aware of a breach of student PII, they shall contact the Chief Privacy Officer. The Chief Privacy Officer shall determine if enactment of data breach response procedures contained in policy IDC and NDCC Ch. 51-30 is appropriate.

### **4. Information Storage and Destruction**

Student education records shall be reviewed annually and any records unnecessary for progression to the next grade level, not needed for college entrance purposes, not needed for extracurricular participation, not needed for disciplinary purposes, and records that are not part of the permanent record will be shredded or destroyed. Exceptions apply for any content that may reasonably be related to litigation or anticipated litigation (retain for six years after a student turns eighteen), bullying reports (retain in accordance with policy ACEA), concussion documentation (retain in accordance with policy FCAF), executive session tapes (retain for at least six months), PowerSchool records, and special education records (retain in accordance with the Individuals with Disabilities Education Act).

### **5. Directory Information**

The District may disclose directory information without parental or eligible student's consent if it has given parents/ or eligible student's a reasonable amount of time to opt-out of directory information release. Opt-out notices should be provided at the beginning of the school year and when a student otherwise enrolls in the District. These notices shall contain a reasonable deadline of at least 10 days for parents or eligible students to opt out.

The Board approves release of directory information as follows:

- a. Publication on the District's website.
- b. To Board-approved vendors for purposes of sale of school-related items such as, but not limited to, yearbooks, school pictures, graduation items, District apparel, and book orders.

- c. To military and college recruiters in accordance with applicable laws (NDCC 15.1-07-25.1 and 20 U.S.C. 7908).
- d. To official District newspaper for purposes of recognizing student accomplishments and coverage of extracurricular events.
- e. To school-affiliated groups for purposes of communicating and fundraising.
- f. To school-sponsored student publications including, but not limited to, newspapers and yearbooks.
- g. When the Board receives and approves a directory information release request; directory information shall only be released and used for purposes specified in the release request and the Superintendent shall add approved requestors to the District's master list of individuals and entities having access to student information. The Board shall develop criteria in regulations for approving and denying these requests.

Any District employee who wishes to disseminate student directory information to a third party shall contact their building-level privacy officer. The privacy officer shall determine if the Board has previously approved such release and, if not, deny the request or submit it to the Superintendent for Board approval.

## **6. Personally Identifiable Information (PII)**

Any third party requesting or receiving access to student PII must receive Board approval unless the third party is required to receive PII under state or federal law. Any school employee who wishes to share PII with a third party shall contact their building-level privacy officer. The privacy officer shall determine if the Board has previously approved such release and, if not, deny the request or submit it to the Superintendent for Board approval. Upon Board approval of any PII release request, the applicable privacy officer shall inform the requestor of any parental consent requirements and ensure the requestor complies with such requirements.

Parental/eligible student consent is not required to release PII under the following circumstances:

- a. The District receives information under 42 U.S.C. 14071 and applicable federal guidelines about a student who is a registered sex offender under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071), and the District has a need to disclose the student's status as a sex offender for safety purposes.
- b. In connection with a health or safety emergency under the conditions described in 34 C.F.R. 99.36.

- c. If records have been de-identified by the District; third party individuals and entities that receive de-identified information shall be included on the District's master list of individuals and entities having access to student information.
- d. To a school official who has a legitimate educational interest in the education records if the following conditions are satisfied:
- i. Access shall be limited to only information the school official has a legitimate need to know;
  - ii. School officials shall use the information only for the purposes for which the disclosure was made and shall not redisclose the information to any other party without proper consent or legal authority; and
  - iii. Titles of individuals and entities considered school officials shall be included on the District's master list of individuals and entities having access to student information.
- e. To a court without a court order or subpoena when the District initiates legal action against a parent/student or a parent/student initiates legal action against the District.
- f. To accrediting bodies for purposes of accreditation.
- g. To an organization conducting a study for the District to develop, validate, or administer a predictive test; administer student aid programs; or improve instruction so long as the organization has entered into a written agreement with the Board in accordance with law; if the organization is conducting a survey of students, the District shall ensure parents are notified in compliance with policy GCC and shall obtain parental consent, if applicable (see #7).
- h. To another school in which the student seeks, intends to, or is already enrolled.
- i. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the U.S. Secretary of Education, and state and local educational authorities for audit or evaluation of federal or state supported education programs or for the enforcement of or compliance with federal legal requirements that relate to those programs.
- j. To comply with a judicial order or lawfully issued subpoena; the District must make reasonable attempt to contact the parent/ or eligible student before disclosure unless the court order instructs otherwise.
- k. To the parents of an eligible student who is also a "dependent student" as defined in IRS Section 152.

The District will take measures necessary to ensure that individuals and entities to which PII is released shall only have access to information necessary to fulfill their responsibilities under law and to the District. Measures may include, but not be limited to, controlling access to computer data through password restrictions, controlled access to paper records, and ensuring that any information access agreements required by law are properly executed by the Board.

## **7. When Parental Consent is Required**

The District must obtain parental or eligible student consent to release student information under the following circumstances:

- a. The Board has approved release of PII to an individual or entity not meeting the definition of school official under law and/or not meeting an exception to the parental consent requirement under FERPA.
- b. The Board has approved release of directory information, other than or in addition to name, or PII to an online service provider for commercial purposes and the impacted students are under the age of 13.
- c. When administering a survey funded in whole or in part by the U.S. Department of Education and concerning any of the following areas:
  - i. Political affiliations or beliefs of the student or the student's parent;
  - ii. Mental or psychological problems of the student or the student's family;
  - iii. Sex behavior or attitudes;
  - iv. Illegal, anti-social, self-incriminating, or demeaning behavior;
  - v. Critical appraisals of other individuals with whom respondents have close family relationships;
  - vi. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
  - vii. Religious practices, affiliations, or beliefs of the student or student's parent; or
  - viii. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

If the District is unable to obtain this consent, it shall not release the impacted student's information.



## 504 Plans and Individual Educational Programs (IEPs)

Sharing of student information necessary for developing, amending, or implementing an IEP or 504 Plan and sharing student information needed to determine eligibility for special education or disability services are not subject to Board approval requirements in NDCC ch. 15.1-07-25.3 because the District provides these services in fulfillment of requirements under state and federal law.

## Policy Violations

Failure by a District employee or volunteer to comply with this policy, other District confidentiality requirements, or any improper disclosure of student information by a school employee or volunteer shall result in disciplinary action up to and including termination of employment. Failure by a third party to comply with this policy, any information-sharing agreements between the District and third party, or any improper disclosure of student information by the third party may result in termination of the third-party's access to student information and termination of the District's agreement with the third party.

## Training

School officials employed or volunteering for the District shall receive information and/or training on confidentiality requirements pertaining to student education records and consequences for breaching confidentiality. The District shall also provide training to applicable school personnel on the procedures for requesting to release student information contained in this policy.

If you **do not** want Dickinson School District to disclose directory information from your child's education records without your prior written consent, you must notify the school/District in writing **within two weeks of the first day child is enrolled**.

## Notice of Directory Information (FGA-E)

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that Dickinson Public School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, Dickinson Public School District may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures.

The primary purpose of directory information is to allow the Dickinson School District to include this ~~type of~~ information from your child's education records in certain school publications. Examples include:

1. A playbill, showing your student's role in a drama production;
2. The annual yearbook;
3. Honor roll or other recognition lists;

4. Graduation programs; and
5. Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require school districts receiving assistance under the Elementary and Secondary Education Act of 1965, as amended (ESEA) to provide military recruiters, upon request, with three directory information categories--names, addresses and telephone listings--unless parents have advised the District that they do not want their student's information disclosed without their prior written consent.

If you do not want Dickinson Public School District to disclose directory information from your child's education records without your prior written consent, you must notify the school/District in writing **within two weeks of the first day child is enrolled**. The Dickinson Public School District has designated the following information as directory information: *Note: The District may, but does not have to, include all the information listed below.*

1. Student's name (first and last)
2. Address
3. Date and place of birth
4. Dates of attendance
5. Degrees, honors, and awards received
6. Student identification number, user ID, or other unique personal identifier used to communicate in electronic systems or displayed on a student ID badge, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user
7. Grade level
8. School email address
9. Participation in officially recognized activities and sports
10. Photograph
11. Telephone listing
12. Weight and height of members of athletic teams
13. Most recent school attended.

An opt out request form is available at any of the schools and also the Dickinson Public Schools website (FGA-Exhibit).

## **Student Education Records Access and Amendment Procedure (FGA-BR1)**

### **Reviewing an Educational Record**

The District shall comply with a parent or eligible student's right to inspect and review the student's education records. This right will be granted using the following procedure:

1. A parent or eligible student shall make a request orally or in writing to the building principal to inspect and review the student's educational records.
2. The building principal must provide a parent or eligible student the opportunity to inspect and review the student's education records within a reasonable period of time, but not more than 45 calendar days following receipt of a request.
3. The building principal shall notify the parent or eligible student of the time and place when a the student's education records may be inspected.
4. The building principal shall require the requestor to submit/show a form of state or federally issued identification to verify the identity of the requestor if the requestor is unknown to the principal.
5. The principal or designee shall be present when the parent or eligible student reviews the records.
6. If circumstances prevent a parent or eligible student from reviewing their child's or their education records at the school office, the District shall prepare and mail a copy of the records or make alternative arrangements for the parent or eligible student to inspect and review the records. Any expense incurred from copying and/or mailing the records may be charged to the parent or eligible student at state rates, except as prohibited by law.

The building principal shall respond to reasonable requests for explanations and interpretations of the records in a prompt and equitable manner.

### **Amending an Educational Record**

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

1. Any request to amend education records shall be made in writing and submitted to the building principal.
2. The principal shall review the request within a reasonable time and approve or deny it. The principal's decision shall be submitted to the parent or eligible student. If the principal denies the amendment request, they shall inform the parent or eligible student of their right to request an appeals hearing.
3. Requests for an appeals hearing shall be submitted to the Superintendent or designee. The hearing shall be held within a reasonable time after the appeal request has been made.
4. The Superintendent or designee shall provide the parent or eligible student notice of the date, time, and place, reasonably in advance of the hearing.
5. The Superintendent or designee shall serve as the hearing officer.
6. The parent or eligible student may, at their own expense, be assisted or represented by one or more individuals of their choice, including an attorney;
7. The parent or eligible student shall have a full and fair opportunity to present evidence related to the amendment request.
8. The Superintendent or designee shall make its decision in writing within a reasonable period of time after the hearing. The decision must be based solely on the evidence presented at the hearing and must include a summary of the evidence and the reasons for the decision.
9. The Superintendent's decision is final and binding.
10. If the Superintendent or designee denies the amendment request, they will notify the parent or eligible student within a reasonable time of their right to submit a written response commenting on the contested material and/or explaining the disagreement with the hearing officer's decision. This written response shall be retained and, when applicable, disseminated in accordance with law.

### **Parent's Right to Know**

Through federal education law, parent(s) or guardian(s) have the right to request information on the professional qualifications of the teachers and paraprofessionals educating their children. If you are interested in receiving this information, please contact the Central Administration Office at 701-456-0002. Upon this request, you will receive a detailed explanation of the licensing and educational qualifications of each of your children's teachers. You will also receive the names and qualifications of the paraprofessionals working with your children.

### **Dickinson Public School District's Policy for Tobacco Use (ABBA)**

## Definitions

For purposes of this policy:

- *Electronic smoking device* means any product containing or delivering nicotine, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. Electronic smoking device includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, e-hookahs, mods, tank systems, Juul, Suorin, or under any other product name or descriptor. Electronic smoking device also includes any component part of a product, whether or not marketed or sold separately, including, but not limited to, e-liquids, e-juice, cartridges, or pods.
- *Imitation tobacco product* means any edible non-tobacco product designed to resemble a tobacco product, or any non-edible, non-tobacco product designed to resemble a tobacco product and intended to be used by children as a toy. Imitation tobacco product includes, but is not limited to, candy or chocolate cigarettes, bubble gum cigars, shredded bubble gum resembling chewing tobacco, pouches containing flavored substances packaged similar to snus, and shredded beef jerky in containers resembling snuff tins.
- *Lighter* means a mechanical or electrical device typically used for lighting tobacco products.
- *Possession of tobacco products* means:
  - a. Actual physical possession of the tobacco product while on school property;
  - b. Use or consumption of the tobacco product while on school property;
  - c. Tobacco product located in the student's locker, car, handbag, backpack, or other belongings while on school property; or
  - d. Appearance by a student on school property after having consumed or ingested the tobacco product that is noticeable by breath odor.
- *Smoking* means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco, nicotine, or plant product intended for inhalation, including hookah and marijuana, whether natural or synthetic. "Smoking" also includes the use of an electronic smoking device. This excludes any FDA-approved nicotine replacement therapy.
- *School property* is defined in NDCC 15.1-19-10(6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.
- *Tobacco product* means any product containing, made, or derived from tobacco, or that contains nicotine, whether synthetic or natural, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or

ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to: a cigarette; electronic smoking device; cigar; little cigar; cheroot; stogie; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; cavendish; plug and twist tobacco; fine-cut and other chewing tobacco; shorts; snuff; snuff flour; snus; refuse scraps, clippings, cuttings, and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco product also includes any electronic smoking device.

· *Tobacco* use means smoking and the heating, inhaling, chewing, absorbing, dissolving or ingesting of any tobacco product.

· *Visitor* means any person subject to this policy that is not a District student or employee. This includes school volunteers, independent contractors, individuals performing services on behalf of the District, and individuals attending school-sponsored events or activities.

### **Rationale for Regulating Possession and Use**

The health hazards of tobacco use have been well established. This policy is established to:

1. Reduce the high incidence of tobacco use in North Dakota.
2. Protect the health and safety of all students, employees, and the general public.
3. Set a non-tobacco-use example by adults.
4. Assist in complying with smoking restrictions in state and federal law (NDCC 23-12-10 and 20 U.S.C. 7973).

Tobacco use is the leading cause of preventable death and disability in North Dakota. To support and model a healthy lifestyle for our students and ensure a safe learning and working environment, the Dickinson Public School District School Board establishes the following tobacco-free policy.

### **Prohibitions**

Students are prohibited from possessing, using, consuming, displaying, promoting, or selling tobacco products, electronic smoking devices, imitation tobacco products, or lighters at any time on school property or at any school-sponsored event or activity. In addition, students who participate in extracurricular activities are prohibited from possessing or using tobacco products at any time, on and off school property, as directed by District policy (FFE) and the North Dakota High School Activities Association bylaws.

District employees and visitors are prohibited from using, consuming, displaying, activating, promoting, or selling tobacco products, electronic smoking devices, imitation tobacco products, or lighters at any time on school property or at any school-sponsored event or activity.

This policy includes all events on school property that are not sponsored by, or associated with, the school.

The District shall not promote or allow promotion of tobacco products, electronic smoking devices, imitation tobacco products, or lighters on school property, at any school-sponsored event or activity,

or in any school publications. This includes promotion of these products via gear, technology accessories, bags, clothing, any personal articles, signs, structures, vehicles, flyers, or any other materials.

The District shall not accept any gifts (such as curriculum, book covers, speakers, etc.) or funds from tobacco industry or from any tobacco products shop.

### **Exceptions**

It shall not be a violation of this policy for an individual to possess or provide tobacco, electronic smoking devices, imitation tobacco products, or lighters to any other individual as part of a genuine indigenous practice or a lawfully recognized religious, spiritual, or cultural ceremony or practice off of school property. It shall not be a violation of this policy to use a tobacco product as part of an educational experience related to indigenous tobacco practices when such use and education experience has been approved by administration.

It shall not be a violation of this policy for tobacco products, electronic smoking devices, imitation tobacco products or lighters to be included in an instructional or work-related activity on school property if the activity is conducted by an employee or an approved visitor, the activity does not include smoking chewing, or otherwise ingesting the tobacco product, and has been approved by administration.

It shall not be a violation of this policy for non-students 18 years and older to use or possess a product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

### **Communicating to Students, Employees, and Public**

The District shall comply with all smoking prohibition posting requirements in law. Appropriate signage shall be posted throughout the District at building entrances and other highly visible locations on school property, such as, but not limited to, school buildings, District vehicles, vehicular entrances to school grounds, school playgrounds, and all indoor and outdoor athletic facilities. Signage shall indicate that the Dickinson Public School District is tobacco free. This policy shall be printed in employee and student handbooks. The local media may be asked to communicate this tobacco-free policy communitywide.

### **Responsibility for Violations**

All individuals on the District's premises share in the responsibility for adhering to and enforcing this policy. The Superintendent shall develop regulations for the enforcement and implementation of this policy (ABBA-AR).

### **Prevention Education**

The District may consult with the county health department and other applicable health organizations to provide students with age-appropriate tobacco prevention information that follows the guidance from the Centers for Disease Control and Prevention.

## **Tobacco Cessation Services**

Individuals requesting assistance with tobacco cessation services will be referred to NDQuits, the North Dakota Department of Health multi-media tobacco cessation program. This is a free cessation service provided to citizens of North Dakota.

## **Student Alcohol and Other Drug Use (FFA)**

~~This policy pertains to alcohol and other drug use/abuse. Tobacco use is defined in a separate policy (see ABBA.)~~

## **Philosophy**

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

## **Definitions**

~~This policy defines the following:~~

~~—Alcohol—See Prohibited Substances.~~

~~—Drug—See Prohibited Substances.~~

~~—Possession shall mean:~~

~~a.——Actual physical possession of the alcohol or drug while on school property;~~

~~b.——Use or consumption of the alcohol or drug while on school property;~~

~~c.——In the student's locker, car, handbag, backpack, or other belongings while on school property; or~~

~~d.——Appearance by a student on school property after having consumed or ingested alcohol or a drug that is noticeable by breath odor, speech alterations, unsteadiness of gait or posture, or like symptoms of chemical intoxication.~~

~~—Use shall mean that a student is reasonably known to have ingested, injected, inhaled or otherwise taken into the body a prohibited substance, or is reasonably found to be under the influence of such a substance.~~

~~—School property is defined in NDCC 15.1-19-10 (6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school sponsored event or activity.~~



## **Prohibited Substances**

Prohibited substances include, but are not limited to:

- ~~1. Alcohol, powdered alcohol, or any alcoholic beverage as defined in NDCC 5-01-01;~~
- ~~2. Any controlled substance or dangerous drug as defined by NDCC Sections 19-03.1-05 through 19-03.1-13 and 19-03.1-26 (paraphernalia) or as defined by Section 812, Schedules I-V, of Title 21, United States Code, Section 801, et seq., including but not limited to marijuana, any narcotic drug, any hallucinogen, any stimulant or depressant, and all other illicit drugs;~~
- ~~3. Any glue, aerosol paint, or any other chemical substance used for inhalation;~~
- ~~4. Any prescription or non-prescription drug, medicine, vitamin or other chemical including, but not limited to aspirin, other pain relievers, stimulants, diet pills, multiple or other type vitamins, pep pills, "no-doze" pills, cough medicines and syrups, cold medicines, laxatives, stomach or digestive remedies, depressants, sports or muscle building supplements, and sleeping pills not administered and/or taken with appropriate consent and authorization from parents, school administration, and, if applicable, a health care provider.~~

## **Prohibited Activities**

It shall be against school policy for any student to:

- ~~1. Sell, deliver, or give, or attempt to sell, deliver, or give to any person any of the substances listed in this policy or sell, deliver, or give, or attempt to sell, deliver, or give to any person substances the student represents or believes to be a substance(s) listed in this policy.~~
- ~~2. Possess, procure, purchase, or receive, or to attempt to possess, procure, purchase, or receive the substances listed in this policy, or what is represented by or to the student to be any of the substances listed in this policy, or what the student believes is any of the substances listed in this policy. Be under the influence of (legal intoxication not required), use, consume or attempt to use or consume the substances listed in this policy or what is represented by or to the student to be any of the substances listed in this policy or what the student believes is any of the substances in this policy.~~
- ~~3. Knowingly or intentionally aiding or abetting in any of the above activities.~~

~~This policy applies to any student who is on school property, or whose off-campus conduct is reasonably predicted to substantially disrupt the operations of the school District, District safety, or welfare of students or employees.~~

## **Reporting Violations**

~~A student or staff member that has reason to believe that a student has violated this policy shall notify a school official (i.e., a teacher or administrator if the reporter is a student; a school administrator if the reporter is a District staff member). Except in limited circumstances under law,<sup>[H]</sup> a teacher is required to report known or suspected violations of this policy to the school principal.~~

## **Violation**

~~When a principal/Superintendent has reasonable suspicion that a student has violated this policy, they may search the student in accordance with the District's policy on searches of students' person or personal property.~~

~~Such searches shall not include referral for mandatory alcohol/drug testing.~~

~~Disciplinary sanctions will be imposed on and additional actions may be taken, as listed below, in response to, any violation of this policy. These sanctions may include suspension or expulsion; intervention, as described below, and notification of proper authorities for prosecution. Prohibited substances will be confiscated and illegal substances will be turned over to law enforcement authorities.~~

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

## **Intervention**

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

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

~~The school will make a reasonable effort to cooperate with a therapy program if one is recommended for the student. The Board believes that if a student is involved in a chemical dependency program and is successfully addressing their harmful involvement with chemicals, they may be allowed to continue in the regular school setting and continue to participate in any extracurricular program unless participation is in conflict with rules and regulations set forth by the Board, the North Dakota High School Activities Association, and/or the student has been suspended or expelled as a result of a District policy violation.~~

~~The school may, through the use of available resources, provide follow up counseling and supportive assistance to those students who return after successfully completing a therapeutic~~

~~regimen, realizing that the student may need assistance in dealing with other environmental factors beyond the school's control which may remain unchanged.~~

## **Confidentiality**

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

## **Education**

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

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

## **Policy Implementation**

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

~~The Dickinson Public Schools will review this policy and its implementation periodically to ensure that disciplinary sanctions are consistently applied and to determine the effectiveness of the program for the prevention of alcohol and other drug use/abuse.~~

## **Suicide Prevention (Policy FCAE)**

### **Definitions**

This policy defines the following:

- *At risk* means a student who has made a suicide attempt, has the intent to die by suicide, or has displayed a significant change in behavior suggesting the onset or deterioration of a mental health condition. The student may have thought about suicide including potential means of death and may have a plan. In addition, the student may exhibit feelings of isolation, hopelessness, helplessness, and the inability to tolerate any more pain.
- *Mental health* means a state of mental and emotional being that can impact choices and actions that affect wellness. Mental health problems include mental and substance use disorders.
- *Postvention* means a crisis intervention strategy designed to reduce the risk of suicide and suicide contagion, provide the support needed to help survivors cope with a suicide death, address the social stigma associated with suicide, and disseminate factual information after the suicide death of a member of the school community.
- *Risk assessment* means an evaluation of a student who may be at risk for suicide, conducted by the appropriate school staff (e.g., school psychologist, school counselor, or school social worker). This assessment is designed to elicit information regarding the student's intent to die by suicide,

previous history of suicide attempts, presence of a suicide plan and its level of lethality and availability, presence of support systems, and level of hopelessness and helplessness, mental status, and other relevant risk factors.

- *Risk factors for suicide* means characteristics or conditions that increase the chance that a person may try to take his or her life. Suicide risk tends to be highest when someone has several risk factors at the same time. Risk factors may encompass biological, psychological, and or social factors in the individual, family, and environment.
- *Suicide Death* means death caused by self-directed injurious behavior with any intent to die as a result of the behavior. [Note: The coroner's or medical examiner's office must first confirm that the death was a suicide before any school official may state this as the cause of death.]
- *Suicide attempt* means a self-injurious behavior for which there is evidence that the person had at least some intent to kill themselves. A suicide attempt may result in death, injuries, or no injuries. A mixture of ambivalent feelings such as wish to die and desire to live is a common experience with most suicide attempts. Therefore, ambivalence is not a sign of a less serious or less dangerous suicide attempt.
- *Suicidal behavior* means suicide attempts, intentional injury to self-associated with at least some level of intent, developing a plan or strategy for suicide, gathering the means for a suicide plan, or any other overt action or thought indicating intent to end one's life.
- *Suicide contagion* means the process by which suicidal behavior or a suicide influences an increase in the suicidal behaviors of others. Guilt, identification, and modeling are each thought to play a role in contagion. Although rare, suicide contagion can result in a cluster of suicides.
- *School property* is defined in NDCC 15.1-19-10(6)(b) is all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.

## Purpose

The purpose of this policy is to protect the health and well-being of all District students while on school property by having procedures in place to prevent, assess the risk of, intervene in, and respond to suicide. The District:

1. Recognizes that physical, behavioral, and emotional health is an integral component of a student's educational outcomes;
2. Further recognizes that suicide is a leading cause of death among young people;
3. Has an ethical responsibility to take a proactive approach in preventing deaths by suicide; and
4. Acknowledges the school's role in providing an environment which is sensitive to individual and societal factors that place youth at greater risk for suicide, and one which helps to foster positive youth development.

## Prevention

### District Policy Implementation

A District Suicide Prevention Coordinator shall be designated by the Superintendent. The Dickinson Public School District Superintendent designates the Director of Student Services as its Suicide Prevention Coordinator. The District Suicide Prevention Coordinator shall be responsible for planning and coordinating implementation of this policy for the school district. Each school principal shall designate a school Suicide Prevention Coordinator to act as a point of contact in each school for issues relating to suicide prevention and policy implementation. This may be an existing staff person. All staff members must report students they believe to be at elevated risk for suicide to the school Suicide Prevention Coordinator.

### **Staff Professional Development**

Every two years, Dickinson Public Schools shall provide a minimum of eight hours of professional development on youth behavioral health to elementary, middle, and high school teachers, and administrators. Dickinson Public Schools shall encourage ancillary and support staff to participate in the professional development. Based on the annual needs assessment of the school district, these hours must be designated from the following categories:

- a. Trauma;
- b. Social and emotional learning, including resiliency;
- c. Suicide prevention;
- d. Bullying;
- e. Understanding of the prevalence and impact of youth behavioral health wellness on family structure, education, juvenile services, law enforcement, and health care and treatment providers;
- f. Knowledge of behavioral health symptoms and risks;
- g. Awareness of referral sources and evidence-based strategies for appropriate interventions; or
- h. Other evidence-based strategies to reduce risk factors for students.
- i. Current or new evidence-based behavior prevention or mitigation techniques.

The school district shall report the professional development hours to the Department of Public Instruction using the NDDPI STARS Calendar System.

The professional development may include additional information regarding groups of students at elevated risk for suicide, including those living with mental and/ or substance use disorders, those who engage in self harm or have attempted suicide, those in out-of-home settings, those experiencing homelessness, American Indian/Alaska Native students, LGBTQ (lesbian, gay, bisexual, transgender, and questioning) students, students bereaved by suicide, and those with medical conditions or certain types of disabilities.

Additional professional development in risk assessment and crisis intervention may be provided to school-employee mental health professionals and school nurses.

## Youth Suicide Prevention Programming

Developmentally-appropriate, student-centered education materials shall be integrated into the curriculum of all K-12 health classes. The content of these age-appropriate materials may include:

1. the importance of safe and healthy choices and coping strategies;
2. how to recognize risk factors and warning signs of mental disorders and suicide in oneself and others;
3. help-seeking strategies for oneself or others, including how to engage school resources and refer friends for help. In addition, schools may provide supplemental small group suicide prevention programming for students.

## EMERGENCY CLOSING PROCEDURE

During inclement weather, parents/guardians are requested not to telephone the school office or the Central Administration Offices. Too many calls tie up vital phone lines, making it difficult to keep everything running smoothly. The automated message system from **SchoolMessenger SwiftK12** will be activated should weather conditions warrant the closing of schools or early dismissal. It will send a message as per the parent's/guardian's personal preference selected in PowerSchool (automated telephone call, email, and/or text message system). Telephone messages from **SchoolMessenger SwiftK12** will show as caller ID 701-456-0002, text from **995-38 67587**, and an email will be generated.

## **School Board Policy GCC, Protection of Pupil Rights Amendment** **Definitions**

- *Eligible student* means a student who has reached the age of 18 or becomes an emancipated minor under applicable State law.
- *Instructional material* means instructional content that is provided to a student, regardless of format, including printed or representational materials, audiovisual materials, and materials in electronic or digital formats (such as materials accessible through the Internet), e.g., teacher's manuals, films, tapes, or other supplementary material, which will be used in connection with any survey, analysis, or evaluation. The term does not include academic tests or academic assessments.
- *Parent* means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.
- *Personal Information* means individually identifiable information. This includes, but is not limited to, a student or parent's first or last name; a home or physical address (including street name and the name of the city or town); a telephone number; or a Social Security identification number.

## **Protection of Pupil Rights Amendment**

The District adheres to the Protection of Pupil Rights Amendment (PPRA), a federal law that affords parents and eligible students certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. An overview of these rights follows:

1. Receive regular notification of the District's policies on PPRA;
2. Provide input in the development of this policy;
3. Consent to federally funded surveys concerning protected information. The District must obtain written consent from the parent or eligible student prior to requiring the student to participate in a survey that is funded in whole or part by a program administered by the Department of Education (Department) if the survey concerns one or more of the following protected areas of information ("protected information survey"):
  - a. Political affiliations or beliefs of the student or student's parent;
  - b. Mental or psychological problems of the student or student's family;
  - c. Sex behavior or attitudes;
  - d. Illegal, anti-social, self-incriminating, or demeaning behavior;
  - e. Critical appraisals of others with whom respondents have close family relationships;
  - f. Legally recognized privileged or analogous relationships, such as with lawyers, doctors, or ministers;
  - g. Religious practices, affiliations, or beliefs of the student or student's parents/guardians; or
  - h. Income, other than as required by law to determine program eligibility;
4. Opt-out of certain surveys and exams even if not federally funded. Parents and eligible students must receive advance notice of any of the following activities and have the right to opt out of them:
  - a. Any protected information survey, regardless of funding;
  - b. Any non-emergency, invasive physical exam or screening that is required as a condition of attendance, administered by the District or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
  - c. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others. This does not apply to the collection, disclosure, or use of personal information collected from students for the

exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or the District; and

5. Inspect certain materials. Upon request, parents and eligible students have the right to inspect the following before the District administers or uses them:

- a. Protected information surveys of students;
- b. Surveys created by a third party;
- c. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
- d. Instructional materials used as part of the educational curriculum.

### **Notification**

The District shall directly notify parents and eligible students of this policy at least annually at the beginning of the school year, either through the U.S. mail, during registration, school newsletter, or e-mail, and shall provide updates within a reasonable period of time after any substantive changes to the policy.

In this notification, the District must inform parents or eligible students of the specific or approximate dates when the activities or surveys are scheduled or expected to be scheduled during the school year. For surveys and activities scheduled after the school year starts, parents or eligible students will be provided reasonable notification of the planned activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys and shall be provided an opportunity to opt their child out of the following activities and surveys:

1. Collection, disclosure, or use of personal information collected from students for the purpose of marketing or sale (or otherwise distributing such information to others for that purpose), with some exceptions;
2. Administration or distribution to a student of any protected information survey not funded as part of a program administered by the Department or funded as part of a program administered by the Department but to which students are not required to submit; and
3. Certain non-emergency, invasive physical examinations or screenings, as described above.

### **Inspection of Surveys/Instructional Materials**

Parents or eligible students who wish to exercise their right to inspect surveys and instructional materials as provided above may do so by sending a written request to the building principal. The principal shall respond to requests within a reasonable period of time after receiving the request and arrange for the parent or eligible student to inspect the applicable materials at the school or District administrative office.



All instructional materials, including teacher's manuals, films, tapes, or other supplementary material, which will be used in connection with any survey, analysis, or evaluation as part of any applicable program shall be available for inspection by the parents or eligible student.

### **Protection of Student Privacy**

The Superintendent or designee shall ensure that applicable District confidentiality and data protection policies are in place to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, selling, or other distribution purposes.

All survey requests shall be submitted to the Superintendent or designee for review and/or approval. The Superintendent shall develop criteria to determine if the administration of the survey is appropriate and beneficial for District students and employees and is conducted in accordance with state or federal law and District policy.

### **Violation of Rights**

Parents or eligible students who believe their rights under the PPRA have been violated may file a complaint with the Superintendent or designee.

Complaints may also be filed with:

U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605

## **Title IX, Title VI, and ADA**

**You are hereby notified** that the Dickinson Public School District #1 does not discriminate on a basis of race, color, religion, sex, gender identity, sexual orientation, national origin, ancestry, disability, age, marital status, and other status protected by law in its educational programs/activities and employment practices. It is required by Title IX and Part 86 of the Department of Health, Education and Welfare regulations and not to discriminate in such a manner.

**You are further notified** that inquiries concerning the application of Title IX and Part 86 may be referred to the Human Resources Director, Central Administration Office, who has been designated as the person responsible for coordinating the efforts of Dickinson Public School District #1 to comply with and carry out its responsibilities under Title IX and Part 86, including any investigation of complaints alleging noncompliance.

**You are further notified** that inquiries concerning the application of Title IX, Title VI, ADA or other issues of equal opportunity may be referred to the Human Resources Director at 444 4th St. West; 701-456-0002 and the Director of Student Services for 504 at the same address and phone number. These are designated as the persons responsible for coordinating the efforts of the Dickinson Public

School District #1 to comply with and carry out these responsibilities, including any investigation of complaints alleging noncompliance of practices, and violation of law or school board policy.

### **District Issued Device Policy**

Dickinson Public Schools will be providing iPads and Chromebooks for all elementary students to use at school and for Remote Learning at home in the event of school closure. The focus of the 1:1 program is to meet the needs of 21<sup>st</sup> Century Learners and increase student achievement by transforming teaching strategies and increasing student engagement. The iPads/Chromebooks will provide students the opportunity to become producers as well as consumers of information.

This is an exciting opportunity for our students but the use of technology resources is a privilege, not a right.

### **DICKINSON PUBLIC SCHOOLS 1:1 iPad/CHROMEBOOK PROGRAM**

- Student iPads/Chromebooks and chargers are the property of Dickinson Public School District.
- iPads/Chromebooks are intended for use at school each day. In the event of school closure, the device will be used to complete daily work from home.
- The policies, procedures, and information within this document apply to any technology device used within Dickinson Public Schools. Teachers may set additional requirements for use in their classrooms.
- Any student who violates the rules and expectations relative to technology use will be subject to disciplinary action. Students who violate the rules may lose access to the device for a period of time. Serious violations will result in the students' use of technology being restricted and/or revoked.

### **DEVICE DISTRIBUTION AND CARE**

- Devices and chargers will be distributed each fall. Students entering grades K-2 will be provided with an iPad and students in grades 3-5 will be provided with a Chromebook. The general care of the device is the responsibility of the student.
- Devices and chargers will be returned during the final week of school. If a student withdraws or leaves Dickinson Public Schools during the school year, the device and charger must be returned

in their original condition on the day of departure from the district. If a student fails to return the device and charger they will be responsible for the cost of replacement.

- Cases must remain on the device. Avoid extreme pressure on the iPad/Chromebook as it can cause permanent damage to the screen and other components.
- Devices may be sent home daily. If devices are sent home, students will be responsible to bring the device back to school the next school day. The devices should be charged each day. A charger will be distributed to keep at home.
- Do not eat or drink while using the iPad/Chromebook and avoid leaving the device in a place that has either extreme hot or cold conditions.

## **FEES AND DAMAGE**

- Required repairs that are not due to negligent use will be covered by the district. If intentional damage has occurred to a device or device accessory, ***all repair or replacement costs will be the responsibility of the student.*** The district will have the damage repaired or replaced and bill the student for the costs if necessary. Families are welcome to check with their personal insurance company about coverage.
- Examples of damage include but are not limited to: cracked screens, broken or lost cases, broken or lost keyboards, stripped or lost cords.

## **G SUITE FOR EDUCATION**

- Our classrooms will be using G Suite for Education from Google. G Suite is a safe set of educational tools that include Google Classroom, Calendar, Google Docs, Google Slides, etc. These tools are used by tens of millions of students and teachers around the world and will allow students more opportunities to be engaged in the 21<sup>st</sup> Century Skills of communication, collaboration, critical thinking, and creativity. To access G Suite, students will be given an email address that they will use to login. G Suite is a walled platform specifically for education and does not include advertisements.

## **STUDENT ACCESS TO THE INTERNET AND COMPUTER NETWORK POLICY**

- All Dickinson Public School users are expected to abide by generally accepted rules of network etiquette. These include but are not limited to the following:
  - Personal information should not be shared with others.
  - Be polite and use appropriate language.
  - All messages, pictures and videos need to be school appropriate.
  - Messages, pictures, and videos received from others may only be shared with permission.
  - Messages related to or in support of illegal activities may be reported to the authorities.
  
- The Dickinson Public Schools works to provide a filter on 1:1 devices that protects against mature and adult content. This is in compliance with the Children's Internet Protection Act. The filter will also work to protect students while on the internet at home.
  
- The use of the internet in the Dickinson Public School District must be in support of educational goals and consistent with the stated objective of the school district. Use of other networks or computing resources must comply with the rules appropriate for that network. The Dickinson Public School District is bound by the Acceptable User Policy of its current internet service provider.

Transmission of any material in violation of any federal or state law or regulation is prohibited. This includes, but is not limited to, copyrighted material, threatening, harassing, or obscene material, or material protected by trade secrets. Use for commercial activities by for-profit institutions is generally not acceptable. Use for product advertisement is also prohibited. Illegal activities are strictly prohibited.